

POLICY – PO610

Code of Conduct

Area: Student Conduct and Safety
Source: Superintendent of Education – Safe Schools

Approved: Apr. 14, 2008
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1. Introduction

This policy identifies the Code of Conduct for the Durham Catholic District School Board and provides direction to assist and ensure that every elementary and secondary school develops and maintains an approved Code of Conduct that communicates to all members of the school community acceptable behavioural expectations and consequences for infractions.

The Durham Catholic District School Board and its schools focus on equity, inclusivity, prevention, early intervention and progressive discipline as the key to maintaining an inclusive and positive school environment in which students can reach their full potential. When inappropriate behaviour occurs, schools in the Board will be required to utilize a range of early interventions, supports and consequences that are developmentally appropriate, that include opportunities for students to learn from mistakes, and that focus on improving behaviour. In some circumstances, short-term suspension may be a useful tool. In the case of a serious incident, long-term suspension or expulsion, which is further along the continuum of progressive discipline, may be the response that is required.

2. Definitions

Adult Pupil – a pupil who is 18 years or older, or 16 or 17 and has removed themselves from parental control.

Board Employee – any person employed by any of the District School Boards who are a party to this protocol agreement on a temporary, part-time or full-time basis.

Bullying – means aggressive and typically repeated behaviour by a pupil where:

- a) the behaviour is intended by the pupil to have the effect of, or the pupil ought to know that the behaviour would be likely to have the effect of:
 - i. causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual's reputation or harm to the individual's property, or
 - ii. creating a negative environment at a school for another individual, and
- b) the behaviour occurs in a context where there is a real or perceived power imbalance between the pupil and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race, disability or the receipt of special education;

For the purposes of the definition of "bullying", behaviour includes the use of any physical, verbal, electronic, written or other means.

Child – a person who is, or appears to be in the absence of evidence to the contrary, less than twelve years of age, except with reference to the Child Youth and Family Services Act (CYFSA), wherein child is defined as any person under the age of sixteen.

Cyber-bullying – for the purposes of the definition of cyber-bullying, this includes bullying by electronic means (commonly known as cyber-bullying), including:

- a) creating a web page or blog in which the creator assumes the identity of another person;
- b) impersonating another person as the author of content or messages posted on the internet; and
- c) communicating material electronically to more than one individual or posting material on a website or learning platform that may be accessed by one or more individuals.

Expulsion – an expulsion is a student's removal from school and related activities, academic and social, for a period of at least 21 days. A student may be expelled from their school only or all the schools of the Board.

Hate and/or Bias-Motivated Occurrences – incidents (e.g., involving statements, words, gestures) motivated by hatred or bias towards an identifiable group (e.g., a group distinguished by race, ancestry, place of origin, colour, ethnic origin, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability), that are publicly communicated and that are willfully intended to promote or incite bias or hatred against such a group.

Impact of School Climate – an incident or activity which has a negative impact on the school community.

Medical Cannabis User – a person who is authorized to possess cannabis for the person’s own medical purposes in accordance with federal law.

Mitigating and Other Factors:

- a) the student does not have the ability to control their behaviour;
- b) the student does not have the ability to understand the foreseeable consequences of their behaviour; or
- c) the continuing presence of the pupil in the school does not create an unacceptable risk to the safety of any person in the school.

Other Factors:

- a) the pupil’s history;
- b) where a progressive discipline approach has been used with the pupil;
- c) whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of their race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment;
- d) how the suspension or expulsion would affect the pupil’s ongoing education;
- e) the age of the pupil; or
- f) in the case of a pupil whom an individual education plan has been developed:
 - i. whether the behaviour was a manifestation of a disability identified in the pupil’s individual education plan;
 - ii. whether appropriate individualized accommodation has been provided, and
 - iii. whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil’s behaviour or conduct.

Online Learning – Courses/classes that are specifically designed to be taught in a fully online format. Online learning relies on communication between pupils and teachers through the internet or any other digital platform and does not require students and educators to be face-to-face with each other.

Parent/Guardian – where there is a reference to involving or informing a parent/guardian it means the custodial parent or guardian of a minor child who is not 16 or 17 and removed from parental control.

Principal Designate – Board employee to whom authority and responsibility has been delegated by the school principal.

Progressive Discipline – Progressive Discipline is a whole school approach that utilizes a continuum of prevention strategies, early and ongoing interventions, supports and consequences to address inappropriate student behaviour and to build upon strategies that promote positive behaviours, restoration and reconciliation. Progressive Discipline may include, but not limited to, consultation; school community service; withdrawal of privileges; withdrawal from class; detention; restitution for damages; peer mediation; restorative practice; suspension; and/or expulsion.

