

Date of Issue June 2022

Original Date of Issue February 1, 2008

Subject **STUDENT DISCIPLINE PROCEDURES**

References

[APM A7100 – Reporting Violent Incidents](#)
[Policy 4240 – Safe, Inclusive and Accepting Schools](#)
[Policy 4250 – Progressive Discipline and Promoting Positive Student Behaviour](#)
[The Education Amendment Act \(Keeping our Kids Safe at School\), 2009](#)
[The Education Amendment Act \(Progressive Discipline and School Safety\), 2007](#)
[Ontario Regulation 472 / 07 Suspension and Expulsion of Pupils](#)
[Ministry of Education Policy/Program Memorandum 145 – October 17, 2018 - Progressive Discipline and Promoting Positive Student Behaviour](#)
[Ministry of Education Policy/Program Memorandum 144 – November, 25, 2021- Bullying Prevention and Intervention](#)
[Ministry of Education Policy/Program Memorandum 128 – August 29, 2019 – The Provincial Code of Conduct and School Boards Codes of Conduct](#)
[Ministry of Education Policy/Program Memorandum 142 December 5, 2012 - School Board Programs for Expelled Students](#)
[Ministry of Education Policy/Program Memorandum 141 - December 5, 2012 School Board Programs for Students on Long-Term Suspensions](#)
[Cannabis Act 2017](#)
[Smoke-Free Ontario Act 2017](#)
[Police/School Board Protocol, 2019](#)

Contact School Services

Contents	Page
Item 1 Rationale.....	3
Item 2 Definitions	3
Item 3 Progressive Discipline	5
Item 4 Responding to Incidents.....	11
Item 5 Notification	16
Item 6 Suspension of a Student	18
Item 7 Expulsion of a Student	30
Item 8 Exclusion.....	45
Item 9 Monitoring	46
Item 10 Delegation of Authority	46
Item 11 Delegation of Authority to a Vice-principal	47
Item 12 Delegation of Authority to Teacher-in-Charge	48
Item 13 Delegation of Authority to Before- and/or-After School Programs.....	49
APPENDIX A Suspension Letter – Less than six days	51
APPENDIX B Suspension Letter – Six days or more.....	52
APPENDIX C Suspension Appeal Process.....	54

APPENDIX D	Notice of Suspension Review.....	57
APPENDIX E	Suspension Review Decision	58
APPENDIX F	Notice of Suspension Appeal	59
APPENDIX G	Suspension Appeal Decision.....	60
APPENDIX H	Suspension Appeal Decision of the Discipline Committee of the Board.....	61
APPENDIX I	Suspension Pending Recommendation for Expulsion	62
APPENDIX J	Decision Letter Not Recommended for Expulsion	64
APPENDIX K	Recommendation for Expulsion.....	65
APPENDIX L	Expulsion Decision.....	67
APPENDIX M	Recommendation for Expulsion Decision of the Discipline Committee of the Board	68
APPENDIX N	Declaration of Performances.....	70
APPENDIX O	Safe Schools/Workplace Violence Reporting Tool Instructions.....	71
FORM A7635 - 1	Transportation Provider Safe Schools Incident Reporting Form, Part I.....	72
FORM A7635 - 2	Transportation Provider Safe Schools Incident Reporting Form, Part II.....	74
FORM A7635 - 3	Delegation of Authority – Teacher-in-Charge	75
FORM A7635 - 4	Expulsion Deadline Extension Waiver.....	77
FORM A7635 - 5	Suspension Appeal Deadline Extension Waiver	78

1. Rationale

The Provincial Code of Conduct, the Simcoe County District School Board (SCDSB) Code of Conduct, the *Education Act*, Ontario Regulation 472/07, Policy Program Memorandum (PPM) 128 (provincial and school board codes of conduct), 141 (programs for long term suspension), 142 (expulsion programs), 144 (bullying prevention) and 145 (progressive discipline), together with the board's discipline policies, create expectations for behaviour for all persons on school property and outline strategies to be taken to address incidents, including imposing appropriate consequences for students.

The procedure outlines the expectations for the process to be used by the board when imposing appropriate consequences for students.

The process set out in these procedures shall be informed by, and implemented in accordance with, the principles of equity and inclusion articulated in PPM 119 (equity and inclusive education).

The *Ontario Human Rights Code* has primacy over provincial legislation and policies, as well as school board policies and procedures, such that the *Education Act*, regulations, Ministry of Education Program Policy Memoranda, and board policies and procedures are subject to, and shall be interpreted and applied in accordance, with the *Ontario Human Rights Code*.

2. Definitions

2.1 The following definitions apply for the purposes of student discipline:

2.1.1 Administrator - includes a superintendent, principal/vice-principal with responsibility for the school in question.

2.1.2 Adult student - a student who is 18 years or older, or 16 or 17 and has removed themselves from parental control.

2.1.3 Board employees who work with students - administrators, teachers, educational assistants, child and youth workers, social workers, psychologists, speech language pathologists and other professional and para-professional staff who have regular and direct duties with the board's students.

2.1.4 Board expulsion - an expulsion from all schools of the board.

2.1.5 Bullying - aggressive and typically repeated behaviour by a student whereby;

2.1.5.1 the behaviour is intended by the student to have the effect of, or the student ought to know that the behaviour would be likely to have the effect of;

2.1.5.1.1 causing harm, fear, intimidation 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 creating a negative environment at a school for another individual;

2.1.5.2 the behaviour occurs in a context where there is a real or perceived imbalance of power between the students 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; and,
- 2.1.5.3 bullying behaviour includes the use of any physical, verbal, electronic, written or other means.
 - 2.1.6 Cyber-bullying includes bullying by electronic means, including:
 - 2.1.6.1 creating a web page or a blog, or using a social media vehicle, in which the creator assumes the identity of another person;
 - 2.1.6.2 impersonating another person as the author of content or messages posted on the internet; and,
 - 2.1.6.3 communicating material electronically to one or more individuals or posting material on a website that may be accessed by one or more individuals.
 - 2.1.7 Daily care - an adult person (18 years or older) who is not the custodial parent(s)/guardian(s) of a student who is less than 18 years old, but who cares for the student on a daily basis and is known by the school to provide daily care, for example a grandparent, aunt, uncle, older brother or sister.
 - 2.1.8 Discipline Committee of the Board - a committee of three trustees designated to determine suspension appeals and recommendations for expulsion.
 - 2.1.9 Disproportionate impact - is created when discipline impacts a student to a greater degree in comparison to their peers as a result of factors related to grounds protected by the *Ontario Human Rights Code*.
 - 2.1.10 Emergency administrator - a superintendent or principal identified by the principal of the school, to which a teacher-in-charge is assigned, as the emergency contact should the administrators of the school not be available in emergency circumstances.
 - 2.1.11 Harassment - words, conduct or action that is directed at an individual and serves no legitimate purpose and which may include remarks, jokes, threats, name calling, the display of material(s), touching or other behaviour that an individual knows, or ought to know, insults, intimidates, offends, demeans, annoys, alarms or causes that individual emotional distress and may constitute discrimination when related to grounds protected by the *Ontario Human Rights Code*.
 - 2.1.12 Manifestation of a student's disability - behaviour that results from a student's disability that the student does not intend.
 - 2.1.13 Parent(s)/Guardian(s) - where there is a reference to involving or informing a parent(s)/guardian(s) it means the custodial parent(s) or guardian(s) of a minor child who is not an adult student.
 - 2.1.14 Immutable characteristics - characteristics that an individual cannot change or that an individual cannot alter about themselves, such as height.
 - 2.1.15 Impact on school climate - an incident or activity which has a negative impact on the school community.
 - 2.1.16 Primacy of the code - a circumstance in which there is a conflict between provincial law, such as the *Education Act*, regulations, PPMs, school board policies and procedures, and the *Ontario Human Rights Code*. The *Ontario Human Rights Code* is deemed to be more important and the inferior law must be applied in a manner consistent with the *Ontario Human Rights Code* (unless there is an explicit exception contained within the other law for such a circumstance). The principle of primacy of the *Ontario Human Rights Code* also requires school board policies and procedures to be

interpreted and applied in a manner consistent with the *Ontario Human Rights Code*.

- 2.1.17 Racialized student - a student who may experience social inequities on the basis of race, colour, and/or ethnicity.
- 2.1.18 Safe Schools/Workplace Violence Reporting Tool - an electronic reporting system for employees to report Safe Schools Incidents (SSI) under the *Education Act* (reporting suspension and expulsion infractions) and Workplace Violence Incidents (WVI) under the *Occupational Health and Safety Act*. The tool includes a feature for pre-population of overlapping fields to avoid repetitive data entry between the two reporting processes.
- 2.1.19 School climate - the sum total of all the personal relationships within a school. A positive climate exists when all members of the school community feel safe, comfortable and accepted.
- 2.1.20 School community - the school community is composed of the school's staff, students, parent(s)/guardian(s), feeder schools/family of schools as well as the community of people and businesses that are served by or located in the greater neighbourhood of the school.
- 2.1.21 School expulsion - an expulsion from the school of the board that the student was attending at the time of the incident.
- 2.1.22 Superintendent - shall be consistent with and have the meaning attributed to Supervisory Officer in the *Education Act* and regulations.
- 2.1.23 Superintendent responsible for student discipline - the supervisory officer delegated authority regarding procedural issues related to suspension appeals and expulsions.
- 2.1.24 Teacher-in-charge - a teacher delegated authority by the principal to undertake specified duties with respect to student discipline in the absence of administration.
- 2.2.25 Undue hardship - the standard for the provision of accommodation, or point to which accommodation must be provided, for a specific student by the board.
- 2.2.26 Weapon - any object or thing used to threaten or inflict harm on another person and includes, but is not limited to, knives, guns, replica guns and animals.

3. Progressive Discipline

- 3.1 Progressive discipline is a non-punitive, whole-school approach that uses a continuum of corrective and supportive interventions, supports and consequences to address inappropriate behaviour and to build upon strategies that promote positive behaviours. Consequences include learning opportunities for reinforcing positive behaviour and assisting students to make good choices.
- 3.2 Prevention and early intervention are important for assisting students to achieve their potential and for maintaining a positive school environment. A positive school environment is effected through programs and activities that focus on building healthy relationships, character development, and civic responsibility which encourage positive participation of the school community in the life of the school.
- 3.3 Progressive discipline is most effective when dialogue between the school and home regarding student achievement, behaviour and expectations is open, courteous and focused on student success. It is an expectation of the board that

principals, vice-principals and teachers-in-charge consult with parent(s)/guardian(s) (unless the student is an adult student) prior to imposing any student specific progressive discipline preventative measures, positive behaviour management strategies or progressive discipline consequences. Ongoing dialogue with parent(s)/guardian(s) on student achievement and behaviour at each step of the progressive discipline continuum is required.

- 3.4 Each school is required to develop and implement a school-wide progressive discipline policy, consistent with the board's Student Discipline Policy, and Student Discipline Procedures and the *Ontario Human Rights Code*. Each school is also required to ensure that bullying prevention plans include:
- 3.4.1 awareness raising strategies;
 - 3.4.2 support strategies, including plans to protect victims; and,
 - 3.4.3 reporting requirements (please refer to the Bullying Prevention Policy and Procedures).
- 3.5 In addition, teaching strategies should include a focus on developing healthy relationships by including bullying prevention throughout the curriculum, preventing homophobia, gender based violence, sexual harassment, inappropriate sexual behaviour, as well as promoting critical media literacy and safe internet/social media use strategies, all of which is to be implemented in a manner consistent with the principles of equity and inclusion. The teacher, principal or designate should select the most appropriate response to address the student's behaviour. Where a student has special education and/or disability related needs, the interventions, supports and consequences must be consistent with the expectations for the student, including those in the student's individual education plan (IEP), behaviour management plan and or safety plan. Progressive discipline includes the use of early and ongoing prevention, intervention strategies and strategies to address inappropriate behaviour. Parent(s)/guardian(s) should be actively engaged in the progressive discipline approach.
- 3.6 Prevention Strategies
- 3.6.1 Board employees who work with students are expected to support students to achieve their potential. Prevention strategies include supporting students, student councils and/or school councils that wish to participate in student led alliances or other alliances and/or activities promoting healthy relationships.
 - 3.6.1.1 Where a student has reported harassment, bullying or violence as a result of one or more immutable characteristics, including on any grounds protected by the *Ontario Human Rights Code*, or inappropriate sexual behaviour, that student shall be supported by the school with the provision of contact information about professional supports, such as community agencies, public health facilitates, and telecommunications forums, such as a help phone line or website, that the student may access directly for information, assistance and/or support in an effort to promote and/or develop healthy relationships.

-
- 3.6.1.2 In accordance with PPM 149, schools shall be required by the board to work with agencies and/or organizations in their community that have professional expertise with respect to issues of gender/gender identity based violence, sexual assault, homophobia and inappropriate sexual behaviour. A current list of community contacts will be created and maintained electronically by the board and made available to all schools, staff and students on the board's internet and intranet websites. A protocol outlining the process for entering into a memorandum of understanding with an appropriate community agency and/or organization shall be made available to schools.
 - 3.6.1.3 Schools shall provide public health units under the responsibility of the local officer of medical health the ability to deliver their mandated public health curriculum.
 - 3.6.1.4 The board also expects principals/vice-principals to review and amend, as appropriate, IEPs, behaviour management plans and safety plans at regular intervals, and following an incident, to ensure that every student with disability related needs is receiving appropriate accommodation up to the point of undue hardship.
 - 3.6.1.5 Other preventative practices include:
 - 3.6.1.5.1 *Ontario Human Rights Strategy* pursuant to PPM 119;
 - 3.6.1.5.2 anti-bullying and violence prevention programs;
 - 3.6.1.5.3 mentorship programs;
 - 3.6.1.5.4 student success strategies;
 - 3.6.1.5.5 character education;
 - 3.6.1.5.6 citizenship development;
 - 3.6.1.5.7 student leadership;
 - 3.6.1.5.8 promoting healthy student relationships;
 - 3.6.1.5.9 healthy lifestyles;
 - 3.6.1.5.10 positive climates for learning school team;
 - 3.6.1.5.11 mindfulness and self-regulation strategies;
 - 3.6.1.5.12 building on existing partnerships and developing new partnerships with community agencies, including local police services, to support students and their families; and,
 - 3.6.1.5.13 equity, diversity and inclusion focus within classroom instruction and school activities.
 - 3.6.2 Consistent with PPM 149, the board will also ensure that parent(s)/guardian(s) of students are aware of the supports available for the linguistic, ethno-cultural and disability related needs of students and their immediate families.
- 3.7 Positive Practices
- 3.7.1 In order to promote and support appropriate and positive student behaviours that contribute to creating and sustaining safe, comforting and accepting learning and teaching environments that encourage and support students to reach their full potential, the board supports the use of positive practices for:
 - 3.7.1.1 prevention; and,
 - 3.7.1.2 positive behaviour management.

- 3.7.2 Positive behaviour management practices include:
 - 3.7.2.1 program modifications or accommodations;
 - 3.7.2.2 class placement;
 - 3.7.2.3 positive encouragement and reinforcement;
 - 3.7.2.4 individual, peer and group counseling;
 - 3.7.2.5 conflict resolution/dispute resolution;
 - 3.7.2.6 mentorship programs;
 - 3.7.2.7 promotion of healthy student relationships;
 - 3.7.2.8 sensitivity programs;
 - 3.7.2.9 safety plans;
 - 3.7.2.10 school board and community support programs; and,
 - 3.7.2.11 student success strategies.
 - 3.7.3 The board recognizes that, in some circumstances, positive practices might not be effective or sufficient to address inappropriate student behaviour. In such circumstances, the board supports the use of progressive discipline consequences up to and including expulsion from all schools of the board.
 - 3.7.4 In circumstances where a student will receive a consequence for their behaviour, it is the expectation of the board that the principle of progressive discipline, consistent with the *Ontario Human Rights Code*, Ministry of Education direction and PPM 145, will be applied in the least restrictive manner to be effective, and so as not to add to the historical disadvantage of racialized students and/or students with disabilities.
- 3.8 Early and Ongoing Intervention Strategies – Progressive Discipline Consequences
- 3.8.1 A teacher, or the principal/vice-principal, as appropriate, may utilize early and/or ongoing intervention strategies to prevent unsafe or inappropriate behaviours. These may include:
 - 3.8.1.1 contact with the student’s parent(s)/guardian(s) (unless the student is an adult student);
 - 3.8.1.2 oral reminders;
 - 3.8.1.3 review of expectations;
 - 3.8.1.4 written work assignment addressing the behaviour, that has a learning component;
 - 3.8.1.5 volunteer services to the school community;
 - 3.8.1.6 conflict mediation and resolution;
 - 3.8.1.7 peer mentoring;
 - 3.8.1.8 referral to counseling; and,
 - 3.8.1.9 consultation between two or more of the parties.
 - 3.8.2 In all cases where ongoing intervention strategies are used, the student’s parent(s)/guardian(s) (unless the student is an adult student) should be consulted.
 - 3.8.3 The teacher, principal, or vice-principal should keep a record for each student with whom intervention strategies are utilized. The record should include:
 - 3.8.3.1 name of the student;
 - 3.8.3.2 date of the incident or behaviour;
 - 3.8.3.3 nature of the incident or behaviour;
 - 3.8.3.4 progressive discipline approach used;
 - 3.8.3.5 outcome; and,
 - 3.8.3.6 any contact with the student’s parent(s)/guardian(s) (unless the student is an adult student).

