



**BRANT HALDIMAND NORFOLK
Catholic District School Board**

Agenda

Catholic Education Centre
322 Fairview Drive
Brantford, ON N3T 5M8

Special Meeting of the Board
(Board By-Laws S. 6.3.3)
Tuesday, October 16, 2018 ♦ 6:30 p.m.
Boardroom

Members: **Trustees:**
Rick Petrella (Chair), Dan Dignard (Vice-Chair), Cliff Casey, Bill Chopp, Carol Luciani,
Bonnie McKinnon, Kaiya Daly (Student Trustee)

Senior Administration:
Chris N. Roehrig (Director of Education & Secretary), Thomas R. Grice (Superintendent of
Business & Treasurer), Mike McDonald, Michelle Shypula and Leslie Telfer (Superintendents of
Education)

1. **Opening Business**
 - 1.1 Opening Prayer
 - 1.2 Attendance
 - 1.3 Approval of the Agenda Page 1
 - 1.4 Declaration of Conflict of Interest
2. **Presentations**
3. **Delegations**
4. **Consent Agenda**
5. **Committee and Staff Reports**
 - 5.1 Education Development Charges Pages 2 - 9
Presenter: Thomas R. Grice, Superintendent of Business & Treasurer
 - 5.2 Student Behaviour, Discipline and Safety Policy 200.09 Pages 10 - 71
Presenter: Michelle Shypula, Superintendent of Education
6. **Information and Correspondence**
7. **Trustee Inquiries**
8. **Business In-Camera**
9. **Report on the In-Camera Session**
10. **Closing Prayer**

Heavenly Father, we thank you for your gifts to us: for making us, for saving us in Christ, for calling us to be your people. As we come to the end of this meeting, we give you thanks for all the good things you have done in us. We thank you for all who have shared in the work of this Board, and ask you to bless us all in your love. We offer this prayer, Father, through Christ our Lord. Amen
11. **Adjournment**

**REPORT TO THE BRANT HALDIMAND NORFOLK CATHOLIC
DISTRICT SCHOOL BOARD**

Prepared by: Tom Grice, Superintendent of Business & Treasurer
Presented to: Board of Trustees
Submitted on: October 16, 2018
Submitted by: Chris Roehrig, Director of Education & Secretary

EDUCATION DEVELOPMENT CHARGES

Public Session

BACKGROUND INFORMATION:

The Board is in the process of replacing its current Education Development Charge By-law. Ontario Regulation 20/98, made under the Education Act, governs various aspects of Education Development Charges (EDCs).

DEVELOPMENTS:

The Regulation requires that the Board consider the application of an operating surplus to fund capital needs and that the Board consider alternative accommodation arrangements with a view to reducing the EDC rates. A Special Meeting of the Board of Trustees was held on September 18, 2018 to meet this requirement.

As per *Ontario Regulation 438/18*, updated October 12, 2018, the education development charge will remain at \$912.00 per residential unit as this was the residential rate set out in the existing by-law and was in effect on August 31, 2018.

The Board has met the requirements to publish its intent to implement an Education Development Charge by-law and held two public meetings which were conducted on September 18, 2018.

Staff and the Board's EDC consultant have not received any objections nor been advised of any opposition to the proposed by-law.

The proposed Education Development Charge By-Law can come into effect five days after it is passed. If passed, the collection of charges for the updated EDC will commence on October 21, 2018. The Board may amend the By-Law once per year and legislation requires that the Board review the By-Law every five years and complete a new background study as part of the review.

RECOMMENDATIONS:

THAT the Brant Haldimand Norfolk Catholic District School Board approves the Education Development Charges By-Law No. 2018-A3; with an implementation date effective October 21, 2018.

**BRANT HALDIMAND NORFOLK
CATHOLIC DISTRICT SCHOOL BOARD
EDUCATION DEVELOPMENT CHARGES BY-LAW NO. 2018-A3**

A by-law for the imposition of education development charges in the City of Brantford and in the County of Brant.

PREAMBLE

1. Section 257.54(1) of the Education Act (the “Act”) enables a district school board to pass by-laws for the imposition of education development charges against land if there is residential development in its area of jurisdiction that would increase education land costs and the residential development requires one or more of the actions identified in section 257.54(2);
2. The Brant Haldimand Norfolk Catholic District School Board (the “Board”) has determined that the residential development of land to which this by-law applies increases education land costs;
3. Section 257.54(4) of the Act provides that an education development charge by-law may apply to the entire area of jurisdiction of a board or only part of it;
4. The Board has referred to the Minister of Education and Training the following estimates for approval:
 - (i) the total number of new elementary school pupils and new secondary school pupils; and
 - (ii) the number of elementary school sites and secondary school sites used to determine the net education land costs;and such approval was given on October 16, 2018, in accordance with section 10 of Ontario Regulation 20/98;
5. The estimated average number of secondary school pupils of the Board over the five years immediately following the day this by-law comes into force will exceed the total capacity of the Board to accommodate secondary school pupils throughout its jurisdiction on the day this by-law is passed;
6. The Board has given a copy of the education development charges background study relating to this by-law to the Minister of Education and Training and to each school board having jurisdiction within the area to which this by-law applies in accordance with section 10 of Ontario Regulation 20/98;
7. The Board has given notice and held public meetings on September 18, 2018 in accordance with sections 257.60(2) and 257.63(1) of the Act and permitted any person who attended the public meetings to make representations in respect of the Board’s education development charge policies and the proposed education development charges by-law; and
8. The Board has determined in accordance with section 257.63(3) of the Act that a further public meeting is not necessary in respect of this by-law.