Remote Learning – Learning that occurs when classes are taught at a distance and when students and educators are not in a conventional classroom setting. Remote learning takes place in terms of extended interruption to in-person learning – for example, as a result of a pandemic or natural disaster.

School Activity – any Board or school sponsored activity, included but not limited to field trips, bus trips, sporting activities and dances.

School Community – the school community is composed of staff, pupils and parents of the school, and associate schools, as well as the community of people and businesses that are served by or located in the greater neighbourhood of the school.

School Premises – school buildings and grounds including parking lots and playing fields.

Suspension – a suspension is a student’s removal from school and related activities both academic and social for a period of at least one school day but not exceeding 20 school days.

Threat – any statement, act or communication intended or apparently intended to intimidate a person, in circumstances where the person threatened believes, or has reasonable grounds to believe, the threat may be carried out.

3. Purpose

3.1 The purpose of the Durham Catholic District School Board Code of Conduct Policy is:

- a) to ensure that all members of the school community, especially people in positions of authority, are treated with respect and dignity;
- b) to promote responsible citizenship by encouraging appropriate participation in the civic life of the school community;
- c) to maintain an environment where conflict and difference can be addressed in a manner characterized by respect and civility;
- d) require the use of non-violent means to resolve conflict;
- e) to promote the safety of people in the schools; and

- f) to discourage the use of alcohol and illegal drugs.

4. Application / Scope

This policy is commensurate with the Education Act, the Provincial Code of Conduct, and the Durham Catholic District School Board Student Discipline Policy, which create expectations for behaviour for all persons on school property, persons engaged in remote and online learning, during a school-related activity or event, and/or in circumstances where a behaviour has an impact on the school climate. This policy applies to every person involved in the school system.

5. Principles

5.1 The Board believes that:

5.1.1 the behaviour within our school communities should be consistent with the Gospel values of Jesus Christ, the Board's Mission Statement, the Curriculum Expectations and the requirements set forth by the Education Act and the applicable Regulations;

5.1.2 all students, parents/guardians and other members of the school community contribute to fostering a caring, safe, inclusive and accepting learning environment that supports student learning and success within a culture of high expectations for all;

5.1.3 each school community shall, in accordance with the Education Act and Regulations, establish a School Code of Conduct that sets out how their schools will implement and enforce the provincial Code of Conduct and all other rules that they develop that are related to the provincial standards that promote and support respect, civility, responsible citizenship and safety;

5.1.4 the Principal, subject to the authority of the appropriate Supervisory Officer is in charge of the school and may take specific disciplinary action as outlined in the Education Act, Regulations and the Student Discipline policy and procedures;

5.1.5 the members of the school community have a responsibility to maintain an environment where conflict and difference can be addressed in a manner characterized by respect and civility; and

5.1.6 the school community is comprised of students, parents or guardians, teachers, other staff members, volunteers, visitors and that all should be involved in the development of the School Code of Conduct in cooperation with the Catholic School Council.

6. Requirements

6.1 The Director of Education shall issue administrative procedures to support this policy and to amend them thereafter as the need arises.

- 6.2 The teachings of the Church will be taken into account in interpretation and application of this policy and any subsequent procedures emanating from this policy.
- 6.3 In the establishment of this policy, the Board will seek input from school councils, the Durham Catholic Parent Involvement Committee, the Special Education Advisory Committee, Indigenous Education Advisory Circle, parents, students, staff members and the school community.
- 6.4 The standards of behaviour in the Durham Catholic District School Board are consistent with the Provincial Code of Conduct.
- 6.5 In keeping with the Provincial Code of Conduct, the Standards of Behaviour in the Durham Catholic District School Board will include:
- 6.5.1 Respect, Civility, and Responsible Citizenship – all members of the school community must:
- a) respect and comply with all applicable federal, provincial and municipal laws;
 - b) demonstrate honesty and integrity;
 - c) respect differences in people, their ideas, and their opinions;
 - d) treat one another with dignity and respect at all times, and especially when there is disagreement;
 - e) respect and treat others fairly, regardless of, race, ancestry, place of origin, colour, ethnic origin, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability;
 - f) respect the rights of others;
 - g) show proper care and regard for school property and the property of others;
 - h) take appropriate measures to help those in need;
 - i) seek assistance from a member of the school staff, if necessary, to resolve conflict peacefully;
 - j) respect all members of the school community, especially persons in positions of authority;
 - k) respect the need of others to work in an environment that is conducive to learning and teaching including by ensuring that personal mobile devices

are only used during instructional time for educational purposes, health and medical purposes or to support special education needs; and

- l) not swear at a teacher or at another person in a position of authority.