- 3.9 Addressing Inappropriate Behaviour
 - 3.9.1 If a student has displayed inappropriate behaviour, the principal/vice-principal may utilize a range of interventions, supports, and consequences that are:
 - 3.9.1.1 developmentally appropriate; and,
 - 3.9.1.2 include opportunities for students to focus on improving their behaviour.
 - 3.9.2 Inappropriate behaviour includes any behaviour that disrupts the positive school climate and/or has a negative impact on the school community.
 - 3.9.3 Inappropriate behaviour may also include, but is not limited to, one of the following infractions for which a suspension may be imposed:
 - 3.9.3.1 any act considered by the principal to be injurious to the moral tone of the school, or the physical or mental well-being of members of the school community.
 - 3.9.3.2 any act considered by the principal to be contrary to the board or school code of conduct.
 - 3.9.4 If a student has engaged in inappropriate behaviour and it is the first time that the student has engaged in such behaviour, the principal/vice-principal may choose to use a progressive discipline strategy to address the infraction.
 - 3.9.5 Interventions may include:
 - 3.9.5.1 meeting with student, the student's parent(s)/guardian(s) (unless the student is an adult student) and principal/vice-principal;
 - 3.9.5.2 referral to a community agency for anger management or substance abuse, counselling/intervention;
 - 3.9.5.3 detentions;
 - 3.9.5.4 withdrawal of privileges;
 - 3.9.5.5 withdrawal from class;
 - 3.9.5.6 restitution for damages;
 - 3.9.5.7 restorative practices; and,
 - 3.9.5.8 transfer to another class or school.
 - 3.9.6 In some cases, short-term suspension may also be considered a useful progressive discipline approach.
- 3.10 Factors to Consider Before Deciding to Utilize a Progressive Discipline Consequence to Address Inappropriate Behaviour
 - 3.10.1 Before applying any progressive discipline consequence, the principal/vice-principal shall consider whether or not the progressive discipline consequence might have a disproportionate impact on a student protected by the *Ontario Human Rights Code* including, but not limited to, race and disability, and/or exacerbate the student's disadvantaged position in society, and whether or not accommodation to the point of undue hardship is required.
 - 3.10.2 In all cases where a progressive discipline consequence is being considered to address an inappropriate behaviour, the principal, or vice-principal must:
 - 3.10.2.1 consider the particular student and circumstances, including considering the mitigating and other factors;
 - 3.10.2.2 consider the nature and severity of the behaviour;
 - 3.10.2.3 consider the impact of the inappropriate behaviour on the school climate; and,

3.10.2.4 consult with the student's parent(s)/guardian(s) (unless the student is an adult student).

3.11 Mitigating Factors

3.11.1 The mitigating factors to be considered by the principal before deciding whether to use a progressive discipline approach to address the inappropriate behaviour are:

3.11.1.1 whether the student has the ability to control their behaviour;

3.11.1.2 whether the student has the ability to understand the foreseeable consequences of their behaviour; and,

3.11.1.3 whether the student's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school.

3.12 Other Factors to be Considered

3.12.1 the student's academic, discipline and personal history;

3.12.2 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;

3.12.3 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;

3.12.4 the impact of the discipline on the student's prospects for further education;

3.12.5 the student's age;

3.12.6 where the student has an IEP or disability related needs:

3.12.6.1 whether the behaviour causing the incident was a manifestation of the student's disability;

3.12.6.2 whether appropriate individualized accommodation has been provided to the point of undue hardship; and,

3.12.6.3 whether a suspension is likely to result in aggravating or worsening the student's behaviour or conduct or whether a suspension is likely to result in a greater likelihood of further inappropriate conduct.

3.12.7 whether or not the student's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school;

3.12.8 if the student's continuing presence in the school creates an unacceptable risk to the safety of others in the school, then a progressive discipline approach may not be appropriate; and,

3.12.9 exclusion from the school pursuant to section 265 (1)(m) of the *Education Act* is not acceptable for discipline purposes or as an alternative to discipline, and may only be effected following consultation with the superintendent and in accordance with the *Education Act* and consistent with the *Ontario Human Rights Code*.

3.13 Record

3.13.1 The principal, or vice-principal should keep a record for each student with whom progressive discipline approach(es) are utilized. The record should include:

- 3.13.1.1 name of the student;
- 3.13.1.2 date of the incident or behaviour;
- 3.13.1.3 nature of the incident or behaviour;
- 3.13.1.4 consideration taken into account;
- 3.13.1.5 progressive discipline approach used;
- 3.13.1.6 outcome; and,
- 3.13.1.7 contact with the student's parent(s)/guardian(s) (unless the student is an adult student).

4. Responding to Incidents

- 4.1 The board is committed to supporting safe learning and teaching environments in which every student can reach their full potential. Appropriate action must consistently be taken by schools to address behaviours that are contrary to provincial, board and school codes of conduct, which includes, but is not limited to, inappropriate sexual behaviour, gender-based violence, homophobia, and harassment on the basis of sex, gender, gender identity, sexual orientation, race, colour, ethnicity, culture, citizenship, ancestry, origin, religion, creed, family status, socio-economic status, disability and/or any other immutable characteristic or ground protected by the *Ontario Human Rights Code*, as well as any other behaviour, such as bullying, swearing, malicious gossip, name-calling, sexist, homophobic or racial slurs, comments, jokes or teasing and defamatory or discriminatory electronic communication and postings, graffiti and other behaviour that might cause a negative school climate.
- 4.2 It is the expectation of the board, provided that there is no immediate risk of physical harm to any individual, that board employees who work with students shall respond to any such inappropriate and disrespectful behaviour as well as any other behaviour that causes a negative impact on school climate or for which a suspension or expulsion may be imposed, that they have observed or heard during the course of their duties or otherwise while on school property or during a school related event. Immediate risk to an individual includes the board employee, the students involved, other students, other staff and members of the community who might be impacted as a result of the behaviour being exhibited or because the board employee who works with students cannot leave another student(s) unattended in order to respond.
- 4.3 Responses shall be made in a timely, supportive and sensitive manner and made 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 that the student might exhibit or about which the employees might be aware. Responses may include one or more of:
 - 4.3.1 asking the student to stop the behaviour;
 - 4.3.2 identifying the behaviour as inappropriate and disrespectful;
 - 4.3.3 explaining the impact of the behaviour on others and the school climate;
 - 4.3.4 modelling appropriate communication;
 - 4.3.5 asking the student for a correction of their behaviour by restating or rephrasing their comments;
 - 4.3.6 asking the student to apologize for their behaviour;
 - 4.3.7 asking the student to promise not to repeat their behaviour;

- 4.3.8 asking the student to explain why and how a different choice with respect to their behaviour would have been more appropriate and respectful; and,
 - 4.3.9 where applicable, identifying the application of the *Ontario Human Rights Code*.
- 4.4 A response by the staff to the incident shall not prevent or preclude the principal/vice-principal from imposing appropriate progressive discipline, up to and including a recommendation for expulsion from all schools.
- 4.5 Where, in the opinion of the board employee who works with students, the behaviour observed or heard might lead to suspension or suspension and a recommendation for expulsion, the employee must report the behaviour orally to the principal or designate at the earliest opportunity and again using the Safe Schools/Workplace Violence Reporting Tool on the StaffWeb before the end of the school day. The employee shall follow the procedures outlined for reporting incidents when using the reporting tool, as outlined in section 4.11 below. For all other behaviour, the employee will report the behaviour to the principal/vice-principal or teacher-in-charge at the earliest convenient opportunity. The principal/vice-principal shall consider whether or not further discipline is appropriate in the circumstances.
- 4.6 Reporting Suspension and Expulsion Infractions to the Principal
- 4.6.1 The infractions for which a suspension may be imposed by the principal include:
 - 4.6.1.1 uttering a threat to inflict serious bodily harm on another person;
 - 4.6.1.2 possessing alcohol or illegal drugs;
 - 4.6.1.3 possessing cannabis (unless the individual has been authorized to use for medical purposes);
 - 4.6.1.4 possessing restricted drugs;
 - 4.6.1.5 being under the influence of alcohol;
 - 4.6.1.6 being under the influence of cannabis (unless the individual has been authorized to use for medical purposes);
 - 4.6.1.7 being under the influence of illegal and/or restricted drugs;
 - 4.6.1.8 swearing at a teacher or at another person in a position of authority;
 - 4.6.1.9 committing an act of vandalism that causes extensive damage to school property or to property located on the premises of the student's school;
 - 4.6.1.10 bullying or cyberbullying;
 - 4.6.1.11 an act considered by the principal to be injurious to the moral tone of the school;
 - 4.6.1.12 an act considered by the principal to be injurious to the physical or mental well-being of members of the school community;
 - 4.6.1.13 an act considered by the principal to be contrary to the board or school code of conduct;
 - 4.6.1.14 an activity 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;
 - 4.6.1.15 opposition to authority;
 - 4.6.1.16 habitual neglect of duty;

- 4.6.1.17 fighting;
 - 4.6.1.18 swearing and/or the use of profane language; and,
 - 4.6.1.19 smoking and/or vaping on school property.
- 4.7 The infractions for which a principal may consider recommending to the board that a student be expelled from the student's school or from all schools of the board include:
- 4.7.1 possessing a weapon, including possessing a firearm or knife;
 - 4.7.2 using a weapon to cause or to threaten bodily harm to another person;
 - 4.7.3 committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
 - 4.7.4 committing sexual assault;
 - 4.7.5 trafficking in weapons or illegal drugs;
 - 4.7.6 trafficking in cannabis;
 - 4.7.7 trafficking in restricted drugs;
 - 4.7.8 committing robbery;
 - 4.7.9 giving alcohol to a minor;
 - 4.7.10 giving cannabis to a minor;
 - 4.7.11 giving illegal and/or restricted drugs to a minor;
 - 4.7.12 an act considered by the principal to be significantly injurious to the moral tone of the school and/or to the physical or mental well-being of others;
 - 4.7.13 a pattern of behaviour that is so inappropriate that the student's continued presence is injurious to the effective learning and/or working environment of others;
 - 4.7.14 activities engaged in by the student on or off school property that cause the student's continuing presence in the school to create an unacceptable risk to the physical or mental well-being of other person(s) in the school or board;
 - 4.7.15 activities engaged in by the student 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;
 - 4.7.16 the student has demonstrated through a pattern of behaviour that they have not prospered by the instruction available to them and that they are persistently resistant to making changes in behaviour which would enable them to prosper;
 - 4.7.17 an act considered by the principal to be a serious violation of the requirements for student behaviour and/or a serious breach of the board or school code of conduct;
 - 4.7.18 where a student has no history of discipline, behaviour intervention or relevant history, a single act, incident/infraction considered to be a serious violation of the expectations of student behaviour and/or a serious breach of the board or school code of conduct;
 - 4.7.19 bullying if, (i) the student has previously been suspended for engaging in bullying, and (ii) the student's continuing presence in the school creates an unacceptable risk to the safety of another person; and,
 - 4.7.20 an activity 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.

- 4.8 When a board staff member 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 report the infraction and any details to the principal/vice-principal or teacher-in-charge at the earliest, safe opportunity and no later than the end of the school day, or end of a transportation run, if reported by a transportation provider. Where two or more board staff and/or transportation providers become aware of the same incident, each staff member and transportation provider shall make a report to the principal/vice-principal or teacher-in-charge during the absence of administration.
- 4.9 The purpose of reporting incidents is to ensure that the principal/vice-principal is aware of the behaviour.
- 4.10 Wherever possible, it is expected that the employee or transportation provider will provide an oral report to the principal/vice-principal or teacher-in-charge during the absence of administration at the earliest safe opportunity.
- 4.11 Employees must submit a report to their principal/vice-principal using the Safe Schools/Workplace Violence Reporting Tool located on the StaffWeb. The online report shall be completed and submitted when it is safe to do so, and no later than the end of the school day. The transportation provider will not have access to the Safe Schools/Workplace Violence Reporting Tool on the StaffWeb and, as such, shall complete the written report Transportation Provider Safe Schools Incident Reporting Form - Part 1 (FORM A7635 - 1). The report must be submitted to the principal/vice-principal, or teacher-in-charge during the absence of administration, when it is safe to do so, or the end of the transportation run. A teacher-in-charge who received the FORM A7635 - 1 shall provide it to an administrator at the earliest opportunity. Please refer to instructions provided in Appendix O for completion and submission of this report.
- 4.12 In accordance with s.300.2 of the *Education Act*, after investigating a matter reported by an employee, the principal shall communicate the results of the investigation to the teacher, or other board employee who is not a teacher, as appropriate. To assist with meeting this requirement, when the principal reviews, completes and submits the report, the Safe Schools/Workplace Violence Reporting Tool will initiate an acknowledgement email to the employee to acknowledge receipt of the report, to identify the status of the investigation, and indicate how communication of the results will occur. No information identifying students will be included in the email.
- 4.12.1 The acknowledgement email will only be sent to the employee who submitted the report and shall not be shared.
- 4.12.2 In accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, when reporting the results of the investigation, the principal shall not disclose more personal information than is reasonably necessary for the purpose of communicating the results of the investigation.
- 4.13 When the acknowledgement email (see 4.14) or FORM A7635 - 2 identifies that no action has been taken, the employee or transportation provider shall destroy their copy of the email or FORM A7635 - 2. The principal/vice-principal shall retain

their copy of the SSI report or FORM A7635 - 1 for the balance of the school year, and the following school year, at which time it shall be destroyed unless the matter has become the subject of a proceeding, including an Application to the *Human Rights Tribunal of Ontario*, in which case the acknowledgement email or FORM A7635 - 2 shall be retained until the proceeding is finally decided.

- 4.14 Where the acknowledgement email or FORM A7635 - 2 indicates that action has been taken, the employee or transportation provider may destroy the FORM A7635 - 2 but if they choose to retain it, it must be retained in a secure location for at least 12 months.
- 4.15 In circumstances where action is taken by the principal/vice-principal with respect to the alleged incident and the student has been disciplined, a copy of the SSI Report or FORM A7635 - 1 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 the SSI Report or FORM A7635 - 1 is removed from the OSR in accordance with section 266 of the *Education Act*, or as the result of a suspension review, suspension appeal, expulsion appeal, or settlement or final determination of an appeal/review/proceeding/action/claim/application. The principal/vice-principal shall ensure that all information contained in the SSI Report or FORM A7635 - 1 that could identify other students has been redacted (i.e. removed/blacked out) before it is filed in the OSR of the student who has been disciplined. When action is taken against more than one student, the SSI Report or FORM A7635 - 1 shall be filed in each student's OSR, as above, with all identifying information about other students redacted.
- 4.16 In circumstances where the victim has also demonstrated inappropriate behaviour during the same incident and the principal/vice-principal has responded to the victim's inappropriate behaviour with progressive discipline short of suspension, the SSI Report or FORM A7635 - 1 should only be filed in the victim's OSR if the parent(s)/guardian(s) (unless the victim is an adult student) of the victim have been informed of the incident and victim's behaviour and the progressive discipline measures that have been taken. Where the parent(s)/guardian(s) have not been informed by the principal/vice-principal of the victim's actions, a copy of the SSI Report or FORM A7635 - 1 shall NOT be filed in the victim's OSR.
- 4.17 Where the victim has NOT demonstrated any inappropriate behaviour during the incident, the SSI Report or FORM A7635 - 1 shall only be filed in the victim's OSR, with the consent of the victim's parent(s)/guardian(s) (unless the victim is an adult student). If the victim is an adult student, the victim's consent is required before the SSI Report or FORM A7635 - 1 is filed in their OSR.
- 4.18 If the SSI Report or FORM A7635 - 1 has been filed in the victim's OSR, it should be retained for the balance of the school year in which the incident occurred as well as the following school year, unless it is removed pursuant to section 266 of the *Education Act* or as a result of a suspension review, suspension appeal, expulsion appeal, or settlement or final determination of an appeal/review/proceeding/action/claim/application.

- 4.19 In circumstances where the SSI Report or FORM A7635 - 1 is destroyed, it must be destroyed in a manner that protects the privacy of all personal information that may be contained therein.
- 4.20 In circumstances where the SSI Report or FORM A7635 - 1 is retained, but not filed in a student's OSR, it must be stored in a secure cabinet and measures must be taken to ensure access is limited and that all personal information is protected as private. Where a proceeding has been undertaken or an application has been made to the *Human Rights Tribunal of Ontario*, the SSI Report or FORM A7635 - 1 shall be retained until such proceeding or application has been finally resolved.
- 4.21 Each year the principal shall review with all staff their duty to report as outlined above. This review shall include instructions regarding the completion of the SSI Report using the Safe Schools/Workplace Violence Reporting Tool and the receipt and destruction of the acknowledgement email outlined in section 4.14.

5. Notification

- 5.1 Notifying the Parent(s)/Guardian(s)
 - 5.1.1 Following an incident for which the principal shall be considering imposing a suspension or making a recommendation for expulsion, or for which a vice-principal is considering a suspension of five (5) or fewer days, the principal/vice-principal shall provide information to the parent(s)/guardian(s) of the victim (unless the victim is an adult student), unless in the opinion of the principal/vice-principal providing information to the victim's parent(s)/guardian(s) (unless the victim is an adult student) would put the victim at risk of harm and would not be in the victim's best interest. Where the victim is an adult student, the principal/vice-principal shall inform the parent(s)/guardian(s) only with the victim's consent.
 - 5.1.2 When notifying the parent(s)/guardian(s) (unless the student is an adult student) of the student who has been the victim of an incident, the principal/vice-principal shall identify the nature of the incident that caused the student harm, the nature of the harm to the student and its impact on the student to the degree known by the principal/vice-principal. The principal/vice-principal shall outline steps being taken by the school to protect the student's safety. These measures might include the development of a safety plan and/or prevention strategies identified in this procedure. The principal/vice-principal shall, as appropriate, recommend a referral for the student to receive social work support.

In addition, where the victim 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/vice-principal shall share contact information about professional supports such as community agencies, public health facilities and telecommunications forums, such as a help phone line or website, that the victim and the victim's parent(s)/guardian(s) may access directly for information, assistance and support. A written list of community contacts will be made available to the victim and/or the victim's parent(s)/guardian(s). If the victim requires support for linguistic,

ethno-cultural or disability related needs, information about community supports that are available shall also be shared with the victim and/or the victim's parent(s)/guardian(s) (unless the victim is an adult student) in a form accessible to the parent(s)/guardian(s).

The principal/vice-principal may communicate to the victim's parent(s)/guardian(s) (unless the student is an adult student) any school wide initiatives or preventative progressive discipline measures that have been or will be implemented as a result of the incident and/or other similar incidents. The principal/vice-principal may communicate whether or not formal discipline was imposed on the student(s) disciplined. The principal/vice-principal shall NOT identify the names of the student(s) disciplined or confirm the identity of the student(s) disciplined nor shall the principal provide other personal information about the student(s) disciplined such that their personal identify might be determined or confirmed. The principal /vice-principal shall NOT disclose the specific disciplinary measures that might have been imposed. Where the student(s) disciplined shall no longer be attending the same school as the victim, this fact may be confirmed.