NOW THEREFORE THE BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD HEREBY ENACTS AS FOLLOWS:

**PART 1
APPLICATION**

Defined Terms

1. In this by-law:
 - (a) “Act” means the *Education Act*;
 - (b) “Board” means the Brant Haldimand Norfolk Catholic District School Board;
 - (c) “development” includes redevelopment and additional development on the same property;
 - (d) “dwelling unit” means a room or suite of rooms used, or designed or intended for use by one person or persons living together, in which culinary and sanitary facilities are provided for the exclusive use of such person or persons, and shall include, but is not limited to, a dwelling unit or units in an apartment, group home, mobile home, duplex, triplex, semi-detached dwelling, single detached dwelling, stacked townhouse and townhouse;
 - (e) “education land costs” means costs incurred or proposed to be incurred by the Board,
 - (i) to acquire land or an interest in land, including a leasehold interest, to be used by the Board to provide pupil accommodation;
 - (ii) to provide services to the land or otherwise prepare the site so that a building or buildings may be built on the land to provide pupil accommodation;
 - (iii) to prepare and distribute education development charge background studies as required under the Act;
 - (iv) as interest on money borrowed or pay for costs described in paragraphs (i) and (ii); and
 - (v) to undertake studies in connection with an acquisition referred to in paragraph (i).
 - (f) “education development charge” means charges imposed pursuant to this by-law in accordance with the Act;
 - (g) “farm building” means a building or structure located on a farm which is necessary and ancillary to a farm operation including barns, tool sheds and silos and other farm-related structures for such purposes as sheltering of livestock or poultry, storage of farm produce and feed and storage of farm-related machinery, and equipment used as part of a bona fide farming operation, but shall not include a dwelling unit or other structure used for residential accommodation or any buildings or parts thereof used for other commercial, industrial or institutional purposes qualifying as non-residential development.

- (h) “gross floor area” means the total floor area, measured between the outside of the exterior walls or between the center line of party walls dividing the building from another building, of all floors above the average level or finished ground adjoining the building at its exterior walls;
 - (i) “local board” means a local board as defined in the *Municipal Affairs Act*, other than a district school board defined in section 257.53 (1) of the Act;
 - (j) “mixed use” means land, buildings or structures used, or designed or intended for use, for a combination of non-residential and residential use;
 - (k) “municipality” means the City of Brantford or the County of Brant as the context requires;
 - (l) “non-residential use” means lands, buildings or structures or portions thereof used, or designed or intended for all uses other than residential use, and includes, but is not limited to, an office, retail, industrial or institutional use;
 - (m) “residential development” means lands, buildings or structures developed or to be developed for residential use;
 - (n) “residential use” means lands, buildings or structures used, or designed or intended for use as a dwelling unit or units and shall include a residential use accessory to a non-residential use and the residential component of a mixed use or of an agricultural use.
2. Unless otherwise expressly provided in this by-law, the definitions contained in the Act, or the regulations under the Act, shall have the same meanings in this by-law.
 3. In this by-law where reference is made to a statute, a section of a statute or a regulation, such reference will be deemed to be a reference to any successor statute, section or regulation.

Lands Affected

4. (a) Subject to section 4(b), this by-law applies to all lands in the corporate limits of the City of Brantford except for the lands referred to as the “Development Charges Exemption Area” in Schedule “A” to By-law No. 38-2014 of The Corporation of the City of Brantford passed April 22, 2014, and applies to all lands in the corporate limits of the County of Brant except the First Nations reserve known as Six Nations Reserve Number 40 and the First Nations reserve known as the Mississauga of the New Credit Number 40A;
- (b) This by-law shall not apply to lands that are owned by and are used for the purpose of:
 - (i) a municipality or a local board thereof;
 - (ii) a district school board;
 - (iii) a publicly-funded university, community college or a college of applied arts and technology established under the *Ministry of Training, Colleges and Universities Act*, or a predecessor statute;

- (iv) every place of worship and land used in connection therewith, and every churchyard, cemetery or burying ground, if they are exempt from taxation under section 3 of the *Assessment Act*;
- (v) a farm building; and
- (vi) an Indian reserve under the Indian Act, R.S.C. 1985, c.I-5.

**PART II
EDUCATION DEVELOPMENT CHARGES**

5. In accordance with the Act and this by-law, and subject to sections 10 and 11 herein, the Board hereby imposes an education development charge against land undergoing residential development in the area of the by-law if the residential development requires any one of those actions set out in subsection 257.54(2) of the Act, namely:
- (a) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the *Planning Act*;
 - (b) the approval of a minor variance under section 45 of the *Planning Act*;
 - (c) a conveyance of land to which a by-law passed under subsection 50(7) of the *Planning Act* applies;
 - (d) the approval of a plan of subdivision under section 51 of the *Planning Act*;
 - (e) a consent under section 53 of the *Planning Act*;
 - (f) the approval of a description under section 50 of the *Condominium Act, 1998*; or
 - (g) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure,

where the first building permit issued in relation to a building or structure for below ground or above ground construction is issued on or after the date that this by-law comes into force.

6. (1) Education development charges shall be imposed against all lands, buildings or structures undergoing residential development if the development requires one or more of the actions referred to in section 5.
- (2) In respect of a particular development or redevelopment, an education development charge will be collected once, but this does not prevent the application of this by-law to additional development or redevelopment on the same property.
7. Subject to the provisions of this by-law, education development charges shall be imposed upon all categories of residential development.
8. Subject to the provisions of this by-law, education development charges shall be imposed upon all residential uses of land, buildings or structures.

