



**DURHAM CATHOLIC
DISTRICT SCHOOL BOARD**
Learning and Living in Faith

ADMINISTRATIVE PROCEDURE – AP611-1

Student Discipline

Area: Student Conduct and Safety
Policy Reference: Student Discipline (PO611)

Approved: May 13, 2013
Revised: May 8, 2017; November 5, 2018 (I); May 6, 2019; September 26, 2025

1. Purpose

The purpose of this Administrative Procedure is to provide a framework for the implementation of Student Discipline Policy (PO611), the Code of Conduct Policy (PO610) and the Code of Conduct Administrative Procedure (AP610-1). The application of this procedure will help to ensure all students have a safe, inclusive and caring school environment in order to maximize their learning.

2. Definitions

Adult Pupil (*Municipal Freedom of Information and Protection of Privacy Act*) – a student who has reached the age of 18, or is 16 or 17 and has withdrawn from parental control.

Guardian (*Education Act*) – a person who has lawful custody of a child, other than the parent of the child.

Harassment (*Ontario Human Rights Commission*) – engaging in a course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome.

Ontario Human Rights Code (the “Code) (*Equity and Inclusive Education in Ontario Schools*) – a provincial law that gives everyone equal rights and opportunities, without Discrimination, in specific areas such as education, jobs, housing, and services. The goal of the Code is to address and prevent discrimination and harassment.

Weapon (*Criminal Code of Canada*) – means anything used, designed to be used or intended for use (a) in causing death or injury to any person, or (b) for the purpose of threatening or intimidating any person.

3. Procedures

3.1 Progressive Discipline Continuum

- 3.1.1 Progressive discipline is a school-wide proactive and supportive approach that uses a continuum of prevention programs, interventions, supports and consequences to promote and support positive behaviours and address inappropriate behaviour. When inappropriate behaviour occurs, mitigating factors must be considered when disciplinary measures are applied. The progressive discipline continuum includes creating a positive and restorative school and classroom climate, early, ongoing and collaborative intervention, suspension or expulsion.
- 3.1.2 Schools are required to develop and implement a school-wide progressive discipline plan consistent with the Student Discipline Policy (PO611), this administrative procedure and the Ontario Human Rights Code. Plans should utilize a range of interventions, supports and consequences that are developmentally appropriate and support students by including learning opportunities for reinforcing and cultivating positive behaviour.
- 3.1.3 Progressive discipline is most effective when communication between the school and home is open, courteous and focused on student success. Principals, vice principals and teachers who have been delegated authority are expected to engage and collaborate with parents/guardians in the progressive discipline approach being used with their children.
- 3.1.4 Where a student has special education needs, the interventions, supports and consequences must be consistent with the expectations outlined in the student's Individual Education Plan (e.g., behaviour goals) and Safety Plan (if applicable).
- 3.1.5 Creating a positive school and classroom climate
- a) Catholic school communities strive to create positive school and classroom climates by promoting the dignity and worth of all members of the school community. All members of the school community demonstrate accountability and responsibility for their thoughts, words and deeds. Opportunities for contemplation, reconciliation and forgiveness are created when harm has been done to a member of the school community.
 - i. Strategies for creating positive school climate may include, but are not limited to:
 - cultivating a safe and accepting environment by establishing rules and routines that can be implemented by all members;
 - reviewing and explaining the School Code of Conduct to the students at the beginning of the school year and again as needed;
 - engaging all parents/guardians in the school community;
 - focusing on a restorative mindset;

- implementing relationship building and community building programs at the individual, small group, classroom and school level (e.g., social-emotional learning, self-regulation strategies);
 - implementing school improvement goals to address all aspects of the well-being strategy:
 - Safe and Accepting Schools;
 - Equity and Inclusive Education;
 - Positive Mental Health;
 - Healthy Schools;
 - Ongoing communication with parents/guardians.
- ii. Strategies for creating a positive classroom climate may include, but are not limited to:
- cultivating a safe and accepting environment;
 - utilizing a restorative mindset;
 - co-constructing, communicating and reinforcing classroom and school expectations;
 - recognizing and celebrating the accomplishments of all students;
 - focusing on developing relationships;
 - implementing proactive management of stress behaviours;
 - ongoing communication with parents/guardians.

3.1.6 Early, ongoing and collaborative intervention

- a) Progressive discipline includes the use of early and ongoing prevention and intervention strategies to address inappropriate behaviour and maintain a positive school environment. Intervention strategies should provide students with the necessary supports to address inappropriate behaviour. Parents/Guardians should be actively engaged in developing and implementing the prevention and intervention strategies.
- i. Early, ongoing and collaborative intervention strategies by school staff may include, but are not limited to:
- using positive reinforcement and encouragement;
 - collecting and analyzing data to determine the function of the behaviour;
 - making program modifications or accommodations;
 - development and ongoing review of supports for a student and/or IEP by school team;
 - development and ongoing review of alternate expectations to address lagging skills in behaviour;
 - reviewing of Code of Conduct and/or classroom expectations;
 - using verbal and non-verbal reminders;
 - meeting with student;
 - loss of privilege;
 - initiating or reviewing behaviour contracts.

- contact with parent/guardian;
- use of restorative practices;
- consult with administration.

3.1.7 Suspension or Expulsion

a) The Education Act gives the principal the sole responsibility to suspend or recommend expulsion of a student based on the list of infractions in the Student Discipline Policy (PO611) and the Code of Conduct Policy (PO610). The principal must consider the mitigating and other factors as listed in the Safe Schools Act prior to making the decision to suspend or recommend the expulsion of a student. Decisions regarding appropriate discipline should be unique to each student. Based on the individual factors, and other mitigating factors associated with each student, the principal must decide on the appropriate consequences and supports for each student.

3.1.8 Understanding of Behaviours that are a Manifestation of Specific Diagnosed Medical or Neurological Developmental Disorders

- a) Some students with special education needs have medical/neurological/developmental disorders that can have behaviour(s) that is/are a direct result (manifestation) of a diagnosed and existing medical, neuropsychological, neurological, or developmental condition (i.e., a condition that is not learned and cannot be “unlearned”). The specific manifestation of behaviour may be identified in a professional assessment. Such behaviours may create safety concerns within the school environment.
- b) Responding to the behaviour as a purposeful violation of the Code of Conduct and applying consequences in isolation from the behaviour management strategies in a student’s IEP and Safety Plan may be considered a violation of the student’s legal right to accommodation which would be mitigated from that of a neuro-typical developed student. It may also result in an unnecessary increase in the risk of injury behaviour.
- c) All staff should make themselves aware of the behaviours associated with the diagnosed disorders of the students they work with or come in contact with on a regular basis in order to fully understand the potential behaviours as a manifestation of the disability or disorder. This awareness may be sought through: reviewing the student’s IEP, student safety plan or notification of risk of injury (if applicable) and/or consulting with the schools’ Program Support Teacher.
- d) These behaviours should not be responded to as deliberate, intentional or purposeful violations of the Code of Conduct. Rather, these behaviours must be documented, and school interventions must be incorporated into the student’s IEP and Safety/Support Plan. Not every student who demonstrates behaviours that present a risk of injury to self and others will

have a diagnosis. It is important that the school responds to these behaviours by collecting data, analyzing the data (e.g., doing a Functional Behaviour Analysis) and developing an IEP and a Safety/Support Plan.