The information about supports for the student provided to the parent(s)/guardian(s) (unless the student is an adult student) shall be summarized in written form, which shall also include a copy of the contact information for the superintendent. A copy of the written summary, including a copy of any safety plan, shall be provided to the parent(s)/guardian(s) (unless the student is an adult student) and the superintendent.

The principal/vice-principal shall also inform the parent(s)/guardian(s) (unless the student is an adult student) that, if the parent(s)/guardian(s) is/are not satisfied with the measures being taken to protect and support the victim the parent(s)/guardian(s) may contact the superintendent to request a review of the measures being taken by the school.

5.2 Not Notifying the Parent(s)/Guardian(s)

5.2.1 Where, in the opinion of principal/vice-principal or teacher-in-charge, providing information to the victim's parent(s)/guardian(s) would put the victim at risk of harm, such that notification would not be in the victim's best interests, or where the victim is an adult student and does NOT consent to their parent(s)/guardian(s) being informed, the principal/vice-principal or teacher-in-charge shall not inform the victim's parent(s)/guardian(s). A teacher-in-charge shall report to the administration at the earliest opportunity the reason(s) why notification was not provided to the parent(s)/guardian(s). The principal/vice-principal shall:

5.2.1.1 consider, as a result of the victim's disclosure, whether or not the victim is a child in need of protection and, if so, make a report to the Simcoe Muskoka Family Connexions, and if in doubt, the principal/vice-principal shall make a no-names call to Simcoe Muskoka Family Connexions to inquire about the appropriateness of making a report;

- 5.2.1.2 document in the student information system (i.e. PowerSchool) why the parent(s)/guardian(s) was/were not notified;
 - 5.2.1.3 inform their superintendent that the parent(s)/guardian(s) was/were not informed and why;
 - 5.2.1.4 inform the teacher or other professional or para-professional staff person, if that individual informed the principal/vice-principal of the potential for harm, that the parent(s)/guardian(s) was/were not informed and why; and,
 - 5.2.1.5 inform other staff working to support the student, as appropriate.
- 5.2.2 The principal/vice-principal shall inform the victim of the steps being taken by the school to protect the victim's safety. These measures might include a safety plan and the implementation of prevention strategies identified in this procedure. Where the victim has been harassed, bullied or suffered violence as a result of one or more immutable characteristics, including any grounds protected by the *Ontario Human Rights Code*, or has been sexually assaulted, the principal/vice-principal shall provide the victim with contact information about professional supports such as community agencies, public health facilities and telecommunications forums, such as a help-phone-line or website, that the victim may access for information, assistance and support. A written list of community contacts shall be provided to the victim. Where the victim requires support for linguistic, ethno-cultural or disability related needs, information about community supports that are available shall also be shared with the victim in a form most accessible to the victim.
- 5.2.3 Where the student who has been disciplined shall no longer be attending the same school as the victim, this fact may be confirmed.

6. Suspension of a Student

- 6.1 When a principal's/vice-principal's investigation of an incident, which should include consultation with the student and the student's parent(s)/guardian(s) (unless the student is an adult student), determines that a student has committed one or more infractions outlined below 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/vice-principal (for infractions not attracting more than five (5) days suspension) shall consider whether that student should be suspended, taking into account any mitigating and other factors that might be applicable in the circumstances. A student in Junior Kindergarten, Kindergarten or Grade 1, 2 or 3 shall not be suspended under section 306 of the Act for engaging in an activity described in subsection 306 (1) of the *Education Act* which are listed in 6.2 below.
- 6.2 The principal/vice-principal will also contact the police consistent with the Police/School Board Protocol if the infraction the student is suspected of committing requires such contact. When in doubt, the principal will consult with their superintendent. The infractions for which a suspension may be imposed by the principal include:
- 6.2.1 uttering a threat to inflict serious bodily harm on another person;
 - 6.2.2 possessing alcohol or illegal drugs;
 - 6.2.3 possessing cannabis (unless the individual has been authorized to use for medical purposes);

- 6.2.4 possessing restricted drugs;
- 6.2.5 being under the influence of alcohol;
- 6.2.6 being under the influence of cannabis (unless the individual has been authorized to use for medical purposes);
- 6.2.7 being under the influence of illegal and/or restricted drugs;
- 6.2.8 swearing at a teacher or at another person in a position of authority;
- 6.2.9 committing an act of vandalism that causes extensive damage to school property to property located on the premises of the student's school;
- 6.2.10 bullying or cyberbullying;
- 6.2.11 an act considered by the principal to be injurious to the moral tone of the school;
- 6.2.12 an act considered by the principal to be injurious to the physical or mental well-being of members of the school community;
- 6.2.13 an act considered by the principal to be contrary to the board or school code of conduct;
- 6.2.14 an activity 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;
- 6.2.15 opposition to authority;
- 6.2.16 habitual neglect of duty;
- 6.2.17 fighting;
- 6.2.18 swearing and/or the use of profane language; and,
- 6.2.19 smoking and/or vaping on school property.

A principal may suspend only once for one instance of an infraction and may suspend for a minimum of one (1) school day and a maximum of 20 school days. Suspensions should be applied in the least restrictive manner possible to be effective and so as not to add to the historical disadvantage of racialized students and/or students with disabilities.

6.3 Factors to Consider Before Deciding to Impose a Suspension

- 6.3.1 Before deciding whether to impose a suspension, or some other form of discipline, a principal/vice-principal (in the case of suspension for five (5) or fewer days) will make every effort to consult with the student, where appropriate, and the student's parent(s)/guardian(s) (unless the student is an adult student) to identify whether any mitigating or other factors might apply in the circumstances. Before applying any progressive discipline consequence, including suspension, the principal/vice-principal shall consider whether or not the progressive discipline consequence might have a disproportionate impact on a student protected by the *Ontario Human Rights Code*, including but not limited to race and disability, and/or exacerbate the student's disadvantaged position in society, and whether or not accommodation to the point of undue hardship is required. The mitigating factors to be considered by the principal/vice-principal before deciding whether to impose a suspension are:
 - 6.3.1.1 whether the student has the ability to control their behaviour;
 - 6.3.1.2 whether the student has the ability to understand the foreseeable consequences of their behaviour; and,
 - 6.3.1.3 whether the student's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school.

6.3.2 If a student does not have the ability to control their behaviour or does not understand the foreseeable consequences of their behaviour, the principal/vice-principal shall not suspend the student. Other progressive discipline and/or other intervention may be considered by the principal/vice-principal in such circumstances. If the student poses an unacceptable risk to the safety of others in the school, the principal shall consult with their superintendent regarding appropriate accommodations and/or strategies that might be instituted to ensure safety of students, staff and others in the school.

6.4 Other Factors to be Considered

6.4.1 Where the student is able to control their behaviour and is able to understand the foreseeable consequences of their behaviour, the principal/vice-principal shall consider whether the following factors mitigate the length of a suspension or the decision to apply a suspension as a form of discipline for the student:

6.4.1.1 the student's academic, discipline and personal history;

6.4.1.2 whether 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;

6.4.1.3 whether the infraction for which the student might be disciplined was related to any harassment of the student because of race, ethnic origin, place of origin, religion, creed, disability, gender or gender identity, sexual orientation or other immutable characteristic or harassment for any other reason;

6.4.1.4 the impact of the discipline on the student's prospects for further education;

6.4.1.5 the student's age; and,

6.4.1.6 where the student has an IEP or disability related needs:

6.4.1.6.1 whether the behaviour causing the incident was a manifestation of the student's disability;

6.4.1.6.2 whether appropriate individualized accommodation has been provided;

6.4.1.6.3 whether a suspension is likely to result in aggravating or worsening the student's behaviour or conduct or whether a suspension is likely to result in greater likelihood of further inappropriate conduct; and,

6.4.1.6.4 whether or not the student's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.

6.5 Progressive Discipline

6.5.1 In reviewing whether progressive discipline approach(es) has/have been attempted with the student, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure, the principal/vice-principal shall consider the following:

6.5.1.1 whether the teacher, principal/vice-principal has utilized early and/or ongoing intervention strategies to prevent unsafe or inappropriate behaviours, such as: contact with parent(s)/guardian(s), oral reminders, review of expectations, written work assignments with a learning component, assigning the student to volunteer services to the community, conflict

- mediation and resolution, peer mentoring, referral to counseling and/or consultation; between two or more of the parties; and,
- 6.5.1.2 whether the principal or designate has used a progressive discipline approach to address inappropriate behaviour for which a suspension could have been imposed, such as a meeting(s) with the student and the student's parent(s)/guardian(s) (unless the student is an adult student), and principal, referral of student to a community agency for anger management or substance abuse, detentions, withdrawal of privileges, withdrawal from class, restitution for damages, restorative practices and/or transfer to another class or school.
- 6.5.2 The mitigating and other factors, noted above, may be applied to mitigate the decision to suspend or may be applied to mitigate the length of the suspension imposed. In circumstances where one or more of the factors above mitigate the decision to apply a suspension as a form of discipline for the student, the principal/vice-principal may consider whether other progressive discipline and/or other intervention is appropriate in the circumstances.
- 6.6 Consultation
- 6.6.1 Before imposing a suspension of six (6) to 10 school days, the principal shall advise the superintendent of education and before imposing a suspension of 11 or more school days, the principal shall consult with the superintendent of education regarding:
- 6.6.1.1 whether or not accommodation pursuant to the *Ontario Human Rights Code* has been considered, and where applicable, applied to the point of undue hardship;
- 6.6.1.2 the investigation undertaken;
- 6.6.1.3 the circumstances of the incident;
- 6.6.1.4 whether or not one or more of the factors outlined above are applicable in the circumstances; and,
- 6.6.1.5 the appropriate length of the suspension.
- 6.7 School Work
- 6.7.1 A student who is subject to a suspension of five (5) or fewer school days must be provided with school work to complete at home while serving the suspension. The school work must be available to the student or the student's parent(s)/guardian(s) (unless the student is an adult student) the day the student is suspended, if the student is suspended for one (1) school day. If this is not possible, the student must be given an opportunity to catch-up on missed work as part of the re-entry process. Where the student has been suspended for two (2) or more school days the principal/vice-principal will ensure that the school work provided to the student will be available the day the student is suspended or the following school day. In addition to receiving school work for the first five (5) school days of suspension, a student who is subject to a suspension of six (6) or more school days must be assigned an alternative program for students subject to the lengthy suspension program (LSP). A student participating in the LSP is not considered to be engaging in school or school-related activities.

-
- 6.8 Procedural Steps When Imposing a Suspension
- 6.8.1 Where a principal/vice-principal, in circumstances of a suspension for five (5) or fewer days, has determined that it is appropriate to impose a suspension, the principal/vice-principal is required to effect the following procedural steps:
- 6.8.1.1 Within 24 hours of the decision, the principal/vice-principal must make all reasonable efforts to orally inform the student and the student's parent(s)/guardian(s) (unless the student is an adult student) of the suspension.
- 6.8.1.2 The principal/vice-principal must inform the student's teacher(s) of the suspension.
- 6.8.1.3 The principal/vice-principal in conjunction with the student's teacher(s) must organize school work to be provided for the student to be completed during the duration of the student's suspension.
- 6.8.1.4 The principal/vice-principal must provide written notice of the suspension to the student, the student's parent(s)/guardian(s) (unless the student is an adult student) and the superintendent of education (APPENDIX A and B). The written notice of suspension will include:
- 6.8.1.4.1 the reason for suspension;
- 6.8.1.4.2 the duration of the suspension; including the student's date of return to school;
- 6.8.1.4.3 information about the LSP the student is assigned to, where the student is suspended for six (6) or more school days (APPENDIX B);
- 6.8.1.4.4 information about the right to appeal the suspension, including the relevant policies and guidelines and the contact information for the superintendent of education with safe schools portfolio (APPENDIX C); and,
- 6.8.1.4.5 if an amendment is made to the original letter, in consultation with the superintendent of education, the revised letter should be provided to the family and placed in the OSR. The original suspension letter should be revoked and destroyed.
- 6.8.2 Every effort should be made to include the school work with the letter of suspension to the student or the student's parent(s)/guardian(s) (unless the student is an adult student) on the day the student is suspended if the letter is provided to the student to take home. If it is not possible to provide the letter because the student and their parent(s)/guardian(s) (unless the student is an adult student) is/are not available, the letter should be mailed or couriered to the home address or emailed that day, and school work should be made available for the student or student's parent(s)/guardian(s) (unless the student is an adult student) or designate, to pick up from the school the following school day.
- 6.8.2.1 If notice is sent by mail or email, the principal will ensure that the work provided to the student will be available for the student's parent(s)/guardian(s) (unless the student is an adult student) or designate to pick-up from the school the day the student is

- suspended or the following school day, if the suspension is between two and five school days.
- 6.8.2.2 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
 - 6.8.2.3 If notice is sent by fax or email, it is deemed to have been received the first school day after it was sent.
- 6.8.3 Where the incident is a serious violent incident, the school must record the incident using the online student information system (i.e. PowerSchool). Schools must complete the Violent Incident Form electronically within the student information system and print the record and file it in the student's OSR. Please refer to [APM A7100 – Reporting Violent Incidents \(APPENDIX B\)](#).
Such incidents include:
- 6.8.3.1 possessing a weapon, including possessing a firearm;
 - 6.8.3.2 physical assault causing bodily harm requiring medical attention;
 - 6.8.3.3 sexual assault;
 - 6.8.3.4 robbery;
 - 6.8.3.5 using a weapon to cause or to threaten bodily harm to another person;
 - 6.8.3.6 extortion; and,
 - 6.8.3.7 hate and/or bias-motivated occurrences.
- 6.8.4 If a student has threatened violence against the school or has been involved in a significant incident that may pose a threat of harm to staff, school administration will consult with their respective superintendent of education.
- 6.8.4.1 In these cases, administrators must share the information with their staff through a standing meeting, including sharing the name of the student and the actions taken to mitigate risk. Safety takes precedence over the privacy of the student, but staff must be reminded that while they are being provided this information, in keeping with health and safety legislation regarding potential workplace violence, all staff have a professional duty to protect the information shared from inappropriate use or disclosure for purposes other than the reasons for which it was shared.
 - 6.8.4.2 Administrators will also create a safety plan through the student information system (i.e. PowerSchool).
 - 6.8.4.3 Administrators will share this document with all staff as per the regular routine of sharing safety plans.
- 6.9 Lengthy Suspension Program
- 6.9.1 Where a student has been suspended for six (6) or more school days the student will be provided with school work for the first five (5) school days or until the Student Action Plan (SAP) commences, whichever is earlier, and will be assigned a program for students subject to the LSP. The principal/ vice-principal shall communicate to the student or the student's parent(s)/guardian(s) (unless the student is an adult student) the purpose and nature of the LSP.

- 6.9.2 A student cannot be compelled to participate in the LSP. Should the student or their parent(s)/guardian(s) (unless the student is an adult student) choose not to have the student participate in the LSP, the student will be provided with school work 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 school work will be available at the school for pick-up by the student's parent(s)/guardian(s) (unless the student is an adult student) or a designate, at regular intervals during the suspension period. In circumstances where the school work is not picked up, the principal should contact the student and the student's parent(s)/guardian(s) (unless the student is an adult student) to determine whether the school work will be picked up. The principal should record the follow-up and response.
- 6.9.3 A SAP shall be developed for every student subject to a suspension of six (6) or more school days who agrees to participate in the LSP. Agreement or refusal to participate in the LSP may be communicated to the school orally by the student or their parent(s)/guardian(s) (unless the student is an adult student). Where the student or their parent(s)/guardian(s) (unless the student is an adult student) declines the offer to participate in the LSP, the principal/vice-principal shall record the date and time of such refusal.
- 6.9.4 Planning meeting for students subject to a suspension of six (6) or more school days.
- 6.9.4.1 The principal/vice-principal of the school shall hold a planning meeting for the purpose of developing the SAP for students who choose to participate in the LSP.
- 6.9.4.2 The student and student's parent(s)/guardian(s) (unless the student is an adult student) as well as any appropriate teaching and support staff will be invited to participate in the planning meeting. The student and the student's parent(s)/guardian(s) (unless the student is an adult student) shall be invited for the purpose of providing input.
- 6.9.4.3 The planning meeting will be scheduled to occur within two (2) school days of the student and the student's parent(s)/guardian(s) (unless the student is an adult student) informing the school that the student will participate in the LSP.
- 6.9.4.4 If the student and the student's parent(s)/guardian(s) (unless the student is an adult student) are not available to participate in the planning meeting, the meeting will proceed in their absence and a copy of the SAP will be provided to them following the meeting.
- 6.9.4.5 During the planning meeting the principal/vice-principal shall review the issues to be addressed in the student's SAP.
- 6.9.5 Student Action Plan
- 6.9.5.1 A student subject to suspension for 11 or more 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 11 days may be offered non-academic supports where such supports are appropriate and available.