9. Subject to the provisions of this by-law, an education development charge of Nine Hundred Twelve Dollars (\$912.00) per dwelling unit shall be imposed upon the designated residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use, and in the case of a mixed-use building or structure, upon the dwelling units in the mixed-use building or structure.

Exemptions

10. (1) In this section,
- (a) “gross floor area” means the total floor area, measured between the outside of exterior walls or between the outside of exterior walls and the center line of party walls dividing the building from another building, of all floors above the average level of finished ground adjoining the building at its exterior walls;
 - (b) “other residential building” means a residential building not in another class of residential building described in this section;
 - (c) “semi-detached or row dwelling” means a residential building consisting of one dwelling unit having one or two vertical walls, but no other parts, attached to another building;
 - (d) “single detached dwelling” means a residential building consisting of one dwelling unit that is not attached to another building.
- (2) Subject to subsections (3) and (4), education development charges shall not be imposed with respect to,
- (a) the enlargement of an existing dwelling unit that does not create an additional dwelling unit;
 - (b) the creation of one or two additional dwelling units in an existing single detached dwelling; or
 - (c) the creation of one additional dwelling unit in a semi-detached dwelling, a row dwelling, or any other residential building.
- (3) Notwithstanding subsection (2)(b), education development charges shall be imposed in accordance with section 9 if the total gross floor area of the additional unit or two additional dwelling units exceeds the gross floor area of the existing single detached dwelling.
- (4) Notwithstanding subsection (2)(c), education development charges shall be imposed in accordance with section 9 if the additional dwelling unit has a gross floor area greater than,
- (a) in the case of a semi-detached or row dwelling, the gross floor area of the existing dwelling unit; or
 - (b) in the case of any other residential building, the gross floor area of the smallest dwelling unit already contained in the residential building.

11. (1) Education development charges under section 9 shall not be imposed with respect to the replacement, on the same site, of a dwelling unit that was destroyed by fire, demolition or otherwise, or that was so damaged by fire, demolition or otherwise as to render it uninhabitable.
 - (2) Notwithstanding subsection (1), education development charges shall be imposed in accordance with section 9 if the building permit for the replacement dwelling unit is issued more than 5 years after,
 - (a) the date the former dwelling unit was destroyed or became uninhabitable; or
 - (b) if the former dwelling unit was demolished pursuant to a demolition permit issued before the former dwelling unit was destroyed or became uninhabitable, the date the demolition permit was issued.
 - (3) Notwithstanding subsection (1), education development charges shall be imposed in accordance with section 9 against any dwelling unit or units on the same site in addition to the dwelling unit or units being replaced. The onus shall be on the applicant to produce evidence to the satisfaction of the Board, acting reasonably, to establish the number of dwelling units being replaced.
12. This section applies where an education development charge has previously been paid in respect of development on land and the land is being redeveloped, except where sections 10 and 11 apply:
 - (a) The education development charge payable in respect of the redevelopment shall be calculated under this by-law;
 - (b) The education development charge determined under paragraph (a) shall be reduced by a credit equivalent to the education development charge previously paid in respect of the land, provided that the credit shall not exceed the education development charge determined under paragraph (a); and
 - (c) Where the redevelopment applies to part of the land the amount of the credit shall be calculated on a proportionate basis having regard to the development permissions being displaced by the new development.

PART III ADMINISTRATION

Payment of Education Development Charges

13. The education development charge in respect of a development is payable to the municipality in which the property is located on the date that the first building permit is issued in relation to a building or structure on land to which the education development charge applies.
14. The treasurer of the Board shall establish and maintain an education development charge account in accordance with the Act, the regulation and this by-law.

Payment by Services

15. Subject to the requirements of the Act, the Board may by agreement permit an owner to provide land in lieu of the payment of all or any portion of an education development charge. In such event, the Board's treasurer shall advise the treasurer of the municipality in which the land is situate of the amount of the credit to be applied to the education development charge.

Collection of Unpaid Education Development Charges

16. In accordance with section 257.96 of the Act, section 349 of the *Municipal Act, 2001*, S.O. 2001, c.25, applies with necessary modifications with respect to an education development charge or any part of it that remains unpaid after it is payable.

Date By-law in Force

17. This by-law shall come into force on October 21, 2018 and Board By-law No. 2013-A3, shall be repealed effective as of that same date.

Date By-law Expires

18. This by-law shall expire at the close of business on October 20, 2023, unless it is repealed at an earlier date.

Severability

19. Each of the provisions of this by-law are severable and if any provision hereof should for any reason be declared invalid by a court or tribunal, the remaining provisions shall remain in full force and effect.

Interpretation

20. Nothing in this by-law shall be construed so as to commit or require the Board to authorize or proceed with any particular capital project at any time.

Short Title

21. This by-law may be cited as the Brant Haldimand-Norfolk Catholic District School Board Education Development Charges By-law No. 2018-A3.

ENACTED AND PASSED this 16th day of October 2018.