3.1.9 Progressive Discipline Consequences

- a) When early, ongoing and collaborative intervention strategies are not effective or sufficient in addressing inappropriate student behaviour, the Durham Catholic District School Board (the “Board”) supports the use of progressive discipline consequences up to and including expulsion from all schools of the Board;
- b) In considering the most appropriate response to address inappropriate behaviour, mitigating and other factors (outlined in section 3.3) should be taken into consideration as the principal or vice principal uses bias-aware investigative practices.

3.1.10 When a progressive discipline consequence is used, parents/guardians should be informed and/or consulted and the teacher, principal or vice principal should keep a record for each student. The record should include:

- a) Name of the student;
- b) Date of the incident or behaviour;
- c) Nature of the incident or behaviour;
- d) Progressive discipline approach used;
- e) Outcome; and/or
- f) Any contact with parent/guardian unless the student is an adult student.

3.1.11 Consequences may include:

- a) Meeting with parent(s)/guardian(s), student and principal;
- b) Detentions and/or community service;
- c) Withdrawal of privileges;
- d) Withdrawal from class;
- e) Restitution for damages;
- f) Suspension and/or expulsion from school or all schools of the Board.

3.2 Responding to Safe Schools Incidents by Employees Who Work with Students

3.2.1 Schools must consistently take the appropriate action to address behaviours that are contrary to provincial, Board and school Codes of Conduct. In order to ensure a consistent school-level application of Progressive Discipline consequences, the principal shall review each year with all staff members their duty to report breaches to the school Code of Conduct. This review shall include instructions regarding the process for reporting of incidents both in person and by using the Safe Schools Incident Reporting tool on MyDCDSB.

3.2.2 During the course of their duties, provided that there is no immediate risk of physical harm to the employee, Board employees who work with students are expected to respond to:

- a) any inappropriate or disrespectful behaviour;
- b) any behaviour that could have a negative impact on school climate;
- c) any behaviour for which a suspension or expulsion may be imposed.

3.2.3 Staff response should be timely and supportive in an effort to stop and correct the behaviour in a manner that is developmentally appropriate and takes into consideration any special and/or disability related needs of the student(s) involved. Responses may include one or more of:

- a) asking the student to stop the behaviour;
- b) identifying the behaviour as inappropriate and disrespectful;
- c) explaining the impact of the behaviour on others and the school climate;
- d) modelling appropriate communication;
- e) asking the student to correct their behaviour;
- f) asking the student to acknowledge their behaviour as being inappropriate; and
- g) asking the student to explain why and how a different choice or decisions would have been more appropriate and respectful.

3.2.4 A response by a staff member to the incident shall not prevent or preclude the principal or vice principal from imposing appropriate consequences up to and including a recommendation for expulsion from all schools.

3.3 Mitigating Factors and Other Factors

3.3.1 Before issuing any progressive discipline consequence, including suspensions and expulsions, principals must take into account the following mitigating and other factors when making their decisions.

a) Mitigating Factors

- i. Whether the student has the ability to control their behaviour;
- ii. Whether the student has the ability to understand the foreseeable consequences of their behaviour; and
- iii. Whether the student's continuing presence in the school creates an unacceptable risk to the safety of any other individual at the school.

3.3.2 Other Factors to be Considered

- a) The student's academic, discipline and personal history;
- b) Whether other progressive discipline has been attempted with the student, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure;

- c) Whether the infraction for which the student might be disciplined was related to any harassment of the student because of race, colour, ethnic origin, place of origin, religion, creed, disability, gender, or gender identity sexual orientation or harassment for any other reason related to an immutable characteristic;
- d) The impact of the discipline on the student's prospects for further education;
- e) The student's age;
- f) Where the student has an IEP or disability related needs;
 - i. Whether the behaviour causing the incident was a manifestation of the student's disability;
 - ii. Whether appropriate individualized accommodation has been provided; and
 - iii. Whether a suspension is likely to result in aggravating or worsening the student's behaviour or conduct.

3.4 Suspension of Student

3.4.1 Suspension Infractions

- a) When a principal's/vice principal's investigation of an incident determines that a student has committed one or more of the following infractions on school property, during a school-related activity or event and/or in circumstances where the infraction has an impact on the school climate, a principal shall consider whether that student should be suspended.
- b) The infractions for which a suspension may be imposed by the principal include:
 - i. Uttering a threat to inflict serious bodily harm on another person;
 - ii. Possessing alcohol, illegal drugs or cannabis (unless the student is a medical cannabis user);
 - iii. Being under the influence of alcohol, illegal drugs, or cannabis (unless the student is a medical cannabis user);
 - iv. Swearing at a teacher or at another person in a position of authority;
 - v. Committing an act of vandalism that causes extensive damage to school property at the student's school or to property located on the premises of the student's school;
 - vi. Bullying;
 - vii. Uttering a racial slur or comment;
 - viii. Sexual slurs or harassment;
 - ix. Disrespect towards or desecration of the religious dimension of the school;
 - x. Possession and/or use of tobacco products;

- xi. Conduct deemed unacceptable, e.g.:
 - Fighting/Violence
 - Use of profane or improper language
 - Persistent opposition to authority
 - Theft
 - Inappropriate use of social media
 - Any act considered by the principal to be contrary to the Board or School Code of Conduct

- c) A student may be suspended only once for any incident of an infraction, and may be suspended for a minimum of one (1) school day and a maximum of twenty (20) school days.

- d) In accordance with the Ontario Ministry of Education’s direction on progressive discipline and student well-being, students enrolled in Junior Kindergarten to Grade 3 shall not be suspended for behaviors that would otherwise warrant suspension under the Education Act for older students.
 - i. When a student in Junior Kindergarten to Grade 3 engages in inappropriate behavior, the principal must:
 - Conduct a thorough investigation of the incident;
 - Consider the individual circumstances of the student, including age, developmental level, and any special education needs;
 - Implement positive behavior supports and interventions, such as:
 - Restorative practices;
 - Counseling or mental health supports (with parental consent);
 - Problem-solving strategies and behavior coaching;
 - Engage parents/guardians in a collaborative approach to address the behavior and support the student’s development.
 - ii. Suspension may only be considered in exceptional circumstances under Section 310 of the Education Act, and only after all other interventions have been exhausted and documented.

3.4.2 Factors to Consider Before Imposing a Suspension

- a) The principal must ensure that they have followed the continuum of progressive discipline (e.g., prevention strategies, consideration of mitigating factors and disproportionate impacts on student’s education) with respect to the student’s behaviour (see section 3.1.9 above).