- 6.9.5.1.1 The SAP shall be developed under the direction of the principal of the school with assistance, as appropriate, from the teacher of the LSP, vice-principal of the school, guidance counsellor, special education teacher and/or classroom teacher.
- 6.9.5.1.2 The principal will make every effort to complete the SAP within five (5) school days following the student and the student's parent(s)/guardian(s) (unless the student is an adult student) informing the school that the student will participate in the LSP.
- 6.9.5.1.3 This timeline will be communicated to the student and the student's parent(s)/guardian(s) (unless the student is an adult student) if they are unable to attend the planning meeting for the purpose of providing input.
- 6.9.5.1.4 The principal must ensure that the student is provided with school work until the SAP is in place.
- 6.9.5.1.5 Once completed, the SAP will be shared with the student, and/or the student's parent(s)/guardian(s) (unless the student is an adult student) and all necessary staff to facilitate implementation.
- 6.9.5.1.6 A copy of the SAP will be stored in the student's OSR until such time as it is no longer conducive to the improvement of instruction of the student.
- 6.9.5.2 The SAP will identify:
 - 6.9.5.2.1 the incident for which the student was suspended;
 - 6.9.5.2.2 the progressive discipline steps taken prior to the suspension, if any;
 - 6.9.5.2.3 any other discipline measures imposed in addition to the suspension;
 - 6.9.5.2.4 any other disciplinary issues regarding the student that have been identified by the school;
 - 6.9.5.2.5 any learning needs or other needs that might have contributed to the underlying infraction resulting in discipline;
 - 6.9.5.2.6 any program(s) or services(s) that might be provided to address those learning or other needs;
 - 6.9.5.2.7 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;
 - 6.9.5.2.8 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;
 - 6.9.5.2.9 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,

- 6.9.5.2.10 the measurable goals the student will be striving to achieve during the period of suspension.
- 6.9.6 Where a suspendable or expellable incident has taken place that is considered to pose a potential threat of harm to staff, a safety plan will be created through the student information system (i.e. PowerSchool).
- 6.9.6.1 Prior to the student commencing attendance at the LSP, this safety plan will be shared with all staff as per the regular routine for sharing safety plans.
- 6.10 Suspension Appeal Process
- The Suspension Appeal Process is outlined below and in APPENDIX C (also posted under Forms as a separate document). The principal/vice-principal of the school shall provide a copy of APPENDIX C to the student and the student's parent(s)/guardian(s) (unless the student is an adult student) along with the suspension letter.
- 6.10.1 The student and the student's parent(s)/guardian(s) (unless the student is an adult student) may appeal a suspension.
- 6.10.1.1 All suspension appeals will be received by the superintendent of education with safe schools portfolio or designate.
- 6.10.1.2 An appeal of a suspension does not stay the suspension.
- 6.10.1.3 A person who intends to appeal a suspension must give written notice of their intention to appeal the suspension within 10 school days of the commencement of the suspension.
- 6.10.1.4 An individual who appeals a suspension may argue that their rights pursuant to the *Ontario Human Rights Code* have been infringed.
- 6.10.1.5 In addition, a separate right to apply to the *Human Rights Tribunal of Ontario* exists where an individual believes their rights pursuant to the *Ontario Human Rights Code* have been infringed.
- 6.10.1.6 The board must hear and/or determine the appeal within 15 school days of receiving the notice of intention to appeal (unless the parties agree to an extension). Principals must ensure that if the suspension appeal hearing is going to take place more than 15 days of receipt of the notice of intention to appeal, FORM A7635 - 4 must be completed by all involved parties.
- 6.10.2 Upon receipt of written notice of the intention to appeal the suspension, the superintendent of education with safe schools portfolio or designate:
- 6.10.2.1 will promptly advise the school principal of the appeal;
- 6.10.2.2 will promptly advise the student and the student's parent(s)/guardian(s) (unless the student is an adult student) that a review of the suspension will take place, and invite the appellant to contact the superintendent to discuss any matter respecting the incident and/or appeal of the suspension (APPENDIX D);
- 6.10.2.3 will review the suspension in consultation with the superintendent of education (reason, duration, any mitigating or other factors); whether or not the *Ontario Human Rights Code* should be or was appropriately applied;
- 6.10.2.4 may consult with the principal and superintendent of education regarding modification or expunging the suspension;

- 6.10.2.5 will request that the superintendent of education meet with the student and the student's parent(s)/guardian(s) (unless the student is an adult student) and the principal to narrow the issues and try to effect a settlement, and arrange a date for the appeal before the Discipline Committee of the Board; and,
- 6.10.2.6 the superintendent of education will, where a settlement is not effected, provide notice of the review decision to the student and the student's parent(s)/guardian(s) (unless the student is an adult student) (APPENDIX E).
- 6.10.3 Where the suspension is upheld on review and the student and the student's parent(s)/guardian(s) (unless the student is an adult student) choose(s) to continue with the appeal, the superintendent of education with safe schools portfolio or designate in consultation with the superintendent of education will:
 - 6.10.3.1 co-ordinate the preparation of a written report for the Discipline Committee of the Board. This report will contain at least the following components:
 - 6.10.3.1.1 a report prepared by the principal regarding the incident, the rationale for suspension and how the principles of equity and inclusion were applied by the principal;
 - 6.10.3.1.2 a copy of the original suspension letter;
 - 6.10.3.1.3 a copy of the letter requesting the suspension appeal; and,
 - 6.10.3.1.4 a copy of the correspondence with respect to the decision of the superintendent of education regarding the suspension review.
 - 6.10.3.2 inform the student and the student's parent(s)/guardian(s) (unless the student is an adult student) of the date of the suspension appeal; provide a guide to the process for the appeal, and a copy of the documentation that will go to the Discipline Committee of the Board (APPENDIX F); and,
 - 6.10.3.3 ensure that the item is placed on the Discipline Committee of the Board's agenda;
 - 6.10.3.4 the parties in an appeal to the Discipline Committee of the Board shall be:
 - 6.10.3.4.1 the principal; and,
 - 6.10.3.4.2 the student and the student's parent(s)/guardian(s) (unless the student is an adult student).
- 6.11 Suspension Appeal before the Discipline Committee of the Board
 - 6.11.1 Suspension appeals will be heard orally, *in camera*, by the Discipline Committee of the Board. Suspension appeal hearings may be held in a virtual format. The Discipline Committee of the Board may grant a person with daily care the authority to make submissions on behalf of the student. A student and the student's parent(s)/guardian(s) (unless the student is an adult student) may bring legal counsel, an advocate or support person with them to the appeal. Notification must be received by the superintendent of education a minimum of 72 hours prior to the scheduled appeal hearing.

- 6.11.1.1 The appellant and/or the person with daily care and control will proceed first by making oral submissions and/or providing written submissions regarding the reason for the appeal and the result desired.
- 6.11.1.2 The student will be asked to make a statement on their own behalf.
- 6.11.1.3 The superintendent of education for the school and/or the principal will make oral submissions on behalf of the administration, including a response to any issues raised in the appellant's submissions. The superintendent/principal may rely on the report prepared for the Discipline Committee of the Board.
- 6.11.1.4 The appellant may make further submissions addressing issues raised in the administration's presentation that were not previously addressed by the student and the student's parent(s)/guardian(s) (unless the student is an adult student).
- 6.11.1.5 The Discipline Committee of the Board may ask any party, or the student, where appropriate, questions of clarification.
- 6.11.1.6 The student and the student's parent(s)/guardian(s) (unless the student is an adult student) may be represented by legal counsel or attend with an advocate/agent or the support of a community member.
- 6.11.1.7 Legal counsel for the board may be present at the appeal if the appellant is represented by legal counsel or an agent.
- 6.11.1.8 The Discipline Committee of the Board may make such orders or give such directions at an appeal as it considers necessary for the maintenance of order at the appeal. Should any person disobey or fail to comply with any such order and direction, a trustee may call for the assistance of a police officer to enforce any such order for direction.
- 6.11.1.9 Where any party who has received proper notice of the location, date and time of the appeal fails to attend the appeal or comply with the necessary time lines, the appeal may proceed in the absence of the party and the party is not entitled to any further notice of the proceedings.
- 6.11.1.10 The Discipline Committee of the Board will consider, based on the written and/or oral submissions of both parties, whether or not the consequence might have a disproportionate impact on a student protected by the *Ontario Human Rights Code*, including but not limited to race and disability, and/or exacerbate the student's disadvantaged position in society and whether the decision to discipline and the discipline imposed was reasonable in the circumstances, and shall either:
 - 6.11.1.10.1 uphold the suspension and its duration; or,
 - 6.11.1.10.2 uphold the suspension but modify its duration and amend the record, as necessary; or,
 - 6.11.1.10.3 expunge the suspension and order that the record be expunged; or,
 - 6.11.1.10.4 make such other appropriate order.
- 6.11.2 The decision of the Discipline Committee of the Board is final. The decision shall be communicated to the appellant in writing (APPENDICES G and H).

6.12 Re-Entry

6.12.1 Following a suspension of six (6) or more school days, a re-entry meeting will be held with appropriate staff, the student, and the student's parent(s)/guardian(s) (unless the student is an adult student), if possible, to provide positive and constructive redirection for the student. Where the student has participated in the LSP, the student's success in achieving the goals outlined in the SAP will be reviewed with the student and the student's parent(s)/guardian(s) (unless the student is an adult 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.

6.13 Transfer to Another School

6.13.1 Following an incident at the school, it might be necessary to transfer to another school the student who has been disciplined or the victim 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 victim should be transferred.

6.13.2 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*.

6.13.3 When it has been determined that a student be transferred to another school, the principal/vice-principal shall ensure that a transition plan is developed identifying any additional supports and resources required in the principal/designate's opinion to ensure a successful transition, which might include where appropriate, referrals for social work support, Child Youth Worker (CYW) support and/or support from community agencies as well as the development of a transitional IEP. Where the student has been subject to suspension, the transition plan shall be consistent with and coordinated with the SAP developed for suspension purposes.

6.13.3.1 Where a suspendable or expellable incident has taken place that is considered to pose a potential threat of harm to staff, a safety plan will be created through the student information system (i.e. PowerSchool).

6.13.3.2 Prior to the student commencing attendance at the new location this safety plan will be shared with all staff as per the regular routine for sharing safety plans.

6.13.4 The principal/vice-principal of the sending school shall invite the student and the student's parent(s)/guardian(s) (unless the student is an adult student), to a meeting with representatives from both schools for the purpose of reviewing the transition plan, including the timeline for transition and the provision of school work prior to transition in circumstances where the student is not subject to the SAP and will not be attending school during the intervening period, to obtain any necessary consents for support services, and to respond to any questions or concerns identified by the receiving school and/or the student or the student's parent(s)/guardian(s) (unless the student is an adult student). 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.

6.13.5 All individuals attending the meeting must be informed by the principal/ 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*.

7. Expulsion of a Student

- 7.1 Subject to the factors to consider before deciding to impose a suspension, indicated below, reasonable grounds to believe that a student has committed one or more infractions outlined below 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 shall suspend the student. A student in Junior Kindergarten, Kindergarten or Grade 1, 2 or 3 shall not be suspended under section 310 of the Act for engaging in an activity described in subsection 310 (1) of the *Education Act*, which are listed in 7.1.2 of this APM, unless the principal has conducted an investigation respecting the allegations.
- 7.1.1 The principal shall contact the police consistent with the Police/School Board Protocol if the infraction the student is suspected of committing requires such contact. The principal shall consult with their superintendent.
- 7.1.2 The enumerated activities are:
- 7.1.2.1 possessing a weapon, including possessing a firearm or knife;
 - 7.1.2.2 using a weapon to cause or to threaten bodily harm to another person;
 - 7.1.2.3 committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
 - 7.1.2.4 committing sexual assault;
 - 7.1.2.5 trafficking in weapons or illegal drugs;
 - 7.1.2.6 trafficking in cannabis;
 - 7.1.2.7 trafficking in restricted drugs;
 - 7.1.2.8 committing robbery;
 - 7.1.2.9 giving alcohol to a minor;
 - 7.1.2.10 giving cannabis to a minor;
 - 7.1.2.11 giving illegal and/or restricted drugs to a minor;
 - 7.1.2.12 an act considered by the principal to be significantly injurious to the moral tone of the school and/or to the physical or mental well-being of others;
 - 7.1.2.13 a pattern of behaviour that is so inappropriate that the student's continued presence is injurious to the effective learning and/or working environment of others;
 - 7.1.2.14 activities engaged in by the student on or off school property that cause the student's continuing presence in the school to create an unacceptable risk to the physical or mental well-being of other person(s) in the school or board;
 - 7.1.2.15 activities engaged in by the student 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;

- 7.1.2.16 the student has demonstrated through a pattern of behaviour that they have not prospered by the instruction available to them and that they are persistently resistant to making changes in behaviour which would enable them to prosper;
- 7.1.2.17 an act considered by the principal to be a serious violation of the requirements for student behaviour and/or a serious breach of the board or school code of conduct;
- 7.1.2.18 where a student has no history of discipline or behaviour intervention, or no relevant history, a single act, incident or infraction considered to be a serious violation of the expectations of student behaviour and/or a serious breach of the code of conduct;
- 7.1.2.19 an activity 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; and,
- 7.1.2.20 bullying if, (i) the student has previously been suspended for engaging in bullying, and (ii) the student's continuing presence in the school creates an unacceptable risk to the safety of another person.

The condition set out in 7.1.2.20 (i) does not apply in respect of a suspension under 310 of the *Education Act* of a student in Junior Kindergarten, Kindergarten or Grade 1, 2 or 3.

7.2 Factors to Consider Before Deciding to Impose a Suspension

7.2.1 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(s)/guardian(s) (unless the student is an adult student), to assist in identifying whether any mitigating or other factors might apply in the circumstances. However, despite consultation, the identification of mitigating and other factors remains the responsibility of the principal.

7.3 Mitigating Factors

7.3.1 The mitigating factors to be considered by the principal before deciding whether to impose a suspension are:

7.3.1.1 whether the student has the ability to control their behaviour;

7.3.1.2 whether the student has the ability to understand the foreseeable consequences of their behaviour; and,

7.3.1.3 whether the student's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school.

7.3.2 If a student does not have the ability to control their behaviour and does not understand the foreseeable consequences of their behaviour, the principal, in consultation with the superintendent of education, shall not suspend the student. Other progressive discipline and/or other intervention may be considered by the principal in such circumstances, consistent with the *Ontario Human Rights Code*.

- 7.3.3 If the student does not have the ability to control their behaviour and does not understand the foreseeable consequences of their behaviour, but poses an unacceptable risk to the safety of others in the school, the principal will consult with their superintendent regarding appropriate accommodations and/or strategies that might be instituted to ensure student and staff safety.
- 7.3.4 Exclusion from the school pursuant to section 265 (1)(m) of the *Education Act* is not acceptable for discipline purposes or as an alternative to discipline, and may only be effected following consultation with the superintendent and in accordance with the *Education Act* and consistent with the *Ontario Human Rights Code*.
- 7.4 Suspension Pending Recommendation for Expulsion
 - 7.4.1 If the student is to be suspended pending recommendation for expulsion:
 - 7.4.1.1 the student must be suspended for 20 days;
 - 7.4.1.2 the principal must assign the student to a program for suspended students (i.e. LSP); and,
 - 7.4.1.3 the principal must undertake an investigation to determine whether to recommend to the Discipline Committee of the Board that the student be expelled.
- 7.5 Procedural Steps When Imposing a Suspension Pending Recommendation for Expulsion
 - 7.5.1 When imposing a suspension the principal is required to effect the following procedural steps.
 - 7.5.1.1 Within 24 hours of the decision, the principal/vice-principal must make all reasonable efforts to orally inform the student and the student's parent(s)/guardian(s) (unless the student is an adult student) of the suspension.
 - 7.5.1.2 The principal must inform the student's teacher(s) of the suspension.
 - 7.5.1.3 The principal/vice-principal must provide written notice of the suspension to the student and the student's parent(s)/guardian(s) (unless the student is an adult student) and the superintendent of education. The written notice of suspension will include:
 - 7.5.1.3.1 the reason for suspension;
 - 7.5.1.3.2 the duration of the suspension;
 - 7.5.1.3.3 information about the program for suspended students the student is assigned to;
 - 7.5.1.3.4 information about the investigation the principal is conducting to determine whether to recommend expulsion; and,
 - 7.5.1.3.5 a statement that there is no immediate right to appeal the suspension. Any appeal must wait until the principal decides whether to recommend an expulsion, and if the principal decides not to recommend an expulsion, a statement that the suspension may be appealed to the Discipline Committee of the Board, and if the principal decides to recommend an expulsion that the suspension may be addressed at the expulsion hearing (APPENDIX I).

7.5.2 Every effort should be made to include the school work with the letter of suspension to the student and to the student's parent(s)/guardian(s) (unless the student is an adult student) on the day the student is suspended if the letter is provided to the student to take home. If it is not possible to provide the letter because the student and their parent(s)/guardian(s) (unless the student is an adult student) is/are not available, the letter should be mailed or couriered to the home address, or emailed that day. School work should be made available for the student or the student's parent(s)/guardian(s) (unless the student is an adult student) or designate, to pick-up from the school the following school day.

7.5.2.1 If notice is sent by mail or email, the principal will ensure that the work provided to the student will be available for the student's parent(s)/guardian(s) (unless the student is an adult student) or designate to pick-up from the school the day the student is suspended or the following school day, if the suspension is between two and five school days.

7.5.2.2 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.

7.5.3.3 If notice is sent by fax or email, it is deemed to have been received the first school day after it was sent.

7.5.3.4 Where the incident is a serious violent incident, the school must record the incident using the online student information system (i.e. PowerSchool). Schools must also complete the Violent Incident Form electronically within the student information system and print the record and file it in the student's OSR. Please refer to [APM A7100 – Reporting Violent Incidents](#) (APPENDIX B).

Such incidents include:

7.5.3.4.1 possessing a weapon, including possessing a firearm;

7.5.3.4.2 physical assault causing bodily harm requiring medical attention;

7.5.3.4.3 sexual assault;

7.5.3.4.4 robbery;

7.5.3.4.5 using a weapon to cause or to threaten bodily harm to another person;

7.5.3.4.6 extortion; and,

7.5.3.4.7 hate and/or bias-motivated occurrences.

7.6 Lengthy Suspension Program

7.6.1 Where a student has been suspended, pending an investigation to determine whether to recommend an expulsion, the student will be assigned to a program for students subject to the LSP. The principal/vice-principal shall communicate to the student and the student's parent(s)/guardian(s) (unless the student is an adult student) the purpose and nature of the LSP.