Rick Petrella
Chair of the Board

Chris N. Roehrig
Director of Education & Secretary

REPORT TO THE BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD

Prepared by: Michelle Shypula, Superintendent of Education
Presented to: Board of Trustees
Submitted on: October 16, 2018
Submitted by: Chris N. Roehrig, Director of Education & Secretary

STUDENT BEHAVIOUR, DISCIPLINE AND SAFETY POLICY 200.09 Public Session

BACKGROUND INFORMATION:

The Cannabis Act and its regulations come into effect on October 17, 2018. As a result of this new law, cannabis will cease to be regulated under the Controlled Drugs and Substances Act (CDSA). In accordance with these legislative changes, the Brant Haldimand Norfolk Catholic District School Board will have measures in place to provide for the safety and well-being of students, staff and community partners on school premises and during off site school-based events.

DEVELOPMENTS:

The Student Behaviour, Discipline and Safety Policy and Administrative Procedure 200.09 has been revised to reflect the Board's suspension and expulsion procedures relating to the legalization of recreational cannabis for individuals 19 and older, effective October 17, 2018. These changes include:

- Suspension consideration for possessing or being under the influence of alcohol, cannabis, narcotics or any other drug that is used for the purpose of intoxication; and
- Suspension of a pupil pending an investigation into expulsion for giving alcohol, cannabis, narcotics or any other drug that is used for the purpose of intoxication to a minor.

RECOMMENDATION:

THAT the Brant Haldimand Norfolk Catholic District Board approves the revised Student Behaviour, Discipline and Safety Policy 200.09.



Policy: Student Behaviour, Discipline and Safety

		Policy Number:	200.09
Adopted:	January 26, 2016	Former Policy Numbers:	Code of Conduct – 200.05 Safe Schools – 200.25 Student Discipline – 200.26 Bullying Prevention and Intervention – 200.27 Program for Students on Long-Term Suspension and for Expelled Students – 200.28
Revised:	TBD	Policy Category:	Students
Subsequent Review Dates:	TBD	Pages:	4

Belief Statement:

The Brant Haldimand Norfolk Catholic District School Board believes that Board policies addressing student behaviour, discipline and safety will:

- demonstrate the gospel values of Jesus including love, reconciliation, hospitality, justice, peace, honesty and integrity;
- emphasize our belief that we are all created in the image and likeness of God;
- reflect the mission and vision of the Board and the Ontario Catholic School Graduate Expectations;
- respect the rights and dignity of others regardless of their differences;
- respect the right of others to work in an environment of teaching and learning;
- respect persons who are in a position of authority;
- show proper care for school property and the property of others;
- support a safe, inclusive, and accepting learning and teaching environment in which every student can reach his or her full potential;
- support the idea that creating and maintaining safe, inclusive and accepting schools is a shared responsibility of all members of the community;
- address all inappropriate student behaviour, including bullying;
- ensure that responses to behaviours that are contrary to the district and school’s Community Code of Conduct must be developmentally appropriate;
- promote that the range of interventions, supports, and consequences used by the Board and all schools are clear and developmentally appropriate, and include learning opportunities for students in order to reinforce positive behaviours and help students make good choices.
- address the fact that bullying adversely affects a student’s ability to learn, the school climate, including healthy relationships;
- support a progressive discipline approach that makes use of a continuum of prevention programs, interventions, supports, and consequences, building upon strategies that build skills for healthy relationships and promote positive relationships;
- require the Board and school administrators to consider all mitigating and other factors, as required;
- require that information in a student’s IEP must be considered in the determination of interventions, supports, and consequences for students with special education and mental needs;
- ensure that bullying will not be accepted on school property, at school-related activities, on school buses, or in any other circumstances (e.g., online) where engaging in bullying will have a negative impact on the school climate; and
- promote a positive school climate that is inclusive and accepting of all students and promotes the prevention of bullying that maximizes student potential.



Policy Statement:

1.0 Codes of Conduct and Safe and Accepting Schools Plans

- 1.1 It is a policy of the Board to establish a District Safe and Accepting Schools Committee that shall develop a District Community Code of Conduct (DCCC) and a District Safe and Accepting Schools Plan (DSASP).
- 1.2 It is a policy of the Board that each school must have a Safe and Accepting Schools Team to develop a School Community Code of Conduct (SCCC) and a Safe and Accepting Schools Plan (SASP). The SCCC and SASP shall be consistent with the DCCC and the DSASP.

2.0 Reporting and Responding to Inappropriate Student Behaviour

- 2.1 It is the policy of the Board that:
 - 2.1.1 Discipline is applied within a framework that shifts the focus from one that is solely punitive to one that is both corrective and supportive and that includes learning opportunities for reinforcing positive behaviour.
 - 2.1.2 All employees and third party service providers who come into direct contact with pupils on a regular basis, take seriously all allegations of any student behaviour that is likely to have a negative impact on school climate; for example, harassment, gender-based violence, homophobia, sexual harassment, inappropriate sexual behaviour and bullying. Every employee and third party service provider shall act in a timely manner to report the incident to the school Principal.
 - 2.1.3 Principals maintain proper order and discipline in schools. Pupils are responsible to the Principal for their conduct and are required to accept such discipline as would be exercised by a reasonable, kind, firm and judicious parent.