- b) If the student poses an unacceptable risk to the safety of others in the school, the principal shall consult with their Family of Schools Superintendent regarding appropriate accommodations and/or strategies that might be instituted to ensure safety of students, staff, and others in the school.

- c) For long-term suspensions (exceeding 6 days) the principal must consult with the Family of Schools Superintendent regarding:
 - i. Whether mitigating or other factors were considered;
 - ii. The investigation undertaken;
 - iii. The circumstances of the incident; and
 - iv. The appropriate length of the suspension.

3.4.3 Reporting of Serious Student Incidents to the Principal by Board staff

- a) When any Board employee or transportation provider becomes aware of any infractions for which a suspension may be imposed by the principal or any infractions for which a principal may consider recommending to the Board that a student be expelled, they must verbally report the infraction and any details to the principal/vice principal or teacher who has been delegated authority at the earliest, safest opportunity. If a report is to be made by a transportation provider, it should be reported at the end of the transportation run.
- b) Where two or more Board staff and/or transportation providers become aware of the same incident, each staff member and transportation provider must make a separate report to the principal/vice principal or teacher who has been delegated authority.
- c) For Board employees, the incident must also be reported electronically using the Safe Schools Incident Reporting online tool available on the Tools and Apps page of MyDCDSB as soon as possible.
- d) When a teacher who has been delegated authority receives an oral or written report of an incident, they should make the principal/vice principal aware at the earliest opportunity.
- e) Once the report is generated, a report number will be assigned and the principal/vice principal will respond using the online reporting system to acknowledge the receipt of the report in writing. The report will indicate whether or not action was taken.
 - i. When No Action is Taken
 - It is recommended that the employee does not print the electronic copy of the report. (If printed, the employee or transportation provider shall destroy the Principal/Vice Principal acknowledgment in a manner that protects the privacy of all personal information that may be contained therein).
 - The principal/vice principal shall retain the report for the balance of the school year, and the following school year, at which time it shall be destroyed unless required for an ongoing proceeding including an application to the Human Rights Tribunal of Ontario.

ii. Where Action is Taken

- It is recommended that the employee does not print the electronic copy of the report. (If printed, the employee SHALL destroy any principal comments that pertain to investigation and/or disciplinary measures. Retained reports must be held in a secure location for no more than twelve months.)
- f) A copy of the report shall be filed in that student's Ontario Student Record (OSR) for at least the balance of the school year and for the following school year, unless:
- i. It is removed from the OSR in accordance with s. 266 of the Education Act; or
 - ii. As a result of a suspension review, suspension appeal, expulsion appeal, or settlement or final determination of an appeal/review/proceeding/action/claim/application.
- g) The principal/vice principal shall ensure that all information that could identify other students has been redacted before it is filed in the OSR. When action is taken against more than one student, the report shall be filed in each student's OSR, as above.
- h) In the event a student transfers to another school, the principal shall confirm that incident reports (consistent with section 3.4.3(f) of this administrative procedure) have been inserted into the student's OSR prior to the transfer.

3.5 Steps When Imposing a Suspension

3.5.1 When a principal or vice principal has determined that a suspension is an appropriate consequence, the following steps must be followed:

- a) Step 1: If the infraction the student is suspected of committing requires mandatory notification of police according to the Police/School Board Protocol, the principal or vice principal should contact the police. When in doubt, the principal should consult with their Family of Schools Superintendent;
- b) Step 2: Within 24 hours of the decision, the principal or vice principal must make all reasonable efforts to verbally inform the parent/guardian or the adult student of the suspension;
- c) Step 3: The principal or vice principal must inform the student's teacher(s) of the suspension;
- d) Step 4a: For suspensions of 1 to 5 days: The principal or vice principal, in conjunction with the student's teacher(s), must organize schoolwork to be provided for the student to be completed at home during the duration of the suspension. The work should be available to the adult student's

designate or the student's parent/guardian or designate, the day the student is suspended or the following day;

- e) Step 4b: For suspensions of 6 to 20 days: In addition to receiving schoolwork for the first five (5) school days of suspension, the student must be assigned to the Alternative Suspension Program (ASP). A student participating in an ASP is not considered to be engaging in school or school-related activities. The principal or vice principal shall explain the ASP to the parents/guardians or adult student at the time of the suspension;
- f) Step 5: Efforts should be made to give the suspension letter (and the student's schoolwork) to the parent/guardian or adult student, at the time of the suspension. If this is not possible, the letter should be mailed or couriered to the home address or emailed at parent's request.
 - i. If notice is sent by mail or courier, it will be deemed to have been received on the fifth school day after it was sent;
 - ii. If notice is sent by email, it is deemed to have been received the first school day after it was sent; or
 - iii. Written notice of the suspension is also provided to the Family of Schools Superintendent and the Superintendent of Safe Schools.
- g) Step 6: The written notice of suspension will include:
 - i. The reason for suspension;
 - ii. The duration of the suspension, including the student's date of return to school;
 - iii. Information about the ability to access schoolwork;
 - iv. Information about the Alternative Suspension Program for suspensions for six (6) or more school days;
 - v. Information about the right to appeal the suspension, including the relevant policies and guidelines, and the contact information for the Director of Education, to whom notice of the appeal must be given;
 - vi. Refer to Appendix 1 and 2 for appropriate letters.

3.5.2 Alternative Suspension Program (ASP)

- a) An Alternative Suspension Program must be available for a student who has been suspended for six (6) or more school days.
- b) Agreement or refusal to participate in an ASP may be communicated to the school verbally by the adult student or the student's parent/guardian. Where the adult student or the student's parent/guardian declines the offer for participation in the ASP, the principal or vice principal shall record the date and time of such refusal. The principal or vice principal of the ASP will also contact the parent/guardian or adult student to explain the program and will record the date and time if the program is refused.

- c) A student cannot be compelled to participate in an ASP. Should the adult student or the student's parent/guardian choose not to have the student participate in an ASP, the student will be provided with schoolwork consistent with the Ontario curriculum or that student's modified or alternative curriculum to be completed at home for the duration of their suspension. This schoolwork will be made available to the student and/or their parent/guardian/designate at regular intervals during the suspension period. In circumstances where the schoolwork is not being accessed, the home school educator and/or principal should contact the adult student or the student's parent(s)/guardian(s) to ensure there are not barriers preventing the student from accessing the work. The educator/principal should record the follow up and response.

3.5.3 Student Action Plan (SAP)

- a) A Student Action Plan shall be developed for every student who receives a suspension of six (6) or more school days and who agrees to participate in the Alternative Suspension Program (ASP).
- b) The principal or vice principal of the ASP school shall hold a planning meeting for the purpose of developing the Student Action Plan (SAP) for a student who has been suspended for 6 to 10 days who has agreed to participate in the ASP.
- i. The planning meeting must include school and board staff and the student, and where possible, student's parents/guardians, other significant family members and teachers should also be present at the meeting;

The purpose of the planning meeting is to:

- Identify the needs of the student, the student's risk factors and protective factors, types of support that the student may need to continue his or her learning and establish the objectives of the SAP.
- ii. The planning meeting will be scheduled to occur as soon as possible following the adult student or the parent/guardian informing the school that the student will participate in an Alternative Suspension Program;
- iii. If the parent(s)/guardian(s)/adult student are not available to participate in the planning meeting, the meeting will proceed in their absence and the principal will make efforts to follow up with the parent(s)/guardian(s)/adult student following the meeting; and
- iv. During the planning meeting the principal shall review the issues to be addressed in the student's SAP.