7.6.1.1 A student cannot be compelled to participate in the LSP. Should the student or the student's parent(s)/guardian(s) (unless the student is an adult student) choose not to have the student participate in the LSP, the student will be provided with school work consistent with the Ontario curriculum or that student's modified and/or alternative curriculum to be completed at home for the duration of their suspension. This school work will be

- available at the school for pick-up by the student and the student's parent(s)/guardian(s) (unless the student is an adult student) or a designate, at regular intervals during the suspension period beginning the school day after the student or the student's parent(s)/guardian(s) (unless the student is an adult student) refuses to participate in the LSP.
- 7.6.1.2 A SAP will be developed for every student who agrees to participate in the LSP. Agreement or refusal to participate in the LSP may be communicated to the school orally by the student or the student's parent(s)/guardian(s) (unless the student is an adult student). Where the student and the student's parent(s)/guardian(s) (unless the student is an adult student) decline(s) the offer to participate in the LSP, the principal shall record the date and time of such refusal.
 - 7.6.2 Planning meeting for students subject to a suspension pending an investigation to determine whether to recommend an expulsion.
 - 7.6.2.1 The principal of the school or designate will hold a planning meeting for the purpose of developing the SAP for students who choose to participate in the LSP.
 - 7.6.2.2 The student and the student's parent(s)/guardian(s) (unless the student is an adult student) as well as any appropriate teaching and support staff will be invited to participate in the planning meeting.
 - 7.6.2.3 The planning meeting will be scheduled to occur within two (2) school days of the student and the student's parent(s)/guardian(s) (unless the student is an adult student) informing the school that the student will participate in the LSP.
 - 7.6.2.4 If the student and the student's parent(s)/guardian(s) (unless the student is an adult student) are not available to participate in the planning meeting, the meeting will proceed in their absence and a copy of the SAP will be provided to them following the meeting.
 - 7.6.2.5 During the planning meeting the principal/vice-principal shall review the issues to be addressed in the student's SAP.
 - 7.6.3 Student Action Plan
 - 7.6.3.1 A student subject to suspension, pending an investigation to determine whether to recommend an expulsion, will be provided with both academic and non-academic supports, which will be identified in the student's SAP.
 - 7.6.3.1.1 The SAP will be developed under the direction of the principal of the school with assistance, as appropriate, from the teacher of the LSP, vice-principal of the school, guidance counselor, special education teacher, classroom teacher, CYW and/or social worker.
 - 7.6.3.1.2 The principal will make every effort to complete the SAP within five (5) school days following the student and the student's parent(s)/guardian(s) (unless the student is an adult student) informing the school that the student will participate in the LSP.

- 7.6.3.1.3 This timeline will be communicated to the student and the student's parent(s)/guardian(s) (unless the student is an adult student), if they are unable to attend the planning meeting for the purpose of providing input.
- 7.6.3.1.4 Once completed, the SAP will be shared with the student and the student's parent(s)/guardian(s) (unless the student is an adult student) and all necessary staff to facilitate implementation.
- 7.6.3.1.5 A copy of the SAP will be stored in the student's OSR until such time as it is no longer conducive to the improvement of instruction of the student.
- 7.6.3.1.6 The SAP will identify:
 - 7.6.3.1.6.1 the incident for which the student was suspended;
 - 7.6.3.1.6.2 the progressive discipline steps taken prior to the suspension, if any;
 - 7.6.3.1.6.3 any other progressive discipline measures imposed in addition to the suspension;
 - 7.6.3.1.6.4 any other disciplinary issues regarding the student that have been identified by the school;
 - 7.6.3.1.6.5 any learning needs or other needs that might have contributed to the underlying infraction resulting in discipline;
 - 7.6.3.1.6.6 any program(s) or service(s) that might be provided to address those learning or other needs;
 - 7.6.3.1.6.7 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;
 - 7.6.3.1.6.8 where the student has an IEP, or disability related needs, information regarding how the accommodations/modifications of the student's academic program will be provided during the period of suspension;
 - 7.6.3.1.6.9 the non-academic program and services to be provided to the student, during the suspension and details regarding how that non-academic program and those services will be accessed; and,
 - 7.6.3.1.6.10 the measurable goals the student will be striving to achieve during the period of suspension.
- 7.6.4 Where a suspendable or expellable incident has taken place that is considered to pose a potential threat of harm to staff, a safety plan will be created through the student information system (i.e. PowerSchool).
 - 7.6.4.1 Prior to the student commencing attendance at the LSP, this safety plan will be shared with staff as per the regular routine for sharing safety plans.

7.7 Principal's Investigation

7.7.1 The principal shall conduct an investigation promptly following the suspension of the student to determine whether to recommend to the Discipline Committee of the Board that the student be expelled. As part of the investigation, the principal will consult with the superintendent of education and/or superintendent of education with safe schools portfolio, or designate, 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. Before referring 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 protected by the *Ontario Human Rights Code*, including but not limited to race and disability, and/or exacerbate the student's disadvantaged position in society, and whether or not accommodation is required. Should the decision be made to refer the student to the Discipline Committee of the Board with a recommendation for expulsion, the student must be referred to and dealt with by the Discipline Committee of the Board within 20 school days from the date of suspension (unless all involved parties agree that the expulsion hearing date will exceed 20 school days by completing FORM A7635 - 5).

7.7.2 Any police investigation will be conducted separately from the principal's inquiry.

7.7.3 As part of the investigation, the principal shall:

7.7.3.1 make all reasonable efforts to speak with the student and the student's parent(s)/guardian(s) (unless the student is an adult student);

7.7.3.2 include interviews with witnesses who the principal determines can contribute relevant information to the investigation;

7.7.3.3 make every reasonable effort to interview any witnesses suggested by the student and the student's parent(s)/guardian(s) (unless the student is an adult student);

7.7.3.4 consider the mitigating and other factors outlined above when determining whether to recommend to the Discipline Committee of the Board that the student be expelled; and,

7.7.3.5 consider whether or not the student is protected by the *Ontario Human Rights Code*, including but not limited to race and disability, and/or is in a disadvantaged position in society, and evaluate the appropriateness of the accommodation if any was provided.

7.8 Mitigating Factors

7.8.1 The mitigating factors to be considered by the principal before deciding whether to recommend an expulsion are:

7.8.1.1 whether the student has the ability to control their behaviour;

7.8.1.2 whether the student has the ability to understand the foreseeable consequences of their behaviour; and,

7.8.1.3 whether the student's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school.

-
- 7.9 Other Factors to be Considered
- 7.9.1 Where the student is able to control their behaviour and/or is able to understand the foreseeable consequences of their behaviour, the principal will consider whether the following factors mitigate the length of a suspension and whether the student should be referred to the Discipline Committee of the Board on a recommendation for expulsion:
- 7.9.1.1 the student's academic, discipline and personal history;
 - 7.9.1.2 whether 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;
 - 7.9.1.3 whether the infraction for which the student might be disciplined was related to any harassment of the student because of race, ethnic origin, place of origin, religion, creed, disability, gender or gender identity, sexual orientation or any other immutable characteristic or harassment for any other reason;
 - 7.9.1.4 the impact of the discipline on the student's prospects for further education;
 - 7.9.1.5 the student's age; and,
 - 7.9.1.6 where the student has an IEP or disability related needs:
 - 7.9.1.6.1 whether the behaviour causing the incident was a manifestation of the student's disability;
 - 7.9.1.6.2 whether appropriate individualized accommodation has been provided to the point of undue hardship;
 - 7.9.1.6.3 whether a suspension is likely to result in aggravating or worsening the student's behaviour or conduct or whether a suspension is likely to result in a greater likelihood of further inappropriate conduct; and,
 - 7.9.1.7 whether or not the student's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.
- 7.10 Progressive Discipline
- 7.10.1 In reviewing whether progressive discipline approach(es) has/have been attempted with the student, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure, the principal will consider the following:
- 7.10.1.1 whether the teacher and/or the principal/vice-principal has utilized preventative strategies and positive practices.
 - 7.10.1.2 preventative practices include:
 - 7.10.1.2.1 *Ontario Human Rights Strategy* pursuant to PPM 119;
 - 7.10.1.2.2 anti-bullying and violence prevention programs;
 - 7.10.1.2.3 mentorship programs;
 - 7.10.1.2.4 student success strategies;
 - 7.10.1.2.5 character education;
 - 7.10.1.2.6 citizenship development;
 - 7.10.1.2.7 student leadership;
 - 7.10.1.2.8 promoting healthy student relationships;
 - 7.10.1.2.9 healthy lifestyles;
 - 7.10.1.2.10 positive climates for learning school team; and,
 - 7.10.1.2.11 mindfulness and self-regulation strategies.

- 7.10.1.3 Positive behaviour management practices include:
 - 7.10.1.3.1 program modifications or accommodations;
 - 7.10.1.3.2 class placement;
 - 7.10.1.3.3 positive encouragement and reinforcement;
 - 7.10.1.3.4 individual peer and group counseling;
 - 7.10.1.3.5 conflict resolution / dispute resolution;
 - 7.10.1.3.6 mentorship programs;
 - 7.10.1.3.7 promotion of healthy student relationships;
 - 7.10.1.3.8 sensitivity programs;
 - 7.10.1.3.9 safety plans;
 - 7.10.1.3.10 school, board and community support programs; and,
 - 7.10.1.3.11 student success strategies.
- 7.10.2 Whether the teacher and/or the principal/vice-principal has utilized early and/or ongoing intervention strategies to prevent unsafe or inappropriate behaviours, such as: contact with the student's parent(s)/guardian(s), (unless the student is an adult student) oral reminders, review of expectations, written work assignments with a learning component, assigning the student to volunteer services to the community, conflict mediation and resolution, peer mentoring, referral to counseling, and/or consultation between two or more of the parties.
- 7.10.3 Whether the principal/vice-principal has used a progressive discipline approach to address inappropriate behaviour for which a suspension could have been imposed, such as, meeting(s) with the student, the student's parent(s)/guardian(s) (unless the student is an adult student), and the principal, referral of student to a community agency for anger management or substance abuse counselling, detentions, withdrawal of privileges, withdrawal from class, restitution for damages, restorative practices, and/or transfer to another class or school.
- 7.11 Consultation
 - 7.11.1 Before making a decision the principal will make every effort to consult with the student and the student's parent(s)/guardian(s) (unless the student is an adult student).
- 7.12 Decision Not to Recommend Expulsion
 - 7.12.1 Following the investigation and consideration of the mitigating and other factors and the application of the code of conduct, the principal decides not to recommend to the Discipline Committee of the Board that the student be expelled, the principal must:
 - 7.12.1.1. consider whether progressive discipline is appropriate in the circumstances;
 - 7.12.1.2. uphold the suspension and its duration;
 - 7.12.1.3. uphold the suspension and modify its duration and amend the record accordingly; or,
 - 7.12.1.4. expunge the suspension and expunge the record.
 - 7.12.2 If the principal has decided not to recommend an expulsion of the student, the principal will provide written notice of this decision to the student and the student's parent(s)/guardian(s) (unless the student is an adult student). The notice shall include:
 - 7.12.2.1 a statement of the principal's decision not to recommend expulsion to the Discipline Committee of the Board;

- 7.12.2.2 a statement indicating whether the suspension has been upheld, upheld and modified, or expunged;
 - 7.12.3 If the suspension has been upheld or upheld and modified, information about the right to appeal the suspension to the Discipline Committee of the Board, including:
 - 7.12.3.1 a copy of the board policies and guidelines regarding suspension appeals;
 - 7.12.3.2 contact information for the superintendent of education with safe schools portfolio or designate;
 - 7.12.3.3 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,
 - 7.12.3.4 if the length of the suspension has been modified, notice that the appeal is of the modified length of the suspension (APPENDIX J).
- 7.13 Recommendation to the Board for an Expulsion Hearing
 - 7.13.1 If a principal, in consultation with the superintendent of education, determines that a referral for expulsion is warranted, the principal must refer the recommendation for expulsion to the Discipline Committee of the Board to be heard within 20 school days from the date the principal suspended the student. The *Education Act* s. 311.3(8) precludes a board from expelling a student if the expulsion hearing is held more than 20 school days after the student was suspended unless all parties agree to a later date. Principals must ensure that if the expulsion hearing is going to take place more than 20 days following the date of suspension, FORM A7635 - 5 must be completed by all involved parties.
 - 7.13.2 For the purposes of the expulsion proceeding, the principal will:
 - 7.13.2.1 prepare a report to be submitted to the Discipline Committee of the Board and provide the report to the student, and/or the student's parent(s)/guardian(s) (unless the student is an adult student) prior to the hearing. The report will include:
 - 7.13.2.1.1 a summary of the findings the principal made in the investigation;
 - 7.13.2.1.2 an analysis of which, if any, mitigating or other factors or *Ontario Human Rights Code* related grounds might be applicable;
 - 7.13.2.1.3 a recommendation of whether the expulsion should be from the school or from the board; and,
 - 7.13.2.1.4 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.
 - 7.13.3 Inquire with the superintendent of education with safe schools portfolio or designate as to the date and location of the hearing and provide written notice of the expulsion hearing to the student and the student's parent(s)/guardian(s) (unless the student is an adult student). The notice shall include:

- 7.13.3.1 a statement that the student is being referred to the Discipline Committee of the Board to determine whether the student will be expelled for the activity that resulted in suspension;
- 7.13.3.2 a copy of the board's policies and guidelines governing the hearing before the Discipline Committee of the Board;
- 7.13.3.3 a copy of the board code of conduct and school code of conduct;
- 7.13.3.4 a copy of the suspension letter;
- 7.13.3.5 a statement that the student and the student's parent(s)/guardian(s) (unless the student is an adult student) has the right to respond to the principal's report in writing; and,
- 7.13.3.6 information about the procedures and possible outcomes of the expulsion hearing, including that:
 - 7.13.3.6.1 if the Discipline Committee of the Board does not expel the student they will either uphold, uphold and modify, or expunge the suspension;
 - 7.13.3.6.2 parties have the right to make submissions with respect to the suspension;
 - 7.13.3.6.3 any decision with respect to the suspension is final and cannot be appealed;
 - 7.13.3.6.4 if the student is expelled from the school, they will be assigned to another school;
 - 7.13.3.6.5 if the student is expelled from the board, they will be assigned to a program for expelled students;
 - 7.13.3.6.6 if the student is expelled there is a right of appeal to the Child and Family Services Review Board.
- 7.13.3.7 the name and contact information for the superintendent of education with safe schools portfolio or designate. (APPENDIX K).
- 7.13.4 The superintendent of education will:
 - 7.13.4.1 advise the superintendent of education with safe schools portfolio, or designate, and the trustee(s) for the school involved of the general details of the incident, including actions taken or pending;
 - 7.13.4.2 submit the principal's report for the Discipline Committee of the Board to the superintendent of education with safe schools portfolio or designate.
- 7.13.5 The superintendent of education with safe schools portfolio or designate:
 - 7.13.5.1 may arrange a meeting with the student and the student's parent(s)/guardian(s) (unless the student is an adult student) and the principal, as appropriate;
 - 7.13.5.2 if a meeting is arranged, the superintendent of education with safe schools portfolio, or designate, will review the Discipline Committee of the Board process for expulsion hearings, as well as respond to any questions or concerns the student and the student's parent(s)/guardian(s) (unless the student is an adult student) may have regarding the process or incident;
 - 7.13.5.3 if a meeting is arranged, during the meeting the superintendent of education with safe schools portfolio, or designate, may assist to narrow the issues and identify agreed upon facts;
 - 7.13.5.4 will ensure that the item is placed on the Discipline Committee of the Board agenda for the date and time set out on the notice to the

-
- student and the student's parent(s)/guardian(s) (unless the student is an adult student) and co-ordinate the attendance of the trustees;
- 7.13.5.5 will prepare a package of documents for the Discipline Committee of the Board, which will include at least the following components:
- 7.13.5.5.1 a copy of the principal's report; and,
- 7.13.5.5.2 a copy of the notice of expulsion sent to the student and the student's parent(s)/guardian(s) (unless the student is an adult student).
- 7.13.5.6 will confirm with the student and the student's parent(s)/guardian(s) (unless the student is an adult student) of the date and location of the expulsion hearing, will provide a copy of the Expulsion Hearing Rules, and a copy of the package to go to the Discipline Committee of the Board.
- 7.14 Hearing before the Discipline Committee of the Board
- 7.14.1 If the principal recommends expulsion, the Discipline Committee shall hold a hearing. Such hearings may be held in a virtual format.
- 7.14.2 Parties before the Discipline Committee of the Board will be:
- 7.14.2.1 the principal; and,
- 7.14.2.2 the student and the student's parent(s)/guardian(s) (unless the student is an adult student).
- 7.14.3 The student has the right to be present at the expulsion hearing and to make submissions on their own behalf. The Discipline Committee of the Board may grant a person with daily care the authority to make submissions on behalf of the student. A student and the student's parent(s)/guardian(s) (unless the student is an adult student) may bring legal counsel, an advocate or support person with them to the expulsion hearing. The hearing will be conducted in accordance with the Rules of the Discipline Committee of the Board and the Guideline for Expulsion Hearings.
- 7.14.3.1 The Discipline Committee of the Board shall consider oral and written submissions, if any, of all parties.
- 7.14.3.2 The Discipline Committee of the Board shall consider whether or not the *Ontario Human Rights Code* should be applied in the circumstances to mitigate the discipline, if any.
- 7.14.3.3 The Discipline Committee of the Board 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.
- 7.14.3.4 The Discipline Committee of the Board shall solicit and consider the views of all parties with respect to whether, if an expulsion is not imposed, the suspension should be upheld, upheld and modified or expunged.
- 7.14.3.5 Such other matters as the Discipline Committee of the Board considers appropriate.
- 7.14.4 In determining whether to impose an expulsion the Discipline Committee of the Board shall consider the following factors.
- 7.14.4.1 The mitigating and others factors:
- 7.14.4.1.1 whether the student has the ability to control their behaviour;

- 7.14.4.1.2 whether the student has the ability to understand the foreseeable consequences of their behaviour;
- 7.14.4.1.3 whether the student's continuing presence in the school creates an unacceptable risk to the safety of any other individual at the school;
- 7.14.4.1.4 the student's academic, discipline and personal history;
- 7.14.4.1.5 whether progressive discipline has been attempted with the student, and if so, the progressive approach(es) that has/have been attempted and any success or failure;
- 7.14.4.1.6 whether the infraction for which the student might be disciplined was related to any harassment of the student because of race, ethnic origin, place of origin, religion, creed, disability, gender or gender identity, sexual orientation or any other immutable characteristic or harassment for any other reason;
- 7.14.4.1.7 the impact of the discipline on the student's prospects for further education;
- 7.14.4.1.8 the student's age;
- 7.14.4.1.9 where the student has an IEP or disability related needs:
 - 7.14.4.1.9.1 whether the behaviour causing the incident was a manifestation of the student's disability;
 - 7.14.4.1.9.2 whether appropriate individualized accommodation has been provided; to the point of undue hardship;
 - 7.14.4.1.9.3 whether an expulsion is likely to result in aggravating or worsening the student's behaviour or conduct, or whether an expulsion is likely to result in a greater likelihood of further inappropriate conduct;
 - 7.14.4.1.9.4 whether the student's continuing presence in the school creates an unacceptable risk to the safety of any other individual at the school.
- 7.14.4.1.10 the application of the *Ontario Human Rights Code*;
- 7.14.4.1.11 the submissions and views of the parties;
- 7.14.4.1.12 any written response to the principal's report provided before the completion of the hearing;
- 7.14.4.1.13 whether or not the expulsion might have a disproportionate impact on a student protected by the *Ontario Human Rights Code*, including but not limited to race and disability, and/or exacerbate the student's disadvantaged position in society, and whether or not accommodation is required in the circumstances; and,
- 7.14.4.1.14 such matters as the Discipline Committee of the Board considers appropriate.