3.0 Suspension of Pupils

- 3.1 It is the policy of the Board that Principals consider suspension for the following infractions:
 - 3.1.1 uttering a threat to inflict serious bodily harm on another person;
 - 3.1.2 possessing alcohol, cannabis, narcotics or any other drug that is used for the purpose of intoxication;
 - 3.1.3 being under the influence of alcohol, cannabis, narcotics or any other drug that is used for the purpose of intoxication;
 - 3.1.4 swearing at a teacher or at another person in a position of authority;
 - 3.1.5 committing an act of vandalism that causes extensive damage to school property at the student's school or to property located on the premises of the student's school;
 - 3.1.6 bullying;
 - 3.1.7 conduct injurious to the moral tone of the school;
 - 3.1.8 conduct injurious to the physical or mental well-being of members of the school community;
 - 3.1.9 use of improper or profane language;
 - 3.1.10 persistent truancy;
 - 3.1.11 opposition to authority;
 - 3.1.12 habitual neglect of duty;
 - 3.1.13 discrimination and harassment;
 - 3.1.14 extortion;
 - 3.1.15 theft; and/or
 - 3.1.16 inciting other students to act with physical violence upon another person.



- 3.2 It is the policy of the Board that administrative procedures be developed, implemented, monitored and regularly reviewed that address the following matters as they relate to infractions that may lead to suspension or expulsion:
- timelines and procedures for notifying parent(s)/guardian(s) and students;
 - academic/non-academic supports for students that have been suspended or expelled;
 - transition processes for students;
 - the appeal processes;
 - transfers to other schools; and
 - the application of mitigating factors.

4.0 Expulsion of Pupils

- 4.1 It is the policy of the Board that Principals shall suspend pupils pending an investigation into expulsion for the following infractions:
- 4.1.1 possessing a weapon including possessing a firearm;
 - 4.1.2 using a weapon to cause or to threaten bodily harm to another person;
 - 4.1.3 committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
 - 4.1.4 committing sexual assault;
 - 4.1.5 trafficking in weapons or in illegal drugs;
 - 4.1.6 committing robbery;
 - 4.1.7 giving alcohol, cannabis, narcotics or any other drug that is used for the purpose of intoxication to a minor;
 - 4.1.8 bullying (if the student has been previously suspended for engaging in bullying and the student's continuing presence in the school creates an unacceptable risk to the safety of another person)
 - 4.1.9 any act leading to a suspension (see Section 3.1) 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.
 - 4.1.10 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;
 - 4.1.11 a pattern of behaviour that is so inappropriate that the pupil's continued presence is injurious to the effective learning and/or working environment of others;
 - 4.1.12 activities engaged in by the pupil on or off school property that cause the pupil'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;
 - 4.1.13 activities engaged in by the pupil 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; and/or
 - 4.1.14 the pupil has demonstrated through a pattern of behaviour that s/he has not prospered by the instruction available to him or her and that s/he is persistently resistant to making changes in behaviour which would enable him or her to prosper.
- 4.2 It is the policy of the Board that administrative procedures be developed, implemented, monitored and regularly reviewed that address the following matters as they relate to infractions that may lead to expulsion:
- timelines and procedures for notifying parent(s)/guardian(s) and students;
 - academic/non-academic supports for students that have been suspended or expelled;
 - transition processes for students;
 - the appeal processes;
 - transfers to other schools; and
 - the application of mitigating factors.



5.0 Programs for Suspended or Expelled Pupils

It is the policy of the Board that programs that address discipline and safety be made available to support the ongoing education of students who have been suspended for six consecutive days or longer or who have been expelled.

Glossary of Key Policy Terms:

Bullying

Aggressive and typically repeated behaviour by a pupil where,

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

Bullying behaviour includes the use of any physical, verbal, electronic, written or other means.

Cyber-bullying includes bullying by electronic means, including,

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

District Safe and Accepting Schools Committee

The District Safe and Accepting Schools Committee shall include a wide variety of stakeholder groups and may be comprised of a Supervisory Officer, one Principal from each panel, a teacher from each panel, and a member of the Student Senate. The team may also include representation from the Deaneries, Catholic School Advisory Councils, local police services and community partners/agencies.

References

The Education Act
P/PM 128 The Provincial Code of Conduct and School Board Codes of Conduct
P/PM 141 School Board Programs for Students on Long-Term Suspension
P/PM 142 School Board Programs for Expelled Students
P/PM 144 Bullying Prevention and Intervention
P/PM 145 Progressive Discipline and Promoting Positive Student Behaviour
P/PM 119 Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools
P/PM 149 Protocol for Partnerships with External Agencies
Equity and Inclusive Education Policy 200.23
Student Attendance 200.29
Transportation of Students 400.19



**Student Behaviour, Discipline and Safety
AP 200.09**

Procedure for:	Principals	Adopted:	January 26, 2016
Submitted by:	Chris N. Roehrig, Director of Education	Revised:	TBD
Category:	Students		

Purpose

To provide direction for Superintendents, Principals/Vice-Principals and staff regarding student behaviour, discipline and safety.

Responsibilities

Superintendents of Education

The Superintendent of Education will monitor and advise Principals and Vice-Principals regarding the implementation of all student behaviour, discipline and safety procedures.

Principals/Vice-Principals

Principals and Vice-Principals will monitor and advise staff regarding the implementation of all student behaviour, discipline and safety procedures.