- c) A student subject to suspension for eleven (11) or more school days shall be provided with both academic and non-academic supports, which shall be identified in the student's SAP. Students subject to a suspension of fewer than eleven (11) school days may be offered non-academic supports where such supports are appropriate and available.
- i. The SAP shall be developed under the direction of the principal of the school with assistance, as appropriate, from the principal of the alternative suspension program, vice principal of the school, guidance counselor, program support teacher, classroom teacher and/or student services staff (e.g., CYC, social worker, psychological services).
 - ii. The principal will make every effort to complete the SAP within five (5) school days of being informed that the student will participate in an ASP. This timeline will be communicated to the adult student and/or the parent/guardian if they are unable to attend the planning meeting for the purpose of providing input.
 - iii. The principal must ensure that the student is provided with schoolwork until the SAP is in place.
 - iv. Once completed, the SAP will be shared with the student or the student's parent/guardian and all necessary staff to facilitate implementation.
 - v. A copy of the SAP will be stored in the student's Ontario Student Record until such time as it is no longer conducive to the improvement of instruction of the student.
 - vi. The SAP will identify:
 - Any program(s) or service(s) that might be provided to address those learning or other needs;
 - The academic program to be provided to the student during the suspension period and details regarding how that academic program will be accessed by the student;
 - Where the student has an IEP and or disability related needs, information regarding how the accommodations/modifications of the student's academic program will be provided during the period of suspension;
 - The non-academic program and services to be provided to the student, if applicable, during the suspension and details regarding how that non-academic program and those services will be accessed; and
 - The measurable goals the student will be striving to achieve during the period of suspension.

3.5.4 Notification of the Parent/Guardian of Impacted Student

a) Decision to Notify the Parent/Guardian of Impacted Student

- i. Following an incident for which the principal will be considering imposing a suspension or making a recommendation for expulsion, they

shall provide information to the parent/guardian of the impacted student, unless in the opinion of the principal or vice principal providing information to the impacted student's parent/guardian would put the impacted student at risk of harm and would not be in the impacted student's best interest. Where the impacted student is an adult student, the principal or vice principal shall inform the parent/guardian only with the impacted student's consent.

- ii. When notifying the parent/guardian of the student who has been the student impacted by an incident, the principal or vice principal shall identify:
 - The nature of the incident that caused the student harm;
 - The nature of the harm to the student; and
 - The steps being taken by the school to protect the student's safety including any disciplinary measures taken in response to the activity and supports being provided.
- iii. In addition, where the impacted student has been harassed, bullied or suffered violence because of one or more immutable characteristics, including on any grounds protected by the Ontario Human Rights Code, or has been sexually assaulted, the principal or vice principal will share contact information about professional supports available in the Board and in the community in a form accessible to the parent/guardian. A written list of community contacts may be made available to the impacted student and/or the impacted student's parent/guardian.
- iv. The principal or vice principal may communicate to the impacted student and the impacted student's parent/guardian:
 - Any school-wide initiatives or preventative measures that have been or will be implemented as a result of the incident and/or other similar incidents;
 - Confirmation that the student(s) disciplined will no longer be attending the same school as the impacted student, if this is the case.
- v. When notifying a parent/guardian of an impacted student, the principal shall not disclose the name of, or any other identifying personal information about, a student who engaged in the activity that resulted in harm, except insofar as is necessary to comply with section 3.5.4 ii) above.

b) Decision to Not Notify the Parent/Guardian

- i. Where, in the opinion of principal/vice principal, providing information to a student's parent/guardian would put the student at risk of harm, such that notification would not be in the student's best interests, or where the student is an adult student and does not consent to their

parent/guardian being informed, the principal/vice principal shall not inform the student's parent/guardian. It is recommended that the principal/vice principal consult with their Family of Schools Superintendent in such instances.

- ii. The principal or vice principal shall:
 - consider, as a result of the impacted student's disclosure, whether or not the impacted student is a child in need of protection and, if so, make a report to the children's aid societies (e.g., Durham Children's Aid Society and Dnaagdawenmag Binnoojiyag Child and Family Services), and if in doubt, the principal or vice principal shall make an anonymous consultation call to CAS to inquire about the appropriateness of making a report;
 - document why the parent/guardian was not notified;
 - inform their Family of Schools Superintendent that the parent/guardian was not informed and why;
 - Inform the reporting staff member that the parent/guardian was not notified and explain why; and
 - inform other staff working to support the student, as appropriate.

3.6 Suspension Appeal Process

3.6.1 Suspension Appeal Request

- a) Where a student's parent/guardian or the adult student disagrees with the decision of the principal to suspend the student, the adult student or parent/guardian may appeal a suspension. All suspension appeals will be received by the Director of Education.
 - i. An appeal of a suspension does not stay the suspension.
 - ii. A person who intends to appeal a suspension must give written notice of their intention to appeal the suspension within ten (10) school days of the commencement of the suspension.
 - iii. The Board must hear and/or determine the appeal within fifteen (15) school days of receiving the notice of intention to appeal (unless the parties agree to an extension).
 - iv. Upon receipt of written notice of the intention to appeal the suspension, the Director of Education will direct the Superintendent of Safe Schools to:
 - promptly advise the principal of the appeal;
 - advise the Family of Schools Superintendent to contact the adult student or the parent/guardian and inform them that a review of the suspension will take place and invite the appellant to contact them to discuss any matter respecting the incident and/or appeal of the suspension (see Appendix 4);
 - ensure the Family of Schools Superintendent reviews the suspension (reason, duration, any mitigating or other factors and

whether or not the Ontario Human Rights Code should be or was appropriately applied); they may consult with the principal regarding modification or expunging the suspension;

- advise the Family of Schools Superintendent to consult and possibly request a meeting with the adult student or the parent/guardian and the principal to narrow the issues and try to affect a settlement;
- advise the Family of Schools Superintendent, where a settlement is not affected, to provide notice of the review decision (see Appendix 5) to the adult student or parent/guardian;
- and arrange a date for the appeal before the Discipline Committee.