- 7.14.5 Where there is conflict in the evidence presented by the parties on the issue of whether the student committed the infraction, the Discipline Committee of the Board 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 of the Board 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.
- 7.15 No Expulsion
- 7.15.1 If the Discipline Committee of the Board 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:
- 7.15.1.1 consider whether other progressive discipline is appropriate in the circumstances;
 - 7.15.1.2 uphold the suspension and its duration;
 - 7.15.1.3 uphold the suspension and modify its duration and amend the record accordingly; or,
 - 7.15.1.4 expunge the suspension and expunge the record; or,
 - 7.15.1.5 make such other orders as the Discipline Committee of the Board considers appropriate.
- 7.15.2 The Discipline Committee of the Board shall give written notice to all parties of the decision not to impose an expulsion and the decision with respect to the suspension.
- 7.15.3 The Discipline Committee of the Board's decision with respect to the suspension is final.
- 7.16 Expulsion
- 7.16.1 In the event the Discipline Committee of the Board decides to impose an expulsion on the student, the Discipline Committee of the Board must decide whether to impose a board expulsion or a school expulsion. In determining the type of the expulsion, the Discipline Committee of the Board shall consider the following factors. The mitigating and other factors:
- 7.16.1.1 whether the student has the ability to control their behaviour;
 - 7.16.1.2 whether the student has the ability to understand the foreseeable consequences of their behaviour;
 - 7.16.1.3 whether the student's continuing presence in the school does or does not create and unacceptable risk to the safety of any other individual at the school;
 - 7.16.1.4 the student's academic, discipline and personal history;
 - 7.16.1.5 whether 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;
 - 7.16.1.6 whether the infraction for which the student might be disciplined was related to any harassment of the student because of race, ethnic origin, place of origin, religion, creed, disability, gender or gender identity, sexual orientation or any other immutable characteristic or harassment for any other reason;
 - 7.16.1.7 the impact of the discipline on the student's prospects for further education;
 - 7.16.1.8 the student's age;

- 7.16.1.9 where the student has an IEP or disability related needs:
 - 7.16.1.9.1 whether the behaviour causing the incident was a manifestation of the student's disability;
 - 7.16.1.9.2 whether appropriate individualized accommodation has been provided to the point of undue hardship;
 - 7.16.1.9.3 whether a school or board expulsion is likely to result in aggravating or worsening the student's behaviour or conduct or whether it is likely to result in a greater likelihood of further inappropriate conduct;
 - 7.16.1.9.4 whether or not the student's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.
- 7.16.1.10 the application of the *Ontario Human Rights Code*;
- 7.16.1.11 all submissions and views of the parties;
- 7.16.1.12 any written responses to the principal's report provided before the completion of the hearing;
- 7.16.1.13 whether or not the type of expulsion might have a disproportionate impact on a student protected by the *Ontario Human Rights Code*, including but not limited to race and disability, and/or exacerbate the student's disadvantaged position in society, and whether or not accommodation is required in the circumstances; and,
- 7.16.1.14 such other matters as the Discipline Committee of the Board considers appropriate.
- 7.16.2 Where the Discipline Committee of the Board decides to impose a school expulsion:
 - 7.16.2.1 the Discipline Committee of the Board must assign the student to another school following the student's completion of a program for expelled students. The requirements of school transfers set out in these procedures shall apply.
- 7.16.3 Where the Discipline Committee of the Board decides to impose a board expulsion:
 - 7.16.3.1 the Discipline Committee of the Board must assign the student to a program for expelled students.
- 7.16.4 The Discipline Committee of the Board must promptly provide written notice of the decision to expel the student to all parties, and the student, if they were not a party. The written notice shall include:
 - 7.16.4.1 the reason for the expulsion;
 - 7.16.4.2 a statement indicating whether the expulsion is a school expulsion or a board expulsion;
 - 7.16.4.3 information about the school or program to which the student has been assigned; and,
 - 7.16.4.4 information about the right to appeal the expulsion, including the steps to be taken (APPENDICES L and M).
- 7.16.5 Once the teacher of the expulsion program has received notice that a student has been expelled, they must create a SAP in a manner consistent with the board's policy and procedures for programs for expelled students under the supervision of the superintendent of education. An expelled student is a student of the board, even where they attend a program for expelled students at another school, unless they do not attend the program or register at another school board.

- 7.17 Re-entry Requirements Following an Expulsion
- 7.17.1 A student who is subject to a school or board expulsion is entitled to apply in writing for re-admission to a school of the board once they have successfully completed a program for expelled students and have satisfied the objectives required for completion of the program, as determined by the person who provides the program. The board shall readmit the student and inform the student in writing of the readmission.
- 7.17.2 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.
- 7.17.2.1 The board will consider whether readmission will have a negative impact on the school climate, including on any victims, where applicable.
- 7.17.2.2 The student will be required to demonstrate that they have learned from the incident and have sought counseling, where appropriate.
- 7.17.2.3 The student will be required to sign a Declaration of Performance form provided by the board (APPENDIX N).
- 7.17.2.4 Following consideration of the principles of equity and inclusion, 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.
- 7.18 Appeal of Discipline Committee of the Board Decision to Expel
- 7.18.1 The student and the student's parent(s)/guardian(s) (unless the student is an adult student) may appeal a Discipline Committee of the Board decision 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.
- 7.18.1.1 An individual who appeals an expulsion may argue that their rights pursuant to the *Ontario Human Rights Code* have been infringed.
- 7.18.1.2 In addition, a separate right to apply to the *Ontario Human Rights Tribunal of Ontario* exists where an individual believes their rights pursuant to the *Ontario Human Rights Code* have been infringed.
- 7.18.2 The decision of the Child and Family Services Review Board is final.

8. Exclusion

- 8.1 A student shall not be excluded from the school pursuant to section 265(1)(m) of the *Education Act* as a disciplinary measure, as an alternative to discipline.
- 8.2 An exclusion from the school pursuant to section 265(1)(m) of the *Education Act* shall only be effected in accordance with the *Education Act*, the board's Exclusion Policy and Exclusion Procedures and consistent with the *Ontario Human Rights Code*.
- 8.3 A student is not excluded from a class or from the school pursuant to section 265(1)(m) of the *Education Act* in circumstances where the student's parent(s)/guardian(s) and the principal, in consultation with the 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.

- 8.4 A student is not excluded from a class pursuant to section 265(1)(m) of the *Education Act* by virtue of serving a detention or in-school suspension in another part of the school as part of progressive discipline that has been imposed by the principal or designate.

9. Monitoring

- 9.1 Schools and their Positive Climate For Learning Teams have an important role in assisting with monitoring, review and improvement of the effectiveness of safe schools policies and procedures.

- 9.2 Every two years, schools are required to address issues of bullying, gender based violence, homophobia, sexual, racial and disability related harassment and inappropriate sexual behaviour in their school improvement plans and to evaluate the effectiveness of safe schools policies, procedures and programs through the use of school climate surveys.

- 9.3 Climate surveys shall be conducted by the school every two years to provide parent(s)/guardian(s), school staff and students with an opportunity to anonymously evaluate and communicate their perception of school safety. Climate surveys shall include questions about bullying and harassment related to immutable characteristics including those protected by the *Ontario Human Rights Code*, gender-based violence, and sexual assault. Where possible, climate surveys shall be made available to students with cognitive disabilities in a form that

might provide them with an opportunity to identify their perception of their safety. Students with other special needs shall be accommodated in order to provide them with an opportunity to respond to the climate survey.

- 9.4 The results of climate surveys shall be shared with Positive Climate For Learning Teams in order to assist the teams to build strategies in school improvement plans to improve the school climate deficits identified. Positive Climate For Learning Teams must include one non-teaching staff member and the chair of the team must be a staff member, and may be the principal/vice-principal.

10. Delegation of Authority

- 10.1 Whenever possible, the board will attempt to have an administrator present on school property.

- 10.2 A principal may delegate authority for discipline matters to a vice-principal or teacher-in-charge in accordance with the board's procedures. A delegation of authority to a teacher-in-charge will only come into effect if there are no administrators present on school property. Those who are delegated authority for discipline matters must respect and implement their duties and decisions as required by the *Education Act*, board policies and procedures and the *Ontario Human Rights Code*.

11. Delegation of Authority to a Vice-principal

- 11.1 Vice-principals may be delegated authority by the principal to receive oral and written reports of suspension and expulsion infractions from board employees and transportation providers in accordance with this procedure, and to report infractions to the police in accordance with the Police/School Board Protocol.
- 11.2 Vice-principals may be delegated authority by the principal to conduct an investigation and/or inquiry when an infraction has occurred requiring further information before further action can be taken.
- 11.3 A vice-principal may be delegated authority to consider and implement progressive discipline measures following the investigation of an incident, which has occurred on school property, or during a school activity or in circumstances having an impact on the school climate and that by its nature does not require the principal to consider imposing a suspension and does not require the principal to consider imposing a suspension pending an inquiry for the purposes of recommending an expulsion.
- 11.4 A vice-principal may be delegated authority to impose a suspension of five (5) or fewer days in accordance with these procedures
- 11.5 A vice-principal may be delegated authority to create and facilitate all aspects of the SAP process when a student has been suspended for five (5) or more days or when a student who is referred to the Discipline Committee of the Board for expulsion.
- 11.6 A vice-principal may be delegated authority to notify the parent(s)/guardian(s) (unless the student is an adult student) of a student who has been the victim of an incident in accordance with the notification provisions outlined in these procedures, including an incident that might lead to a suspension or recommendation for expulsion. The vice-principal may communicate the supports being provided for the victim, such as a safety plan, as well as any other board and community supports in accordance with these procedures. A vice-principal may be delegated authority to develop a victim's safety plan.
- 11.7 A vice-principal may be delegated authority to develop a transition plan for a student where a decision has been made by the superintendent in consultation with the principal and consistent with the *Ontario Human Rights Code* that the student must be transferred to another school in accordance with these procedures following an incident. The vice-principal may also be delegated responsibility for organizing and conducting the transfer meeting.
- 11.8 Authority delegated to the vice-principal shall be identified in writing in documentation identifying all of the vice-principal's responsibilities and duties within the school, and may include one or more of the following:
 - 11.8.1 receive reports about suspension and expulsion infractions from board employees and transportation providers;
 - 11.8.2 contact police in accordance with the Police/School Board Protocol;
 - 11.8.3 conduct investigations and inquiries;
 - 11.8.4 consider and implement progressive discipline measures;

- 11.8.5 impose suspensions of between one (1) and five (5) days;
 - 11.8.6 develop and implement SAPs;
 - 11.8.7 notify the parent(s)/guardian(s) (unless the student is an adult student) of a student who has been the victim of an incident;
 - 11.8.8 develop a safety plan;
 - 11.8.9 develop a transition plan; and,
 - 11.8.10 organize and be responsible for a school transfer meeting.
- 11.9 The principal may delegate the performance of one or more of the above noted responsibilities to a vice-principal to be performed by the vice-principal despite the principal's presence in the school.
- 11.10 Despite authority to conduct investigations and inquiries, as noted above, where, in the vice-principal's opinion, the allegations might attract discipline requiring a suspension of five (5) or more days, the vice-principal shall consult with and/or receive direction from the principal or superintendent throughout the investigation process.
- 11.11 A vice-principal may not be delegated the power to impose a suspension of more than five (5) days or make the final decision with respect to recommending to the board that a student be expelled.

12. Delegation of Authority to Teacher-in-Charge

- 12.1 A teacher-in-charge may be delegated authority by the principal (FORM A7635 - 3) to receive reports about suspension and expulsion infractions from board employees and transportation providers, in which case, the teacher-in-charge shall at the earliest opportunity inform the principal/vice-principal and in the absence of the principal and vice-principal, the superintendent.
- 12.2 A teacher-in-charge may be delegated authority to contact the police in an emergency or in the event of an incident requiring police involvement in accordance with the Police/School Board Protocol.
- 12.3 A teacher-in-charge may be delegated authority by the principal (FORM A7635 - 3) to conduct an investigation when an infraction has occurred requiring further information before action can be taken. When it appears that the incident might attract discipline in the form of suspension or expulsion, the teacher-in-charge shall **NOT** proceed to investigate, but shall at the earliest opportunity provide the principal/vice-principal, and in the absence of the principal and vice-principal, the superintendent, with a detailed written and oral account of the steps taken and information determined up to that point.
- 12.4 All incidents on school property occurring during a school related activity or having an impact on school climate that might result in suspension or suspension and a recommendation for expulsion, shall be reported by the teacher-in-charge to the principal, or the vice-principal in the principal's absence, at the earliest opportunity. In the absence of the principal and vice-principal, the teacher-in-charge will report such incidents to the superintendent.

- 12.5 In such circumstances, the teacher-in-charge may be delegated authority to provide information to the student's parent(s)/guardian(s) (unless the student is an adult student) and where the teacher-in-charge is NOT of the opinion that informing the parent(s)/guardian(s) would put the student at risk of harm, regarding a situation where harm has been caused and the nature of the harm that has occurred. The teacher-in-charge shall also inform the parent(s)/guardian(s) that, at the earliest opportunity, an administrator will contact the parent(s)/guardian(s) to provide further information about the activity causing harm and the steps that will be taken to support the victim and ensure the victim's safety. The teacher-in-charge may inform the parent(s)/guardian(s) of an adult student if that student consents to the disclosure of information.
- 12.6 A teacher-in-charge shall NOT be delegated authority to share with the parent(s)/guardian(s) of a victim the name of the suspected perpetrators and/or the discipline measures that might be taken by the school to address the infraction.
- 12.7 The teacher-in-charge may be delegated authority to consider and implement progressive discipline measures following the investigation of an incident, which has occurred on school property, during a school activity, or in circumstances having an impact on the school climate, that by its nature does not require the principal to consider imposing a suspension and does not require the principal to consider imposing a suspension pending an inquiry for the purposes of recommending an expulsion.
- 12.8 A teacher-in-charge shall not be delegated authority to suspend a student.
- 12.9 If at any time the teacher-in-charge is uncertain or uncomfortable about the duties that have been delegated and/or the possible application of the *Ontario Human Rights Code*, they should take immediate steps to contact an administrator. In emergency circumstances, where an administrator is not available, the teacher-in-charge shall contact the emergency administrator who has been identified as a resource.
- 12.10 Written notice identifying the authority being delegated to the teacher-in-charge, the timeframe for the delegation of the authority and the resources available to the teacher-in-charge must be provided in the form attached as FORM A7635 - 3.
- 12.11 When a teacher-in-charge has been identified to assume duties for a particular timeframe, communication email shall be provided to all staff members of the school, who are anticipated to be in attendance during the particular timeframe, identifying the name of the teacher-in-charge and the timeframe for the administrator's absence.

13. Delegation of Authority to Before- and/or-After School Programs

- 13.1 The principal's authority under Part XIII of the *Education Act* may only be delegated in writing to early childhood educators (ECEs) working in board-operated before- and/or-after school programs and their supervisors, in the absence of the principal/vice-principal. The delegated authority is only exercised with respect to a student enrolled in a program in the school, and is only exercised during the time that the before- and/or-school program is operated in the school. The delegation of authority must respect the terms of all applicable collective agreements.
- 13.2 ECEs working in board-operated before- and/or-after school programs, and their supervisors, may be delegated the authority to initially deal with situations involving activities that occur that must be considered for suspension or expulsion. The most important consideration in these circumstances is the safety of those involved. Any initial investigation must be undertaken according to board direction. The ECE or supervisor must report all details of the initial investigation to the principal as soon as possible.
- 13.3 The ECE or supervisor must report to the principal/vice-principal any activities that must be considered for suspension or expulsion that are received from staff or others during the principal's absence. ECEs working in board-operated before- and/or-after school programs, and their supervisors, may not be delegated authority regarding suspension decisions or recommendations regarding expulsion of students.
- 13.4 ECEs working in board-operated before- and/or-after school programs, and their supervisors, may be delegated limited authority to contact the parent(s)/guardian(s) of a student who has been harmed as the result of a serious student incident and the parent(s)/guardian(s) of the student who has engaged in the activity. The information provided to the parent(s)/guardian(s) by the ECE or supervisor must be limited to the nature of the harm to the student and the nature of the activity that resulted in the harm.
- 13.5 The ECE or supervisor must not be delegated the authority to discuss the nature of any disciplinary measures taken in response to the activity.
- 13.6 If the ECE or supervisor is not sure whether to call the parent(s)/guardian(s), they should contact the principal or supervisory officer for direction. The principal/vice-principal will follow up with the parent(s)/guardian(s) as soon as possible.

First Issued
Revised

February 1, 2008
April 20, 2010, January 2011, May 2014, December 2014; February 2015; June 2016; February 2019, October 2020, June 2022

Issued under the authority of the Director of Education

Suspension Less than Six Days
(on the Letterhead of the School)

[Date]

[Parent(s)/Guardian(s) Name]

[Address]

Dear *(Parent's/Guardian's Name)*,

Re: Suspension of *(Student's Name)*

Date of Birth:

Student No.:

OEN:

(Student's Name) has been suspended from *(Name of School)* and from engaging in all school related activities from *(Effective Date of Suspension)* to *(Last Day of Suspension)* inclusive, *(number)* school day(s). This applies to all school buildings, grounds, buses, functions, activities and trips. This suspension has been imposed in accordance with the *Education Act*, and the board's Student Discipline Policy and Code of Conduct.