Information – N/A

Procedures

1.0 Codes of Conduct and Safe and Accepting Schools Plans

- 1.1 The Board shall establish a District Safe and Accepting Schools Committee that shall:
 - 1.1.1 Develop a District Code of Conduct (Appendix A);
 - 1.1.2 Develop, implement and monitor a District Safe and Accepting Schools Plan (DSASP) to address student behaviour, discipline and safety that is consistent with the belief statements embedded in the associated Board Policy;
 - 1.1.3 Ensure that the DSASP includes programs and training at the district level that will address student behaviour, discipline and safety;
 - 1.1.4 Ensure that the DSASP promotes identification and intervention strategies to be used in schools to address student behaviour, discipline and safety;
 - 1.1.5 Ensure that the DSASP includes: strategies, education and training specifically addressing bullying prevention and intervention strategies as well as programs, interventions and other supports for students who have been bullied, students who have witnessed incidents of bullying, and students who have engaged in bullying;
 - 1.1.6 Ensure that the DSASP addresses curricular and program links, as well as strategies that promote safe and accepting schools that are integrated within the Religion and Family Life Programs, the Ontario Curriculum Documents, and the Board's Virtues Education Program.
 - 1.1.7 Ensure the DSASP addresses annual staff development and training at a system and school level that promotes appropriate student behaviour. The training shall include strategies on bullying prevention and interventions. The training is for all employees and contracted services (for example bus operators and cafeteria services).
 - 1.1.8 Review the DSASP and communicate the DSASP to all school Principals a minimum of every two years; and



1.1.9 Communicate the DSASP to pupils, school staff, the Special Education Advisory Committee, the Regional Catholic Parent Involvement Committee, Catholic School Advisory Councils, and school bus operators and drivers. The plan shall be available on Board and school websites.

1.2 Each school Principal shall establish a Safe and Accepting Schools Team that shall:

1.2.1 Develop a local Code of Conduct that is consistent with the District Community Code of Conduct;

1.2.2 Develop a set of school-wide progressive discipline strategies that is consistent with all related Board policies and administrative procedures;

1.2.3 Ensure support for students who want to establish and lead activities and organizations that promote a safe, inclusive and accepting school climate, and/or the acceptance and respect for others, (e.g., activities that support gender equity, anti-racism, awareness, understanding, and respect for people with disabilities, all sexual orientations, and gender identities, including organizations with the name 'Gay Straight Alliance' or another name);

1.2.4 Develop, implement and monitor a Safe and Accepting Schools Plan (SASP) to address student behaviour, discipline and safety;

1.2.5 Ensure that the SASP includes programs and training and also promotes identification and intervention strategies that will address student behaviour, discipline and safety.

1.2.6 Ensure that the SASP includes strategies, education and training specifically addressing bullying prevention and intervention strategies as well as programs, interventions and other supports for students who have been bullied, students who have witnessed incidents of bullying, and students who have engaged in bullying;

1.2.7 Review the SASP and communicate the SASP to pupils, school staff and the Catholic School Advisory Council. The plan shall be available the school website; and

1.2.8 Monitor, review, and evaluate the effectiveness of the SASP every two years through the use of a School Climate Survey.

2.0 Responding and Reporting Inappropriate Student Behaviour

2.1 Principals are responsible for maintaining proper order and discipline in schools. Pupils are responsible to the Principal for their conduct and are required to accept such discipline as would be exercised by a reasonable, kind, firm and judicious parent.

2.2 The Board is committed to supporting safe learning and teaching environments in which every pupil can reach his or her 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 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 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.



- 2.3 Board employees who work directly with students must respond to any student behaviour that is likely to have a negative impact on the school climate, if in the employee's opinion, it is safe to do so. Such behaviour includes all inappropriate and disrespectful behaviour (e.g. swearing, homophobic or racial slurs, sexist comments or jokes, graffiti), as well as those incidents that must be considered for suspension or expulsion. For incidents where suspension or expulsion would not be considered, but the Board employees feel it is not safe to respond, they will be expected to inform the Principal verbally as soon as possible. It is the expectation of the Board that, provided that there is no immediate risk of physical harm to any individual, Board employees who work with pupils 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 pupils involved, other pupils, 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 pupils cannot leave unattended another pupil(s) in order to respond.
- 2.4 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 pupil might exhibit or about which the employee might be aware. Responses may include one or more of:
- asking the pupil to stop the behaviour;
 - identifying the behaviour as inappropriate and disrespectful;
 - explaining the impact of the behaviour on others and the school climate;
 - modelling appropriate communication;
 - asking the pupil for a correction of their behaviour by restating or rephrasing their comments;
 - asking the pupil to apologize for his/her behaviour or how he/she can correct/restore the situation (e.g., 'make it right');
 - asking the pupil to promise not to repeat their behaviour;
 - asking the pupil what they will do instead of repeating the behaviour;
 - asking the pupil to explain why and how a different choice with respect to their behaviour would have been more appropriate and respectful; and
 - where applicable, identifying the application of the Human Rights Code.
- 2.5 A response by the staff to the incident shall not prevent or preclude the Principal or Vice-Principal from imposing appropriate progressive discipline, up to and including a recommendation for expulsion from all schools. Unless the behaviour is such that it must be considered for suspension or expulsion, a response is sufficient – it is not required that these incidents be reported to the Principal. For incidents where suspension or expulsion would not be considered, but the Board employees feel it is not safe to respond, they will be expected to inform the Principal verbally as soon as possible. Where, in the opinion of the Board employee who works with pupils, 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 in writing before the end of the school day. The employee shall use the Safe Schools Incident Reporting Form (Appendix B – Part I) for reporting incidents when reporting in writing. Principals/Vice-Principals may use Appendix C – Suspension and Expulsion Guidelines – Flowchart) as a reference of procedures to follows.
- 2.6 When an incident is of a violent nature (possessing a weapon, including possessing a firearm, physical assault causing bodily harm requiring medical attention, sexual assault, robbery, using a weapon to cause or to threaten bodily harm to another person, extortion, hate and/or bias-motivated) the Principal shall note the incident on the:
- 2.6.1 Safe Schools Incident Reporting Form – Part I, Section #6 (Appendix B – Part I) and file it in the pupil's Ontario School Record; and complete the
- 2.6.2 Violent Incident Report Form (Appendix D) and file it in the pupil's Ontario School Record.