3.6.2 Suspension Appeal Meeting

a) Where the suspension is upheld on review, and the adult student or the student's parent/guardian chooses to continue with the appeal, the Superintendent of Safe Schools will:

- i. Coordinate the preparation of a written report for the Discipline Committee. This report must contain:
 - A report from the principal regarding the incident, the rationale for suspension and how mitigating and other factors were considered;
 - A copy of the original suspension letter;
 - A copy of the letter requesting the Suspension Appeal;
 - A copy of the correspondence with respect to the decision of the Family of Schools Superintendent regarding the suspension review;
 - Any material necessary for the Discipline Committee to review during the Appeal (e.g., witness statements).
- ii. Inform the adult student or the parent/guardian of the date of the Suspension Appeal, provide a guide to the process for the appeal, and a copy of the written report that will go to the Discipline Committee. (See Appendix 7).

3.6.3 Suspension Appeal Before the Discipline Committee of the Board

- a) The parties in an appeal to the Discipline Committee shall be the principal and the adult student or the parent/guardian, if they appealed the decision.
- b) Suspension appeals will be heard orally, in camera, by the Discipline Committee of Trustees. A designate identified by the family may make submissions on behalf of the student. An adult student or student's parent/guardian may bring legal counsel, an advocate or support person with them to the appeal provided they have advised the Superintendent of Safe Schools 5 school days in advance.

- c) Legal counsel for the school may be present at the appeal if the appellant is represented by legal counsel or an agent.
- d) The Discipline Committee may make such orders or give such directions at an appeal as it considers necessary for the maintenance of order at the appeal.
- e) The standards of acceptable behaviour outlined in PPM128 Provincial Code of Conduct and School Boards Code of Conduct apply to all suspension appeal hearings.
- f) Where the appellant, who has received proper notice of the location, date and time of the appeal fails to attend the appeal or comply with the necessary timelines, the Discipline Committee will wait 30 minutes before dismissing the appeal.

3.6.4 Procedure During a Suspension Appeal

- a) The Principal and/or Family of Schools Superintendent for the school will make verbal submissions on behalf of the administration, including a response to any issues raised in the appellant's submissions.
- b) The appellant and/or their designate will then proceed by making oral submissions and/or providing written submissions regarding the reason for the appeal and the result desired.
- c) The student, if present, will be asked to make a statement on their own behalf.
- d) The appellant may make further submissions addressing issues raised in the administration's presentation that were not previously addressed by the appellant.
- e) The Discipline Committee may ask any party, or the student, where appropriate, questions of clarification.
- f) The Discipline Committee will retire to caucus to make their decision. The Discipline Committee will consider, based on the written and/or verbal submissions of both parties, whether or not the consequence might have a disproportionate impact on a student when considering the Ontario Human Rights Code and whether the decision to discipline and the discipline imposed was reasonable in the circumstances.
- g) The Discipline Committee will decide to either:
 - i. confirm the suspension and its duration; or
 - ii. confirm the suspension but shorten its duration, and amend the record, as necessary; or
 - iii. quash the suspension and order that the record be expunged.

- h) The decision shall be communicated to the appellant in writing. The decision of the Discipline Committee is final.

3.7 Re-Entry Following a Suspension

3.7.1 Re-Entry Meeting

- a) Following a suspension of six (6) or more school days, a re-entry meeting will be held with school and board staff (if necessary), the student, and the student's parent(s)/guardian(s) if possible, to provide positive and constructive redirection for the student. Where the student has participated in an ASP, the student's success in achieving the goals outlined in the SAP will be reviewed with the adult student or student's parent/guardian and student. Further programs and services might be recommended by the principal for the purpose of achieving additional or greater success in meeting the goals outlined in the SAP.

3.7.2 Transfer to Another School

- a) Following an incident at the school, it might be necessary to transfer a student who has been disciplined or who has been impacted by an incident, to another school for safety reasons and/or for compliance with an Order of the Court or police restrictions. To the extent possible, the student who has been disciplined rather than the impacted student, should be transferred and rationale for the transfer should be documented.
- b) The decision to transfer a student to another school shall only be made by a superintendent in consultation with the sending and receiving school principals and shall be made only where it is consistent with the Ontario Human Rights Code.
- c) When it has been determined that a student will be transferred to another school, the principal or vice principal shall ensure that a transition plan is developed identifying any additional supports and resources required in the principal/designates opinion to ensure a successful transition. These might include referrals for Social Work support, Child & Youth Counsellor (CYC) support and/or support from community agencies as well as the development of a transitional Individual Education Plan. Where the student has been subject to suspension, the Transition Plan shall be consistent with and coordinated with the Student Action Plan (SAP) developed for suspension purposes.
- d) The principal or vice principal of the sending school shall invite the student and/or parent/guardian, where appropriate, to a meeting with representatives from both schools for the purpose of reviewing the Transition Plan. This meeting should include the timeline for transition and the provision of schoolwork prior to transition in circumstances where the student is not subject to a SAP and will not be attending school during the intervening period. During the meeting, the principal should obtain any necessary consents for support services and respond to any questions or

concerns identified by the receiving school and/or the parent/guardian or student.

- e) Teaching and support staff of the receiving school who will be working with the student once the student has transferred should be in attendance, where possible.
- f) All individuals attending the meeting must be informed by the principal or vice principal at the outset that the information shared during the meeting is personal information that must be kept confidential pursuant to the Municipal Freedom of Information and Protection of Privacy Act and/or Education Act'
- g) The principal shall confirm that all incident reports pertaining to the student have been inserted into the student's OSR prior to the transfer.

3.8 Expulsion of Students

3.8.1 Expulsion Infractions

- a) When a principal's investigation of an incident determines that they have reasonable grounds to believe that a student has committed one or more of the following infractions on school property, during a school-related activity or event, and/or in circumstances where the infraction has an impact on the school climate, the principal must consider whether or not to consider an expulsion as the appropriate consequence.
- b) According to the Education Act, the infractions for which an expulsion must be considered are:
 - i. Possessing a weapon, including possessing a firearm or knife;
 - ii. Using a weapon to cause or to threaten bodily harm to another person;
 - iii. Bullying, if, the student has previously been suspended for engaging in bullying, and the student's continuing presence in the school creates an unacceptable risk to the safety of another person;
 - iv. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
 - v. Committing sexual assault;
 - vi. Trafficking in weapons or restricted or illegal drugs;
 - vii. Committing robbery;
 - viii. Giving alcohol to a minor;
 - ix. Giving cannabis to a minor;
 - x. Any activity listed in the Code of Conduct for which a suspension must be considered that is motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor;
 - xi. Engaging in activities or patterns of behaviour on or off school property that cause the student's presence in the school to create an

- unacceptable risk to the physical or mental well-being of other person(s) in the school or in the Board;
- xii. Engaging in activities on or off school property that have caused extensive damage to the property of the Board or to goods that are/were on Board property;
- xiii. Conduct deemed unacceptable;
- xiv. Any act considered by the Principal and Family of Schools Superintendent to be a serious violation of the Board or school Code of Conduct.