The reason for this suspension is for *(infraction type)*. Namely, my findings indicated that *(Student's Name)* *(incident details and description)*.

School work for *(Student's Name)* has been made available at the office; please make arrangements to pick it up. *(Student's Name)* may return to school on *(Date)* at *(Time)* and must report to the office prior to returning to class.

Should you wish to appeal this suspension, written notice must be submitted to the superintendent of education, *(contact information)*, Simcoe County District School Board, 1170 Highway 26, Midhurst ON L9X 1N6. Your intent to appeal this suspension must be received by the superintendent's office no later than *(Insert Date)* (10 school days from the first day of the suspension). You may contact the superintendent of education to discuss the appeal following the submission of your written notice at 705-734-6363. Please be advised that an appeal does not stay or delay the commencement of this suspension.

Enclosed is a copy of the board's Suspension Appeal Process. The board's Policy 4250 – Progressive Discipline and Promoting Positive Student Behaviour, and Procedure A7635 – Student Discipline Procedures, are available in the office or at www.scdsb.on.ca under About (Policies and Procedures).

Sincerely,

(Principal Name)

Principal

Encls.

c: Superintendent of Education
Ontario Student Record

Suspension Six Days or More
(on the Letterhead of the School)

[Date]

[Parent(s)/Guardian(s) Name]

[Address]

Dear **(Parent's/Guardian's Name)**

Re: Suspension of *(Student's Name)*

Date of Birth:

Student No.:

OEN:

(Student's Name) has been suspended from **(Name of School)** and from engaging in all school related activities from **(Effective Date of Suspension)** to **(Last Day of Suspension)** inclusive, **(number)** school day(s). This applies to all school buildings, grounds, buses, functions, activities and trips. This suspension has been imposed in accordance with the *Education Act*, and the Board's Student Discipline Policy and Code of Conduct.

The reason for this suspension is **(infraction type)**. Namely, my findings indicated that **(Student's Name) (incident details and description)**.

(Student's Name) has been assigned to the Lengthy Suspension Program. This program provides suspended students with the opportunity to continue their academic studies within a supervised, structured and supportive learning environment away from their home school. The program also offers additional support services to assist with the student's re-entry to school. Please contact the school to confirm **(Student's Name)**'s participation in the Lengthy Suspension Program. A planning meeting will then be scheduled to develop a Student Action Plan (SAP).

School work for **(Student's Name)** has been made available at the office; please make arrangements to pick it up. **(Student's Name)** may return to school on **(Date)** at **(Time)** and must report to the office prior to returning to class.

Should you wish to appeal this suspension, written notice must be submitted to the superintendent of education, **(contact information)**, Simcoe County District School Board, 1170 Highway 26, Midhurst ON L9X 1N6. Your intent to appeal this suspension must be received by the superintendent's office no later than **(Insert Date)** (10 school days from the first day of the suspension). You may contact the superintendent of education to discuss the appeal following the submission of your written notice at 705-734-6363. Please be advised that an appeal does not stay or delay the commencement of this suspension.

Enclosed is a copy of the board's Suspension Appeal Process. The board's Policy 4250 – Progressive Discipline and Promoting Positive Student Behaviour, and Procedure A7635 – Student Discipline Procedures, are available in the office or at www.scdsb.on.ca under About (Policies and Procedures).

Sincerely,

(Principal Name)

Principal

Encls.

c: Superintendent of Education
Ontario Student Record

SAMPLE

Suspension Appeal Process

- 6.10 Suspension Appeal Process
- 6.10.1 The student and the student's parent(s)/guardian(s) (unless the student is an adult student) may appeal a suspension.
- 6.10.1.1 All suspension appeals will be received by the superintendent of education with safe schools portfolio or designate.
- 6.10.1.2 An appeal of a suspension does not stay the suspension.
- 6.10.1.3 A person who intends to appeal a suspension must give written notice of their intention to appeal the suspension within 10 school days of the commencement of the suspension
- 6.10.1.4 An individual who appeals a suspension may argue that their rights pursuant to the *Ontario Human Rights Code* have been infringed.
- 6.10.1.5 In addition, a separate right to apply to the *Human Rights Tribunal of Ontario* exists where an individual believes their rights pursuant to the *Ontario Human Rights Code* have been infringed.
- 6.10.1.6 The board must hear and/or determine the appeal within 15 school days of receiving the notice of intention to appeal (unless the parties agree to an extension). Principals must ensure that if the suspension appeal hearing is going to take place more than 15 days of receipt of the notice of intention to appeal, FORM A7635 - 6 must be completed by all involved parties.
- 6.10.2 Upon receipt of written notice of the intention to appeal the suspension, the superintendent of education with safe schools portfolio or designate:
- 6.10.2.1 will promptly advise the school principal of the appeal;
- 6.10.2.2 will promptly advise the student and the student's parent(s)/guardian(s) (unless the student is an adult student) that a review of the suspension will take place and invite the appellant to contact the superintendent to discuss any matter respecting the incident and/or appeal of the suspension (APPENDIX D);
- 6.10.2.3 will review the suspension in consultation with the superintendent of education (reason, duration, any mitigating or other factors); whether or not the *Ontario Human Rights Code* should be or was appropriately applied;
- 6.10.2.4 may consult with the principal and superintendent of education regarding modification or expunging the suspension;
- 6.10.2.5 will request that the superintendent of education meet with the student and the student's parent(s)/guardian(s) (unless the student is an adult student) and the principal to narrow the issues and try to effect a settlement, and arrange a date for the appeal before the Discipline Committee of the Board; and,
- 6.10.2.6 the superintendent of education will, where a settlement is not effected, provide notice of the review decision to the student and the student's parent(s)/guardian(s) (unless the student is an adult student) (APPENDIX E).
- 6.10.3 Where the suspension is upheld on review and the student and the student's parent(s)/guardian(s) (unless the student is an adult student) choose(s) to continue with the appeal, the superintendent of education with

safe schools portfolio or designate in consultation with the superintendent of education will:

- 6.10.3.1 co-ordinate the preparation of a written report for the Discipline Committee of the Board. This report will contain at least the following components;
 - 6.10.3.1.1 a report prepared by the principal regarding the incident, the rationale for suspension and how the principles of equity and inclusion were applied by the principal;
 - 6.10.3.1.2 a copy of the original suspension letter;
 - 6.10.3.1.3 a copy of the letter requesting the suspension appeal; and,
 - 6.10.3.1.4 a copy of the correspondence with respect to the decision of the superintendent of education regarding the suspension review.
 - 6.10.3.2 inform the student and the student's parent(s)/guardian(s) (unless the student is an adult student) of the date of the suspension appeal; provide a guide to the process for the appeal, and a copy of the documentation that will go to the Discipline Committee of the Board (APPENDIX F); and,
 - 6.10.3.3 ensure that the item is placed on the Discipline Committee of the Board's agenda;
 - 6.10.3.4 the parties in an appeal to the Discipline Committee of the Board shall be:
 - 6.10.3.4.1 the principal; and,
 - 6.10.3.4.2 the student and the student's parent(s)/guardian(s) (unless the student is an adult student).
- 6.11 Suspension Appeal before the Discipline Committee of the Board
- 6.11.1 Suspension appeals will be heard orally, *in camera*, by the Discipline Committee of the Board. The Discipline Committee of the Board may grant a person with daily care the authority to make submissions on behalf of the student. A student and the student's parent(s)/guardian(s) (unless the student is an adult student) may bring legal counsel, an advocate or support person with them to the appeal. Notification must be received by the superintendent of education a minimum of 72 hours prior to the scheduled appeal hearing.
 - 6.11.1.1 The appellant and/or the person with daily care and control will proceed first by making oral submissions and/or providing written submissions regarding the reason for the appeal and the result desired.
 - 6.11.1.2 The student will be asked to make a statement of their own behalf.
 - 6.11.1.3 The superintendent of education for the school and/or the principal will make oral submissions on behalf of the administration, including a response to any issues raised in the appellant's submissions. The superintendent/principal may rely on the report prepared for the Discipline Committee of the Board.

-
- 6.11.1.4 The appellant may make further submissions addressing issues raised in the administration's presentation that were not previously addressed by student and the student's parent(s)/guardian(s) (unless the student is an adult student).
 - 6.11.1.5 The Discipline Committee of the Board may ask any party, or the student, where appropriate, questions of clarification.
 - 6.11.1.6 The student and the student's parent(s)/guardian(s) (unless the student is an adult student) may be represented by legal counsel or attend with an advocate/agent or the support of a community member.
 - 6.11.1.7 Legal counsel for the board may be present at the appeal if the appellant is represented by legal counsel or an agent.
 - 6.11.1.8 The Discipline Committee of the Board may make such orders or give such directions at an appeal as it considers necessary for the maintenance of order at the appeal. Should any person disobey or fail to comply with any such order and direction, a trustee may call for the assistance of a police officer to enforce any such order for direction.
 - 6.11.1.9 Where any party who has received proper notice of the location, date and time of the appeal fails to attend the appeal or comply with the necessary time lines, the appeal may proceed in the absence of the party and the party is not entitled to any further notice of the proceedings.
 - 6.11.1.10 The Discipline Committee of the Board will consider, based on the written and/or oral submissions of both parties, whether or not the consequence might have a disproportionate impact on a student protected by the *Ontario Human Rights Code*, including but not limited to race and disability, and/or exacerbate the student's disadvantaged position in society and whether the decision to discipline and the discipline imposed was reasonable in the circumstances, and shall either:
 - 6.11.1.10.1 uphold the suspension and its duration; or
 - 6.11.1.10.1 uphold the suspension but modify its duration and amend the record, as necessary; or
 - 6.11.1.10.2 expunge the suspension and order that the record be expunged; or
 - 6.11.1.10.3 make such other appropriate order.
 - 6.11.2 The decision of the Discipline Committee of the Board is final. The decision shall be communicated to the appellant in writing (APPENDICES G and H).

Notice of Suspension Review
(on the letterhead of the board)

[Date]

[Adult Student/Parent(s)/Guardian(s) Name]

[Address]

Dear *(Adult Student's/Parent's/Guardian's Name)*

Re: Suspension of *(Student's Name)*

(D.O.B.) from ***(Name of School)***

I am in receipt of your notice of intention to appeal ***(your/Student's Name)*** suspension from ***(Name of School)***, dated ***(insert date)***. ***(You/Student's Name)*** ***(were/was)*** suspended for ***(insert number)*** school days for ***(insert infraction applicable)***.

I will be conducting a review of the suspension. At the conclusion of my review, I will, in consultation with ***(Name)***, Principal, either uphold, modify or expunge the suspension.

As part of the review process, I would like to speak to you. My office will be contacting you. Please also do not hesitate to contact me at ***(contact information)***.

Sincerely

(Superintendent of Education)

c: Principal
Ontario School Record

Suspension Review Decision
(on the letterhead of the board)

[Date]

[Adult Student/Parent(s)/Guardian(s) Name]

[Address]

Dear *(Adult Student's/Parent's/Guardian's Name)*

Re: Suspension Review of Suspension of *(Student's Name)*

(D.O.B.) from ***(Name of School)***

I have completed my review of ***(your/Student's Name)*** suspension from ***(Name of School)***. As a result of my review I have decided to ***(uphold/modify/expunge)*** the suspension.

I will contact you to discuss the results of my review and your appeal.

Sincerely

(Superintendent of Education)

c: Principal
Ontario School Record

Notice of Suspension Appeal
(on the letterhead of the board)

[Date]

[Adult Student/Parent(s)/Guardian(s) Name]

[Address]

Dear *(Adult Student's/Parent's/Guardian's Name)*

Re: Appeal of Suspension of *(Student's Name)*

(D.O.B.) from ***(Name of School)***

You have appealed the decision of Principal ***(Name)***, to suspend ***(you/Student's Name)*** from ***(Name of School)***.

The Appeal will be heard by the Discipline Committee of the Board on ***(insert date and time)*** at ***(insert location)***.

You will find enclosed a copy of the Information Package that will be relied on by the administration for the board and will be provided to the Discipline Committee of the Board. The Information Package includes a copy of the suspension letter, your letter requesting the appeal, correspondence with respect to the suspension review and the Principal's Report of the Incident. Also enclosed please find a copy of the board's Suspension Appeal Process.

Please advise me a minimum of 72 hours prior to the scheduled appeal hearing if you intend to bring legal representation to the appeal.

Please be advised that if you fail to attend on time, the Discipline Committee of the Board will wait for 30 minutes and may then proceed to decide the matter in your absence.

Should you have any questions about the appeal process, please contact me ***(contact information)***.

Sincerely

(Superintendent of Education)

Encls

c: Director of Education
Principal
Ontario Student Record

Suspension Appeal Decision
(on the letterhead of the board)

[Date]

[Adult Student/Parent(s)/Guardian(s) Name]

[Address]

Dear *(Adult Student's/Parent's/Guardian's Name)*

Re: Decision of Discipline Committee of the Board Suspension Appeal of *(Student's Name)*

(D.O.B.) from *(Name of School)*

Attached, please find a copy of the Decision of the Discipline Committee of the Board regarding your suspension appeal, dated ***(insert date)***.

The decision of the Discipline Committee of the Board is final and is not subject to further appeal.

Should you have any questions, please contact me at ***(contact information)***.

Sincerely

(Director of Education)

Encl.

c: Superintendent of Education
Principal
Ontario Student Record

Suspension Appeal Decision of the Discipline Committee of the Board
(on the letterhead of the board)

SUSPENSION APPEAL DECISION

IN THE MATTER OF Section 309
of the *Education Act*, as amended

- and -

IN THE MATTER OF an appeal by
(Name of Appellant), of the suspension
of **(Student's Name)**, a student of **(School Name)**

Decision

UPON being satisfied that the Discipline Committee of the Board has jurisdiction to conduct the appeal pursuant to section 309 of the *Education Act*;

AND UPON being satisfied that the proper parties to the appeal are **(Name of Appellant and relationship to student)** and **(Principal's Name)** as Principal of **(School Name)**;

AND UPON being satisfied that the parties received reasonable notice of the appeal;

AND UPON having provided an opportunity to the appellant to make submissions, having heard the submissions of the principal, having read the materials submitted by the parties, and having retired to consider the matter;

THE DISCIPLINE COMMITTEE OF THE BOARD does hereby **(uphold the suspension/uphold the suspension but modify its duration to [number] school days and modify the record accordingly/expunge the suspension and expunge the record/uphold the suspension but expunge the record on [insert date or event])**.

THE DECISION OF THE DISCIPLINE COMMITTEE OF THE BOARD is final.

DATED this **(Day)** of **(Month)** **(Year)**, and signed on behalf of the Discipline Committee of the Board by the Chair of the Discipline Committee of the Board.

(Board Name)

By _____
Chairperson

Suspension Pending Recommendation for Expulsion
(on the letterhead of the School)

[Date]

[Parent(s)/Guardian(s) Name]

[Address]

Dear *(Parent's/Guardian's Name)*Re: Suspension of *(Student's Name)***Date of Birth:****Student No.:****OEN:**

(Student's Name) has been suspended from *(Name of School)* and from engaging in all school related activities from *(Effective Date of Suspension)* to *(Last Date of Suspension)* inclusive, *(Number)* school day(s) pending expulsion. This applies to all school buildings, grounds, buses, functions, activities and trips. This suspension has been imposed in accordance with the *Education Act*, and the board's Student Discipline Policy and Code of Conduct.

The reason for the suspension is *(infraction type)*. Namely, my findings indicated that *(Student's Name) (incident details and description)*.

Please be advised that I am continuing my investigation of this matter in order to determine whether to recommend to the Discipline Committee of the Board that *(Student's Name)* be expelled. It may be recommended that *(Student's Name)* be expelled from *(Name of School)* or from all schools of the board. Following the completion of my investigation, you will be informed of the results in writing.

The board is committed to the education and future of its students. *(Student's Name)* has been assigned to the Lengthy Suspension Program (LSP). This program provides suspended students with the opportunity to continue their academic studies within a supervised, structured and supportive learning environment away from their home school. The program also offers additional support services to assist with the student's re-entry to school. Please contact the school to confirm *(Student's Name) participation)* in the LSP. A planning meeting will then be scheduled to develop a Student Action Plan (SAP).

At this time you do not have the right to appeal this suspension. If the recommendation is made that *(Student's Name)* is not to be expelled, you may appeal the suspension at that time. Should it be determined that a recommendation for expulsion is warranted, then you may address the suspension before the Discipline Committee of the Board at the expulsion hearing.

Enclosed is a copy of the board's Suspension Appeal Process. The board's Policy 4250 – Progressive Discipline and Promoting Positive Student Behaviour, and Procedure A7635 – Student Discipline Procedures, are available in the office or at www.scdsb.on.ca under About (Policies and Procedures).

Sincerely,

(Principal Name)

Principal

Encl.

c: Superintendent of Education
Ontario Student Record

SAMPLE

Decision Letter Not Recommended for Expulsion
(on the letterhead of the School)

[Date]

[Parent(s)/Guardian(s) Name]

[Address]

Dear *(Parent's/Guardian's Name)*

Re: Expulsion Not Recommended for *(Student's Name)*

Date of Birth:

Student No.:

OEN:

This letter is to inform you of the results of my investigation regarding the imposed suspension and pending recommendation to expel *(Student's Name)*. I have decided not to recommend expulsion to the Discipline Committee of the Board. As part of my investigation, I have reviewed the details of *(Student's Name)* suspension, and I have concluded that the suspension should be *(upheld as originally imposed/upheld, but modified to (number) school day(s), (Effective Date of Suspension) to (Last Day of Suspension) and the incident record amended accordingly / expunged and the incident record erased)*.

Paragraph is included if the suspension is upheld or modified. Should you wish to appeal the suspension as concluded above, written notice must be submitted to the superintendent of education, **(contact information)**, Simcoe County District School Board, 1170 Highway 26, Midhurst ON L9X 1N6. Your intent to appeal this suspension must be received by the superintendent's office no later than **(insert date)** (5 school days from date of this letter). You may contact the superintendent of education to discuss the appeal following the submission of your written notice at 705-734-6363. Please be advised that an appeal does not stay or delay the commencement of this suspension.