- 2.7 Before deciding whether to impose a suspension, or some other form of discipline, a Principal or Vice-Principal will make every effort to consult with the pupil, where appropriate, and the pupil's parent(s)/guardian(s) (if the pupil is not an adult pupil) to identify whether any mitigating and/or other factors set out below might apply in the circumstances.
- 2.8 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 pupil protected by the Human Rights Code, including but not limited to race and disability, and/or exacerbate the pupil's disadvantaged position in society, and whether or not accommodation to the point of undue hardship is required.
- 2.9 When addressing inappropriate behaviour, school staff should consider the particular pupil and circumstances, including any mitigating and other factors, the nature and severity of the behaviour, and the impact on the school climate, including the impact on students or other individuals in the school community.
- 2.9.1 The following mitigating factors shall be taken into account:
- The pupil does not have the ability to control his or her behaviour.
 - The pupil does not have the ability to understand the foreseeable consequences of his or her behaviour.
 - The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.
- 2.9.2 The following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:
- The pupil's history.
 - Whether a progressive discipline approach has been used with the pupil.
 - Whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment.
 - How the suspension or expulsion would affect the pupil's ongoing education.
 - The age of the pupil.
 - In the case of a pupil for whom an Individual Education Plan has been developed,
 - i. whether the behaviour was a manifestation of a disability identified in the pupil's Individual Education Plan,
 - ii. whether appropriate individualized accommodation has been provided, and
 - iii. whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.
- 2.10 Some examples of consequences consistent with progressive discipline (not including suspension or expulsion) include:
- contact with the pupil's parent(s)/guardian(s);
 - oral reminders;
 - review of expectations;
 - written work assignments with a learning component;
 - assigning the pupil to volunteer services to the community;
 - conflict mediation and resolution;
 - peer mentoring;
 - referral to counseling;
 - consultation meeting(s) with the pupil's parent(s)/guardian(s), the pupil and the Principal;
 - referral of pupil to a community agency for counseling;
 - detentions;
 - withdrawal of privileges;
 - temporary withdrawal from class;



- restitution for damages; and/or
 - restorative practices.
- 2.11 If the Principal deems that a pupil'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.
- 2.12 Principals shall respond in writing using the Safe Schools Incident Reporting Form – Part II (Appendix B, Part II) whenever an employee submits in writing a Safe Schools Incident Reporting Form – Part I (Appendix B – Part I). The Principal shall communicate the results of the investigation to the staff who reported the incident.
- 2.13 The Principal is required to notify the parent(s)/guardian(s) of students who have been harmed as a result of a serious student incident. The following shall be disclosed:
- 2.15.1 the nature of the activity that resulted in harm to the student;
 - 2.15.2 the nature of the harm to the student;
 - 2.15.3 the steps taken to protect the student's safety, including the nature of any disciplinary measures taken in response to the activity;
 - 2.15.4 the supports that will be provided to the student in response to the harm that resulted from the activity;
- 2.14 The Principal is required to notify the parent(s)/guardian(s) of students who have engaged in serious student incidents of inappropriate behaviour. The following shall be disclosed:
- 2.16.1 the nature of the activity that resulted in harm to the other student;
 - 2.16.2 the nature of the harm to the other student;
 - 2.16.3 the nature of any disciplinary measures taken in response to the activity;
 - 2.16.4 the supports that will be provided to the student in response to his/her engagement in the activity;
- 2.15 A Principal shall not notify a parent(s)/guardian(s) of a student if, in the Principal's opinion, doing so would put a student at risk of harm from a parent/guardian of a student or if notification is not in the student's best interest. When the Principal has decided not to notify parent(s)/guardian(s), they must document the rationale for this decision and, where appropriate, shall notify both the teacher who reported the incident and the appropriate supervisory officer of this decision.
- 2.16 The Principal shall keep a record for each pupil with whom progressive discipline approach(es) are utilized. The record should include:
- name of pupil;
 - date of the incident or behaviour;
 - nature of the incident or behaviour;
 - considerations taken into account;
 - progressive discipline approach used;
 - outcome; and
 - contact with the pupil's parent(s)/guardian(s) (unless the pupil is an adult pupil).
- 2.17 In cases where a transfer is necessary to protect a student, it is preferable that the student who has been harmed not be moved. The Principal shall hold a transfer meeting that includes the pupil's parent(s)/guardian(s) as well as anyone else the Principal deems appropriate in order to put in place a transition strategy and to identify any additional supports and resources that the student may require to be successful in his/her destination school.