3.8.2 Factors to Consider Before Deciding to Impose a Suspension Leading to a Possible Expulsion

- a) When deciding whether or not to impose a suspension pending a possible recommendation for expulsion, the principal will make every effort to consult with the student, where appropriate, and the student's parent/guardian, if the student is not an adult student, to identify whether any mitigating factors might apply in the circumstances. However, despite consultation, the identification of mitigating and other factors remains the responsibility of the principal (see Section 3.3 Mitigating and Other Factors).
- b) If a student does not have the ability to control their behaviour and does not understand the foreseeable consequences of their behaviour, the principal shall not suspend the student. Other progressive discipline and/or other intervention may be considered by the principal in such circumstances.
- c) The principal shall consider whether or not the 20 day suspension or expulsion might have a disproportionate impact on the student when considering the Ontario Human Rights Code.
- d) If the student does not have the ability to control their behaviour and does not understand the foreseeable consequences of his/her their behaviour, but poses an unacceptable risk to the safety of others in the school, the principal will consult with their Family of Schools Superintendent regarding appropriate accommodations and/or strategies that might be instituted to ensure student and staff safety.
- e) Where the student is able to control their behaviour and is able to understand the foreseeable consequences of their behaviour, the principal or vice principal shall consider whether the other factors mitigate the length of a suspension, the decision to apply a suspension as a form of discipline for the student, or the decision to expel from the school or all schools of the Board.

3.9 Procedural Steps When Imposing a Twenty Day Suspension Pending an Investigation to Determine if an Expulsion is Warranted

3.9.1 Step 1

- a) The principal shall contact the police, consistent with the Local Police/School Board Protocol, if the infraction the student is suspected of committing requires such contact. The principal shall consult with their Family of Schools Superintendent. Any police investigation will be conducted separately from the principal's inquiry.
- b) As part of the school investigation, the principal shall:
 - i. make all reasonable efforts to speak with the adult student or the parent/guardian and student;
 - ii. conduct interviews with witnesses who the principal determines can contribute relevant information to the investigation;
 - iii. make all reasonable efforts to interview any witnesses suggested by the student or the parent/guardian; and
 - iv. consider the mitigating and other factors (see Section 3.3) and protections of the Ontario Human Rights Code when determining whether to recommend to the Discipline Committee that the student be expelled;
 - v. consider whether progressive discipline has been attempted with the student.

3.9.2 Step 2

- a) When students are suspended the principal must make every reasonable effort to let parents/guardians know within 24 hours.

3.9.3 Step 3

- a) The principal must provide written notice of the suspension to the adult student or the parent/guardian and student and the Family of Schools Superintendent and the Superintendent of Safe Schools (see Appendix 10). The written notice of suspension will include:
 - i. The reason for suspension;
 - ii. The duration of the suspension;
 - iii. Information about the Alternative Suspension Program that the student is assigned to;
 - iv. Information about the investigation the principal is conducting to determine whether to recommend expulsion; and
 - v. A statement indicating that,
 - there is no immediate right to appeal the suspension;
 - if the principal does not recommend to the Board that the student be expelled following the investigation, that the suspension will become subject to appeal;
 - if there is an expulsion hearing because the principal recommends to the Board that the student be expelled, the suspension may be addressed by parties at the hearing.

3.9.4 Step 4

- a) The principal must inform the student's teacher(s) of the suspension.

3.9.5 Step 5

- a) Every effort should be made to give the suspension letter and the student's schoolwork to the parent as soon as possible, preferably on the day the decision is made. If it is not possible, the letter should be mailed, couriered or emailed to the parent/guardian, and schoolwork should be made available for the student for the duration of their suspension:
 - i. If notice is sent by mail or courier, it will be deemed to have been received on the fifth school day after it was sent.
 - ii. If notice is sent by email, it is deemed to have been received the first day of school day after it was sent.

3.9.6 Step 6

- a) Where a student has been suspended, pending an investigation to determine whether to recommend an expulsion, the student will be assigned to the Alternative Suspension Program. The principal or vice principal shall communicate to the adult student or the student's parent/guardian the purpose and nature of the Alternative Suspension Program (ASP) (see Section 3.5.2).

3.9.7 Step 7

- a) For students subject to a suspension pending an investigation to determine whether to recommend an expulsion, who choose to participate in an ASP, the principal of the school or designate will hold a planning meeting for the purpose of developing the Student Action Plan (SAP), which will provide both academic and non-academic supports (see Section 3.5.3).

3.9.8 Step 8

- a) Where the incident is one of serious violence, such as possession of weapons, including possession of firearm, physical assault causing bodily harm requiring medical attention, sexual assault, robbery, using a weapon to cause or threaten bodily harm to another person, extortion or hate and/or bias-motivated occurrences, the principal must indicate it as such in the Student Incident Module (in the student information system).

3.9.9 Step 9

- a) The principal must immediately begin an investigation following the suspension of the student to determine whether to recommend that the student be expelled. As part of the investigation, the principal will consult

with the Family of Schools Superintendent and/or Superintendent of Safe Schools regarding any issues of process and/or timing for conducting the investigation, which must be completed at the earliest opportunity as well as the substantive decision whether or not to recommend that the student be expelled. As part of the investigation the principal must determine whether the teacher(s), principal or vice principal has utilized prevention and ongoing intervention strategies to prevent unsafe or inappropriate behaviour. The principal must also review whether progressive discipline consequences have been used effectively in the past.

3.9.10 Step 10

- a) Before referring to a student to the Discipline Committee of the Board for expulsion, the administration shall consider whether or not the recommendation might have a disproportionate impact on a student in consideration of the Ontario Human Rights Code.

3.9.11 Step 11

- a) The decision regarding the recommendation for an expulsion must be communicated to the parent or adult student between Day 6 and Day 10 of the 20-day suspension.

3.10 Decision Not to Recommend Expulsion

3.10.1 Following the investigation and consideration of the mitigating and other factors and the application of the Ontario Human Rights Code, if the principal decides not to recommend to the Discipline Committee that the student be expelled, the principal must:

- a) consider whether progressive discipline is appropriate in the circumstances; or
- b) uphold the suspension and its duration; or
- c) uphold the suspension and shorten its duration and amend the record accordingly; or
- d) withdraw the suspension and expunge the record; and
- e) provide written notice of this decision to the adult student or the parent/guardian and student (see Appendix 11-13). The notice shall include:
 - i. A statement of the principal's decision not to recommend expulsion to the Discipline Committee;
 - ii. A statement indicating whether the suspension has been upheld, upheld and shortened, or withdrawn;
 - iii. If the suspension has been upheld or upheld and shortened, information about the right to appeal the suspension to the Discipline Committee, including:

- A statement that written notice of an intention to appeal must be given within five (5) school days following receipt by the party of notice of the decision not to recommend expulsion; or
- If the length of the suspension has been shortened, and the parent/guardian or adult student wishes to proceed with an appeal, the notice identifies the shortened length of the suspension.

3.11 Decision to Recommend Expulsion

3.11.1 If a principal, in consultation with the Family of Schools Superintendent, determines that a referral for expulsion is warranted, the principal must refer the recommendation for expulsion to the Discipline Committee to be heard within twenty (20) school days from the date the principal suspended the student, unless the parties to the expulsion hearing agree upon a later date.