6.5.2 Safety – all members of the Durham Catholic District School Board community must not:

- a) engage in bullying behaviours;
- b) commit sexual assault;
- c) traffic weapons or illegal drugs;
- d) give alcohol or cannabis to a minor;
- e) commit robbery;
- f) be in possession of any weapon, including firearms;
- g) use any object to threaten or intimidate another person;
- h) cause injury to any person with an object;
- i) be in possession of, or be under the influence of, alcohol, cannabis (unless the individual has been authorized to use cannabis for medical purposes) or illegal drugs;
- j) provide others with alcohol or cannabis (unless the individual has been authorized to use cannabis for medical purposes);
- k) inflict or encourage others to inflict bodily harm on another person;
- l) engage in hate propaganda and other forms of behaviour motivated by hate or bias; and
- m) commit an act of vandalism that causes extensive damage to school property or to property located on the premises of the school.

6.5.3 Commensurate with our Student Discipline Policy, when inappropriate behaviour occurs schools are required to utilize a range of interventions, supports and consequences that are developmentally appropriate that include opportunities for students to learn from mistakes, and that focus on improving behaviour. In some circumstances, short-term suspension may be a useful tool. In the case of a serious incident, long-term suspension or expulsion, which is further along the continuum of progressive discipline may be the response that is required.

6.6 These standards of behaviour apply not only to students, but also to all individuals involved in the publicly funded school system whether they are on

school property, on school buses, at school-related events or activities, or in other circumstances that could have an impact on the school climate.

- 6.7 The standards of behaviour are for all members of the school community (e.g., parents/guardians, students, teachers, other staff, visitors, volunteers, trustees, parish and community members).
- 6.8 The standards of behaviour are for all persons on school property, during a school related activity or event, and/or in circumstances where a behaviour has an impact on the school climate (e.g., in school sports activities, on school buses, in off-site school-sponsored activities).
- 6.9 Under the direction of the Principal, schools will develop effective intervention strategies and respond to all infractions pending the results of an investigation, related to the standards for respect, civility, responsible citizenship and safety.
- 6.10 Discretionary suspensions for behaviours listed in Subsection 306(1) of the Ontario Education Act are not applicable to students in Kindergarten to Grade 3. These behaviours should be addressed with the appropriate positive behaviour supports in the school setting.

These behaviours include:

- Uttering a threat to inflict serious bodily harm on another person
 - Possessing alcohol or illegal drugs
 - Being under the influence of alcohol
 - Swearing at a teacher or at another person of authority
 - Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school
 - Bullying
 - Any other activity that is an activity for which a principal may suspend a pupil under a policy of the board
- 6.11 In compliance with the provision of the Education Act and the Ontario Human Rights Code, school and system leaders shall take mitigating factors into account when considering suspension and expulsion of a pupil.
 - 6.12 Principals shall consider mitigating and other factors when determining interventions and consequences along the full continuum of progressive discipline – that is from the implementation of prevention programs and initiatives to the determination of consequences in response to inappropriate behaviour.

- 6.13 Principals will provide opportunities for all of the staff to acquire the knowledge, skills, and attitudes necessary to develop and maintain academic excellence in a safe learning and teaching environment.
- 6.14 Under the direction of the Principal, schools will work collaboratively with the Durham Region Police Service, Region of Durham Health Department, co-terminus Boards and other community agencies to provide coordinated prevention and intervention programs and services, and to share effective practices.
- 6.15 The Code of Conduct will be communicated to all students, parents or guardians, teachers, other staff members, volunteers and visitors annually using a variety of communication strategies.
- 6.16 This policy will be reviewed every three years.

7. Sources

- 7.1 Education Act
- 7.2 Accepting Schools Act, 2012
- 7.3 PPM 128 – Provincial Code of Conduct and School Board Code of Conduct
- 7.4 PPM 144 – Bullying Prevention and Intervention
- 7.5 PPM 145 – Progressive Discipline and Promoting Positive Student Behaviour
- 7.6 Police/School Board Protocol, 2016
- 7.7 Ontario Human Rights Code
- 7.8 Supporting Bias Free Progressive Discipline in Schools, 2013
- 7.9 Bill 197 – COVID-19 Economic Recovery Act, 2020

8. Related Policies and Administrative Procedures

- 8.1 Code of Conduct Administrative Procedure (AP610-1)
- 8.2 Student Discipline Administrative Procedure (AP611-1)
- 8.3 Bullying Prevention and Intervention Administrative Procedure (AP612-1)