Enclosed is a copy of the board's Suspension Appeal Process. The board's Policy 4250 – Progressive Discipline and Promoting Positive Student Behaviour, and Procedure A7635 – Student Discipline Procedures, are available in the office or at www.scdsb.on.ca under About (Policies and Procedures).

Sincerely,

(Principal Name)

Principal

Encl.

c: Superintendent of Education
Ontario Student Record

Recommendation for Expulsion
(on the letterhead of the School)

[Date]

[Parent(s)/Guardian(s) Name]

[Address]

Dear *(Parent's/Guardian's Name)*

Re: *Recommendation of Expulsion of (Student's Name)*

Date of Birth:

Student No.:

OEN:

This letter is to inform you of the results of my investigation regarding the imposed suspension and pending recommendation to expel *(Student's Name)*. I have decided to recommend to the Discipline Committee of the Board that *(Student's Name)* be expelled.

A copy of my report to the Discipline Committee of the Board recommending the expulsion of *(Student's Name)* is enclosed. Responses to my report must be in writing, and may be directed to the Discipline Committee of the Board or myself. A copy of your written responses should be forwarded to the Director of Education at the Simcoe County District School Board, 1170 Highway 26, Midhurst, ON L9X 1N6.

A hearing before the Discipline Committee of the Board will be held on *(date and time)* at *(location)*. On this day the Discipline Committee of the Board will wait 30 minutes for your arrival. If you fail to attend or fail to attend in a timely manner, the Discipline Committee of the Board will proceed with the hearing as scheduled. It is at this hearing where the Discipline Committee of the Board will determine whether *(Student's Name)* should be expelled. You may bring legal counsel to the hearing as an advocate or support person. Notification must be received by the superintendent of education a minimum of 72 hours prior to the scheduled hearing if you intend to bring legal representation to the appeal.

The hearing will be conducted in accordance with the Rules of the Discipline Committee of the Board and the Guidelines for Expulsion Hearings. Through the hearing proceedings the Discipline Committee of the Board shall:

- consider all oral and written submissions from all parties;
- consider whether or not the *Ontario Human Rights Code* should be applied in circumstances to mitigate the discipline;
- solicit and consider the views of all parties with respect to whether, if an expulsion is imposed, the expulsion should be from *(school name)* or from all schools of the board;
- solicit and consider the views of all parties with respect to whether, if an expulsion is not imposed, the suspension should be upheld, modified or expunged; and,
- consider such other matters as appropriate.

The Discipline Committee of the Board will give written notice to all parties of the resulting decision in the matter of the recommendation for expulsion of *(Student's Name)*.

Should the Discipline Committee of the Board decide not to expel **(Student's Name)**, the imposed suspension will be reviewed at this time. The Discipline Committee of the Board may uphold the suspension as originally imposed; uphold the suspension but reduce the duration of the suspension and modify the incident record accordingly; or expunge the suspension and erase the incident record. Any decision made by the Discipline Committee of the Board regarding the suspension is final and is not subject to appeal.

Prior to the hearing date, **(Superintendent's Name)** Superintendent of Education, responsible for **(School Name)** will contact you to review the hearing process and answer questions you may have.

Enclosed is a copy of the board's Suspension Appeal Process. The board's Policy 4250 – Progressive Discipline and Promoting Positive Student Behaviour, and Procedure A7635 – Student Discipline Procedures, are available in the office or at www.scdsb.on.ca under About (Policies and Procedures).

Sincerely,

(Principal Name)

Principal

Encls.

c: Director of Education
Superintendent of Education
Ontario Student Record

Expulsion Decision
(on the letterhead of the board)

[Date]

[Adult Student/Parent(s)/Guardian(s) Name]

[Address]

Dear *(Adult Student's/Parent's/Guardian's Name)*

Re: Decision of Discipline Committee of the Board Expulsion Hearing for *(Student's Name)*

(D.O.B.) from *(Name of School)*

Attached, please find the Decision of the Discipline Committee of the Board, dated *(insert date)*.

Should you wish to appeal this decision, you may contact the Child and Family Services Review Board at 416-327-4673 or 1-888-728-8823 within 30 days of receipt of this notice.

If the student has been expelled: Please also find attached information regarding the educational program offered by the board at *(insert name of alternative school / program for students expelled from all schools of the board)*.

Should you have any questions, please contact the undersigned at *(contact information)*.

Sincerely,

(Director of Education)

Encl.

c: Superintendent of Education
Principal
Ontario Student Record

**Recommendation for Expulsion Decision of the Discipline Committee
of the Board**

(on the letterhead of the board)

RECOMMENDATION for EXPULSION DECISION
(School board Name)

IN THE MATTER OF Section 311.3
of the *Education Act*, as amended
- and -

IN THE MATTER OF a recommendation by
(Name of Principal), *(School Name)* for the expulsion of
(Student's Name), a student of *(School Name)*

Decision

UPON being satisfied that the Discipline Committee of the Board has jurisdiction to conduct the hearing pursuant to section **311.3** of the *Education Act*.

AND UPON being satisfied that the proper parties to the hearing are *(Name of Appellant and relationship to student)* and *(Principal's Name)*, Principal of *(School Name)*;

AND UPON being satisfied that the parties received reasonable notice of the hearing;

AND UPON having provided an opportunity to the Appellant to make submissions, having heard the submissions of the principal, having read any materials submitted by the parties, having considered the facts and any mitigating and/or other factors referred to by the parties, and having retired to consider the matter;

THE DISCIPLINE COMMITTEE OF THE BOARD does hereby impose an expulsion from *(School Name)* and assign the student to an educational program at *(School Name)* for the following reasons *(INSERT REASONS FOR EXPULSION)*.

OR

THE DISCIPLINE COMMITTEE OF THE BOARD does hereby impose an expulsion from all schools of the board, assign the student to the program for expelled students and require that the student successfully complete and meet the objectives of the program for expelled students before being re-admitted to a regular day school program in Ontario for the following reasons *(INSERT REASONS FOR EXPULSION)*.

OR

THE DISCIPLINE COMMITTEE OF THE BOARD does not hereby impose an expulsion; and does hereby ***(uphold the suspension imposed by [Principal's Name], uphold the suspension imposed by [Principal's Name] but modify its duration to [number] school days and amend the record accordingly / expunge the suspension and expunge the record)***.

DATED this ***(Day)*** of ***(Month)***, ***(Year)*** and signed on behalf of the Discipline Committee of the Board by the Chair of the Discipline Committee of the Board.

(Board Name)

By _____

Chairperson

SAMPLE

Declaration of Performances
(on the letterhead of the board)

(Date)

(Student's Name)

I agree to complete the following expectations on my return as a student to *(Name of School)*:

1. I agree to comply with the expectations of *(Name of School)*'s Code of Conduct and the Simcoe County District School Board's Code of Conduct.
2. I agree to work diligently in a positive manner and to be attentive to my teachers and classmates in an effort to accomplish the goals of my educational program.
3. I agree to be punctual and prepared for class.
4. I agree to be active and participate in the extra-curricular life of the school.
5. **(Insert If applicable)** I agree to seek guidance and ask for help from school staff when I feel overwhelmed or anxious.
6. **(Insert If applicable)** I agree to seek assistance from school staff when needed in order to assist me to solve problems in a constructive manner.
7. **(Insert If applicable)** I agree to refrain from **(insert one or more: *using violence/restricted substances to solve my problems*)**.

Signature *(Name of Student)*

Date

Safe Schools/Workplace Violence Reporting Tool Instructions

To access the Safe Schools/Workplace Violence Reporting Tool from the StaffWeb's Home page, click on > Apps & Tools > Safe Schools/Workplace Violence Reporting. Employees will be directed to the Landing Page of the Ontario Education Services Corporation's (OESC) reporting tool. To create an SSI report, click on "ADD" in the top right corner of the Landing Page.

If necessary, a report can be partially completed and exited for submission at a later time (within the reporting timeline outlined in 4.11), as the information entered is saved upon exiting the report.

The "Safe Schools/Workplace Violence Incidents Report" section of the reporting tool will indicate who caused the SSI, who the incident was reported verbally to, and, if the incident meets the requirements for which a suspension or expulsion may be imposed by the principal.

Note: prior to completing this section, employees shall review the list of reasons a suspension or expulsion shall be considered by clicking on the "Suspension and Expulsion Reasons" button.

The employee shall ensure that the student's identifiable information, (i.e. name, initials, grade, etc.,) are not included in any part of the report, **outside of the student demographics section**, and any other students involved are also not identifiable in the report.

Once all required sections of the report are completed, the report shall be submitted electronically to the employee's principal/vice-principal(s) by clicking on the "Submit for Review" button. The employee's principal/vice principal(s) will receive an email notification that an SSI report has been submitted. The principal/vice principal(s) can view the report from the notification, or from their Landing Page.

Employees can view partially completed and submitted SSI reports from their Landing Page. The printer icon indicates the report has been submitted for review. To view/print the report, click on the printer icon. The pen/pencil icon indicates the report has not been submitted and can still be edited by the employee.

A submitted SSI report will be identified with an "SSI" listed under the Safe Schools Incident column. When the incident also meets the definition of a Workplace Violence Incident, a "WV" will also be listed under the Workplace Violence Incident column.

Once the report submitted by the employee is received, the reporting tool will assign the report an incident report number.

Report No: _____	CONFIDENTIAL TRANSPORTATION PROVIDER SAFE SCHOOLS INCIDENT REPORTING FORM – PART I
Name of School	
1. Name of Student(s) involved (if known)	_____
2. Location of Incident (check one)	<input type="checkbox"/> At a location in the school or on school property (please specify) _____ <input type="checkbox"/> At a school-related activity (please specify) _____ <input type="checkbox"/> On a school bus (please specify route number) _____ <input type="checkbox"/> Other (please specify) _____
3. Time of Incident	Date: _____ Time: _____
<p>4. Type of Incident (check all that apply)</p> <p>Note: If the identified infraction has a negative impact on school climate, whether it occurred on or off school property, or during a school-related activity or event, it shall be reported using this form to the school principal.</p>	<p>Activities for which suspension must be considered under section 306(1) of the <i>Education Act</i>:</p> <ul style="list-style-type: none"> <input type="checkbox"/> uttering a threat to inflict serious bodily harm on another person; <input type="checkbox"/> possessing alcohol or illegal drugs; <input type="checkbox"/> possessing cannabis (unless the individual has been authorized to use for medical purposes); <input type="checkbox"/> possessing restricted drugs; <input type="checkbox"/> being under the influence of alcohol; <input type="checkbox"/> being under the influence of cannabis (unless the individual has been authorized to use for medical purposes); <input type="checkbox"/> being under the influence of illegal and/or restricted drugs; <input type="checkbox"/> swearing at a teacher or at another person in a position of authority; <input type="checkbox"/> committing an act of vandalism that causes extensive damage to school property or to property located on the premises of the student's school; <input type="checkbox"/> bullying or cyberbullying; <input type="checkbox"/> an act considered by the principal to be injurious to the moral tone of the school; <input type="checkbox"/> an act considered by the principal to be injurious to the physical or mental well-being of members of the school community; <input type="checkbox"/> an act considered by the principal to be contrary to the board or school code of conduct; <input type="checkbox"/> an activity 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; <input type="checkbox"/> opposition to authority; <input type="checkbox"/> habitual neglect of duty; <input type="checkbox"/> fighting; <input type="checkbox"/> swearing and/or use of profane language; and, <input type="checkbox"/> smoking and/or vaping on school property. <p>Activities for which expulsion must be considered under section 310(1) of the <i>Education Act</i>:</p> <ul style="list-style-type: none"> <input type="checkbox"/> possessing a weapon, including possessing a firearm or knife; <input type="checkbox"/> using a weapon to cause or to threaten bodily harm to another person; <input type="checkbox"/> committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;

- committing sexual assault;
- trafficking in weapons or illegal drugs;
- trafficking in cannabis;
- trafficking in restricted drugs;
- committing robbery;
- giving alcohol to a minor;
- giving cannabis to a minor;
- giving illegal and/or restricted drugs to a minor;
- an act considered by the principal to be significantly injurious to the moral tone of the school and/or to the physical or mental well-being of others;
- a pattern of behaviour that is so inappropriate that the student's continued presence is injurious to the effective learning and/or working environment of others;
- activities engaged in by the student on or off school property that cause the student's continuing presence in the school to create an unacceptable risk to the physical or mental well-being of other person(s) in the school or board;
- activities engaged in by the student 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;
- the student has demonstrated through a pattern of behaviour that they have not prospered by the instruction available to them and that they are persistently resistant to making changes in behaviour which would enable them to prosper;
- an act considered by the principal to be a serious violation of the requirements for student behaviour and/or a serious breach of the board or school code of conduct;
- where a student has no history of discipline, behaviour intervention, or relevant history, a single act, incident/infraction considered to be a serious violation of the expectations of student behaviour and/or a serious breach of the board or school code of conduct;
- bullying if, (i) the student has previously been suspended for engaging in bullying, and (ii) the student's continuing presence in the school creates an unacceptable risk to the safety of another person; and, an activity 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.

5. Report Submitted By:

Name: _____ Role in School Community: _____

Signature: _____ Date: _____

Contact Information: Location: _____ Telephone: _____

6. FOR PRINCIPAL'S USE ONLY: Check if incident was a violent incident, as defined in Policy/Program memorandum No. 120 and APM A7100 – Reporting Violent Incidents.

- Violent incident** (ensure this is recorded in PowerSchool)
Information is collected is under the authority Part XIII of the *Education Act* in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, and shall be used for the purpose of student discipline. Questions about information collected on this form shall be directed to the school principal.

TRANSPORTATION PROVIDER SAFE SCHOOLS INCIDENT REPORTING FORM – PART II
ACKNOWLEDGEMENT OF RECEIPT OF REPORT

Report No: _____

Report Submitted By: Name: _____ Date: _____

Investigation Completed

- Principal to communicate results to the teacher at a mutually convenient time.*
- Principal to communicate results to other board employee at a mutually convenient time, as appropriate.*

Investigation in Progress

- Once the investigation is completed, principal to communicate results to the teacher at a mutually convenient time.*
- Once investigation is completed, principal to communicate results to other board employee at a mutually convenient time, as appropriate.*

Name of Principal: _____

Signature: _____ Date: _____

Note: Only Part II is to be given to the person who submitted the report.

* In accordance with s.300.2 of the *Education Act*, after investigating a matter reported by an employee, the principal shall communicate the results of the investigation to the teacher or other board employee who is not a teacher, as appropriate. In accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, when reporting the results of the investigation, the principal shall not disclose more personal information than is reasonably necessary for the purpose of communicating the results of the investigation.

Delegation of Authority - Teacher-in-Charge
(on the Letterhead of the School)

Date *(insert date)*

To *(insert name of teacher-in-charge)*

From *(insert name of administrator)*

Re: Delegation of Authority

You will be delegated authority as teacher-in-charge pursuant to section 300.1(1)(b) of the *Education Act*, consistent with this memo on the dates set out below and initialed by me.

During the specified dates, the principal and vice-principal shall be away from the school. The principal can be reached by cell phone at *(insert where applicable)* and the vice-principal may be reached by cell phone at *(insert where applicable)*. The superintendent may be reached at *(insert number)*.

The emergency superintendent may be reached at *(insert number)* or in the alternative, the principal of *(insert name of school)*, *(insert individual's name)* may be reached at *(insert number)*.

As part of the duties of teacher-in-charge you are being delegated responsibility for the following:

- (1) receiving reports from board employees and transportation providers about serious incidents for which suspensions or a recommendation to expel might be made and communicating this information to an administrator at the earliest opportunity;
- (2) conducting an investigation to determine the nature of an incident to determine whether or not the incident is one for which a suspension or expulsion might be imposed;
- (3) reporting incidents for which a suspension or expulsion might be imposed to an administrator at the earliest opportunity;
- (4) providing information to the student's parent(s)/guardian(s) (unless the student is an adult student) about an incident causing the student harm, and you are not of the opinion that reporting the information might put the student at risk of harm and not be in the student's best interest;
- (5) implementing progressive discipline measures following the investigation of an incident that is unlikely to lead to suspension or expulsion as a consequence;
- (6) contacting the police in an emergency;
- (7) contacting the police in accordance with the Police/School Board Protocol.

You must exercise your authority in accordance with, the *Education Act*, board policies and procedures, including the principles of equity set out in Ontario's Equity and Inclusive Education Strategy and the *Ontario Human Rights Code*, which has primacy over the *Education Act* and the board policies and procedures.

Your authority with respect to these matters shall cease upon the return to the school of an administrator.

_____ Principal

DATE OF DELEGATION

DATE	Principal's Initials
<i>(insert date)</i>	<i>(insert Principal's initials)</i>

SAMPLE

EXPULSION DEADLINE EXTENSION WAIVER

In accordance with the *Education Act* s. 311.3(8)*, all involved parties agree that the expulsion hearing date related to the suspension of _____(student) will exceed 20 school days since the suspension commenced on _____(dd/mm/yy). By signing below, each party is acknowledging the right to have an expulsion hearing within 20 school days and is waiving the right to that deadline.

Expulsion Hearing Date: _____ (dd/mm/yy)

Student

Date

Parent(s)/Guardian(s)

Date

Principal

Date

Superintendent

Date

**Education Act* s. 311.3(8) "The board shall not expel a pupil if more than 20 school days have expired since the pupil was suspended under s. 310, unless the parties to the expulsion hearing agree on a later deadline."

SUSPENSION APPEAL DEADLINE EXTENSION WAIVER

In accordance with the *Education Act* s. 309 (6)*, all involved parties agree that the suspension hearing date related to the suspension of _____(student) on _____(date) for _____(days) will exceed 15 school days. The suspension appeal notification was received on _____(date). By signing below, each party is acknowledging the right to have a suspension appeal hearing within 15 school days and is waiving the right to that deadline.

Suspension Appeal Hearing Date: _____ (dd/mm/yy)

Student

Date

Parent(s)/Guardian(s)

Date

Principal

Date

Superintendent

Date

**Education Act* s. 309 (6) "The board shall hear and determine the appeal within 15 school days of receiving notice under subsection (3), unless the parties agree on a later deadline, and shall not refuse to deal with the appeal on the ground that there is a deficiency in the notice of appeal."