3.12 Expulsion Preparation

3.12.1 Step 1: The Family of Schools Superintendent shall advise the Superintendent of Safe Schools of the general details of the incident, including actions taken or pending.

3.12.2 Step 2: The principal will prepare the Principal's Report which includes:

- a) A summary of the investigation that took place;
- b) A summary of the findings the principal made in the investigation;
- c) An analysis of which, if any, mitigating or other factors or Human Rights Code related grounds might be applicable;
- d) A recommendation of whether the expulsion should be from the school or from the Board; and
- e) A recommendation regarding the type of school that would benefit the student if the student is subject to a school expulsion or the type of program that might benefit the student if the student is subject to a Board expulsion.

3.12.3 Step 3: The principal will submit the Principal's Report to their Family of Schools Superintendent for review. The Family of Schools Superintendent will submit two copies of the report (one redacted copy and the original copy) to the Superintendent of Safe Schools. The principal will also submit any evidence that will be relied upon during the expulsion hearing including witness statements, statements of the impacted, OSR review, and the vice principal report(s). The Superintendent of Safe Schools will provide the redacted copy to the student's parent/guardian or the student if the student is an adult or has withdrawn themselves from parental control.

3.12.4 Step 4: The Superintendent of Safe Schools will provide notice of the expulsion hearing to the adult student or the student's parent/guardian. The notice shall include:

- a) A statement that the student is being referred to the Discipline Committee to determine whether the student will be expelled for the activity that resulted in suspension;
- b) A copy of the Board's guidelines and rules governing the hearing before the Discipline Committee;
- c) Excerpts from Board policy, and reference to the Board website which includes the Board Code of Conduct and school Code of Conduct;
- d) A copy of the suspension letter;
- e) A statement that the student and/or their parent/guardian has the right to respond to the principal's report in writing;
- f) Information about the procedures and possible outcomes of the expulsion hearing, including that:
 - i. If the Discipline Committee does not expel the student, they will either confirm, confirm and shorten, or withdraw the suspension;
 - ii. Parties have the right to make submissions with respect to the suspension;
 - iii. Any decision with respect to the suspension is final and cannot be appealed;
 - iv. If the student is expelled from the school, they will be assigned to another school;
 - v. If the student is expelled from the Board, they will be assigned to a program for expelled students;
 - vi. If the student is expelled there is a right of appeal to the Child and Family Services Review Board.
- g) The name and contact information for the Superintendent of Safe Schools;
- h) The date, time and location of the Expulsion Hearing.

3.12.5 Step 5: The Superintendent of Safe Schools will contact the adult student or the parent/guardian to:

- a) Review the Discipline Committee process for expulsion hearings, as well as respond to any questions or concerns the student or the parent/guardian may have regarding the process or incident; and
- b) Discuss, where appropriate the potential for Minutes of Settlement and Consent to Order Hearing instead of an Expulsion Hearing; and
- c) Confirm the date and time of the Expulsion Hearing or the Minutes of Settlement meeting.

3.12.6 Step 6

a) The Superintendent of Safe Schools will prepare an Expulsion package for the Discipline Committee, which will include at least the following components:

- i. A copy of the Principal's Report and any items listed in step 2 (3.12.2)
- ii. A copy of the original suspension letter and the Notice of Expulsion sent to the adult student or the student's parent(s)/guardian(s).

3.12.7 Step 7: The Superintendent of Safe Schools will provide a copy of the Expulsion Hearing Rules, and a redacted copy of the Expulsion package to the Discipline Committee.

3.12.8 Step 8: The Superintendent of Safe Schools will prepare the Discipline Committee Agenda.

3.13 Minutes of Settlement and Consent to Order

3.13.1 The parent/guardian or adult student may agree to waive their rights to a full hearing and sign a Minutes of Settlement document for consideration by the Committee. Parties who agree to proceed by Minutes of Settlement must consent to a hearing during the 20 school days the student is suspended.

3.13.2 The Principal/Family of Schools Superintendent will attend the Consent to Order hearing to provide information to the Committee regarding the incident and proposed Minutes of Settlement. The parent/guardian/adult student is entitled to attend the Consent to Order hearing to make submissions to the Committee regarding the proposed Minutes of Settlement.

3.13.3 After hearing the submissions of the parties in attendance, the Committee may impose the expulsion requested by the parties as outlined in the Minutes of Settlement or refer the expulsion recommendation for a full hearing on the merits.

3.14 Expulsion Hearing

3.14.1 An Expulsion Hearing is held by the Discipline Committee and includes:

- a) The principal; and
- b) The adult student or the student's parent/guardian.

3.14.2 The student whose behaviour is under review has the right to attend the expulsion hearing and to make submissions on their own behalf. A designate identified by the family may make submissions on behalf of the student. An adult student or student's parent/guardian may bring legal counsel, an advocate or a support person with them to the expulsion hearing as long as they have notified the Superintendent of Safe Schools in advance of the hearing.

- 3.14.3 Where the appellant, who has received proper notice of the location, date and time of the appeal fails to attend the appeal or comply with the necessary timelines, the Discipline Committee will wait 30 minutes before dismissing the appeal.
- 3.14.4 The hearing will be conducted in accordance with the Rules of the Discipline Committee and the Guideline for Expulsion Hearings, including:
- a) The Discipline Committee shall consider any verbal and written submissions provided before the completion of the hearing, of all parties;
 - b) The Discipline Committee shall consider all mitigating and other factors (see section 3.3);
 - c) The Discipline Committee shall consider whether or not the Ontario Human Rights Code should be applied in the circumstances to mitigate the discipline, if any;
 - d) The Discipline Committee shall solicit and consider the views of all parties with respect to whether, if an expulsion is imposed, the expulsion should be a school expulsion or a Board expulsion; and
 - e) The Discipline Committee shall solicit and consider the views of all parties with respect to whether, if an expulsion is not imposed, the suspension should be confirmed, shortened or withdrawn.
- 3.14.5 Where there is a conflict in the evidence presented by the parties on the issue of whether the student committed the infraction, the Discipline Committee may request further evidence as set out in the Expulsion Hearing Rules, subject to the requirement that the hearing take place within 20 school days, or the Discipline Committee may assess the evidence and determine whether, on a balance of probabilities, it has been established that it is more probable than not, that the student committed the infraction.

3.15 Decision Not to Impose an Expulsion

- 3.15.1 If the Discipline Committee decides not to expel the student, the Board shall take the submissions of the parties into account, including mitigating and other factors, in determining whether to:
- a) Uphold the suspension and its duration;
 - b) Uphold the suspension but shorten its duration and amend the record accordingly; or
 - c) Quash the suspension and expunge the record such that no record of the suspension remains in the Ontario Student Record.
- 3.15.2 The Discipline Committee shall give written notice to all parties of the decision not to impose an expulsion and the decision with respect to the length of suspension.

3.15.3 The Discipline Committee's decision with respect to the suspension is final.

3.16 Decision to Impose an Expulsion

3.16.1 Should the Discipline Committee decide to impose an expulsion on the student, the Discipline Committee must decide whether to impose an expulsion from all schools of the Board or a school expulsion. In determining the type of the expulsion, the Discipline Committee shall consider all mitigating and other factors (see section 3.3).

3.16.2 The Superintendent of Safe Schools, on behalf of the Discipline Committee must promptly provide written notice of the decision to expel the student to all parties. The written notice shall include:

- a) The reason for the expulsion;
- b) A statement indicating whether the expulsion is a school expulsion or a Board expulsion;
- c) Information about the school or program to which the student has been assigned; and
- d) Information about the right to appeal the expulsion, including the steps to be taken.

3.16.3 Where the Discipline Committee decides to impose a Board expulsion, the Discipline Committee must assign the student to a program for expelled students.

3.16.4 Once the principal of the Alternative Suspension Program has received notice that a student has been expelled, they must create an SAP in accordance with PPM141 School Board Program for Students on Long Term Suspension.

3.16.5 An expelled student is a student of the Board, even where they attend a program for expelled students at another school board, unless they do not attend the program or register at another school board.

3.16.6 Where the Discipline Committee decides to impose a School Expulsion, the Superintendent of Safe Schools will work with the Family of Schools Superintendent to find an appropriate school placement.

3.17 Appeal of Board Decision to Expel

3.17.1 The adult student or the parent/guardian may appeal a Board decision to expel to the Child and Family Services Review Board. The Child and Family Services Review Board is designated to hear and determine appeals of school Board decisions to expel students. The decision of the Child and Services Review Board is final.

3.18 Re-entry Requirements Following an Expulsion

- 3.18.1 A student who is subject to a Board expulsion is entitled to apply in writing to the Superintendent of Safe Schools for readmission to a school of the Board once they have successfully completed a program for expelled students and has satisfied the objectives required for completion of the program, as determined by the Principal of Father Donald MacLellan Secondary School, who provides the program.
- 3.18.2 The Board shall admit the student and inform the student in writing of the readmission.
- 3.18.3 A student who is subject to a school expulsion may apply in writing to the Board to be reassigned to the school from which they were expelled.
- a) The Board will consider whether re-attendance will have a negative impact on the school climate, including on any impacted students, where applicable;
 - b) The student will be required to demonstrate that they have learned from the incident and have sought counselling, where appropriate; and
 - c) The Board, in its sole discretion, may determine that a different school than the one from which the student was expelled is a more appropriate placement for the student.

3.19 Exclusion

- 3.19.1 A student shall not be excluded from the school pursuant to section 265(1)(m) of the Education Act as a disciplinary measure, or as an alternative to discipline. An exclusion from the school pursuant to section 265(1)(m) of the Education Act shall only be affected in accordance with the Education Act, and the applicable Board policies and procedures consistent with the Ontario Human Rights Code.
- 3.19.2 A student is not excluded from a class or from the school pursuant to section 265(1)(m) of the Education Act in circumstances:
- a) Where the parent/guardian and the principal, in consultation with the Family of Schools Superintendent, agree that, as an accommodation and in the best interests of the student, the student's educational program should be modified such that the student is not participating in one or more specific class(es) or is excused from attending school for part or all of the school day during a specific period of time and/or during a specific school event or series of school events.
 - b) By virtue of serving a detention as part of progressive discipline that has been imposed by the principal or designate.

3.20 Monitoring and Review

3.20.1 Every two years, schools are required to:

- a) address issues of bullying, gender-based violence, sexual, racial and disability related harassment and inappropriate sexual behaviour in their school improvement plans and evaluate the effectiveness of safe school's policies, procedures and programs through the use of school climate surveys.
- b) provide school climate surveys to parents/guardians, school staff and students that allow them to anonymously evaluate and communicate their perception of school safety as well as the effectiveness of safe school's policies, procedures and programs. Where possible, climate surveys shall be made available and adapted to students with special needs so that they have the opportunity to participate as well.
- c) develop Safe School Teams that include one non-teaching staff member. The chair of the team must be a staff member, and may be the principal or vice principal.
- d) share the results of climate surveys with Safe School Teams in order to develop strategies in school improvement plans to improve the school climate deficits identified.

4. Sources

- 4.1 [Ontario Human Rights Code](#)
- 4.2 [Education Act](#)
- 4.3 [Accepting Schools Act](#)
- 4.4 [Local Police/School Board Protocol](#)
- 4.5 [PPM 119 – Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools](#)
- 4.6 [PPM 120 – Reporting Violent Incidents to the Ministry of Education](#)
- 4.7 [PPM 128 – The Provincial Code of Conduct and School Board Code of Conduct](#)
- 4.8 [PPM 141 – School Board Programs for Students on Long-term Suspension](#)
- 4.9 [PPM 142 – School Board Programs for Students Expelled](#)
- 4.10 [PPM 144 – Bullying Prevention and Intervention Policy](#)
- 4.11 [PPM 145 – Progressive Discipline and Promoting Positive Student Behaviour Policy](#)

5. Appendices

- 5.1 Appendix 1 – Suspension Letter (1-5 Days)
- 5.2 Appendix 2 – Suspension Letter (6-20 Days)
- 5.3 Appendix 3 – Student Action Plan
- 5.4 Appendix 4 – Suspension Review Decision
- 5.5 Appendix 5 – Suspension Appeal Withdrawal
- 5.6 Appendix 6 – Notice of Suspension Appeal
- 5.7 Appendix 7 – Suspension Appeal Decision

- 5.8 Appendix 8 – Suspension Appeal Decision of the Discipline Committee
- 5.9 Appendix 9 – Twenty Day Suspension Pending Possible Recommendation for Expulsion
- 5.10 Appendix 10 – Decision Letter Not to Recommend Expulsion – 20 Day Suspension Confirmed
- 5.11 Appendix 11 – Decision Letter Not to Recommend Expulsion – Suspension Confirmed but Shortened
- 5.12 Appendix 12 – Decision Letter Not to Recommend Expulsion – Suspension Withdrawn
- 5.13 Appendix 13 – Notice of Recommendation for Expulsion
- 5.14 Appendix 14 – Notice of Expulsion Hearing (letter from Safe Schools Superintendent)
- 5.15 Appendix 15 – Expulsion Decision
- 5.16 Appendix 16 – Recommendation for Expulsion Decision of the Discipline Committee

6. Related Policies and Administrative Procedures

- 6.1 [Equity and Inclusive Education Administrative Procedure \(AP216-1\)](#)
- 6.2 [Code of Conduct Policy \(PO610\)](#)
- 6.3 [Code of Conduct Administrative Procedure \(AP610-1\)](#)
- 6.4 [Student Discipline Policy \(PO611\)](#)
- 6.5 [Bullying Prevention and Intervention Policy \(PO612\)](#)
- 6.6 [Bullying Prevention and Intervention Administrative Procedure \(AP612-1\)](#)