3.0 Suspension of Pupils

- 3.1 It is the policy of the Board that Principals consider suspension for the following infractions:
- 3.1.1 uttering a threat to inflict serious bodily harm on another person;
 - 3.1.2 possessing alcohol, cannabis, narcotics or any other drug that is used for the purpose of intoxication;
 - 3.1.3 being under the influence of alcohol, cannabis, narcotics or any other drug that is used for the purpose of intoxication;
 - 3.1.4 swearing at a teacher or at another person in a position of authority;
 - 3.1.5 committing an act of vandalism that causes extensive damage to school property at the student's school or to property located on the premises of the student's school;
 - 3.1.6 bullying;
 - 3.1.7 conduct injurious to the moral tone of the school;
 - 3.1.8 conduct injurious to the physical or mental well-being of members of the school community;
 - 3.1.9 use of improper or profane language;
 - 3.1.10 persistent truancy;
 - 3.1.11 opposition to authority;
 - 3.1.12 habitual neglect of duty;
 - 3.1.13 discrimination and harassment;
 - 3.1.14 extortion;
 - 3.1.15 theft; and/or
 - 3.1.16 inciting other students to act with physical violence upon another person.
- 3.2 The Principal shall consider whether or not the decision to suspend might have a disproportionate impact on a pupil protected by the Human Rights Code, including but not limited to race and disability, and/or is in a position of disadvantage in society and evaluate the appropriateness or the accommodation if any was provided. The Principal shall:
- 3.2.1 Review any progressive discipline strategies that have been utilized;
 - 3.2.2 Take into account the following mitigating factors:
 - The pupil does not have the ability to control his or her behaviour.
 - The pupil does not have the ability to understand the foreseeable consequences of his or her behaviour.
 - The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.
 - 3.2.3 The following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:
 - The pupil's history.
 - Whether a progressive discipline approach has been used with the pupil.
 - Whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment.
 - How the suspension or expulsion would affect the pupil's ongoing education.
 - The age of the pupil.
 - In the case of a pupil for whom an Individual Education Plan has been developed,
 - i. whether the behaviour was a manifestation of a disability identified in the pupil's Individual Education Plan,
 - ii. whether appropriate individualized accommodation has been provided, and
 - iii. whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.



- 3.2.4 Consult with the Superintendent of Education when the suspension is five (5) consecutive days or more regarding:
- the investigation undertaken;
 - the circumstances of the incident;
 - whether or not one or more of the factors outlined above are applicable in the circumstances;
 - the appropriate length of the suspension; and
 - whether or not an accommodation pursuant to the Human Rights Code has been considered, and where applicable, applied to the point of undue hardship.
- 3.2.5 Where a Principal (or Vice-Principal in circumstances of a suspension for five (5) or fewer days) has determined that it is appropriate in the circumstances to impose a suspension, the Principal or Vice-Principal is required to effect the following procedural steps:
- within 24 hours of the decision, the Principal or Vice-Principal must make all reasonable efforts to orally inform the adult pupil or the pupil's parent(s)/guardian(s) of the suspension;
 - the Principal or Vice-Principal must inform the pupil's teacher(s) of the suspension;
 - the Principal or Vice-Principal will receive school work from the pupil's teacher(s) for the pupil to complete during the duration of the suspension;
 - The Principal or Vice-Principal must complete the Brant Haldimand Norfolk Catholic District School Board Suspension and Expulsion Record Form (Appendix E) and give it to the school secretary to input into the Student Management System.
 - the Principal or Vice-Principal must provide written notice of the suspension to the pupil, the pupil's parent(s)/guardian(s) (unless the pupil is an adult pupil) and the Superintendent (for letters templates, see Appendix F for suspension of 5 days or less; Appendix G for suspensions of 6-10 days; Appendix H for suspensions of 11-20 days).
- 3.2.5.1 The written notice of suspension will include:
- the reason for suspension;
 - the duration of the suspension, including the pupil's date of return to school;
 - for suspensions 6 or more school days, include a statement and information about the Alternative Suspension Program (ASP)
 - information about the right to appeal the suspension, the appeal process, and enclose a copy of the Appeal Guidelines, and the contact information for the Director of Education;
- 3.2.5.2 Every effort should be made to include the school work with the letter of suspension to the pupil and the pupil's parent(s)/guardian(s) (unless the pupil is an adult pupil) on the day the pupil is suspended if the letter is provided to the pupil to take home. If it is not possible to provide the letter because the pupil and/or his/her parent/guardian is not available, the letter should be mailed, couriered, faxed or emailed to the home address that day and school work should be made available for the adult pupil's designate or pupil's parent(s)/guardian(s) or designate to pick-up from the school the following school day.
- 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.
 - If notice is sent by fax or e-mail, it is deemed to have been received the first school day after it was sent.
- 3.2.5.3 Where the incident is a serious violent incident, including a credible threat to inflict serious bodily harm or vandalism causing extensive damage to Board property or property located on Board property, consideration should be given to filling out and filing a Violent Incident Report Form (Appendix D) in the pupil's Ontario Student Record and referring the student for a violent risk assessment.



- 3.3 The adult pupil or the pupil's parent(s)/guardian(s) may appeal a suspension. A person who intends to appeal a suspension must give written notice of his/her intention to appeal the suspension within ten (10) school days of the commencement of the suspension. All suspension appeals are to be sent to the Director of Education. The suspension must be served even when an appeal is submitted.
- 3.3.1 The Board must hear and/or determine the appeal within fifteen (15) school days of receiving the notice of intention to appeal (unless the parties agree to an extension).
- 3.3.2 Upon receipt of written notice of the intention to appeal the suspension, the Director of Education or designate will review the appeal and:
- promptly advise the school Principal of the appeal;
 - promptly advise the adult pupil or the pupil's parent(s)/guardian(s) that a review of the suspension will take place and invite the parent(s)/guardian(s) or adult to contact the Superintendent of Education responsible for discipline to discuss any matter respecting the incident and/or appeal of the suspension (see Appendix I – Notice of Suspension Review letter template);
 - review the suspension (reason, duration, any mitigating or other factors, whether or not the Human Rights Code should be or was appropriately applied);
 - consult with the Principal regarding modification or expunging the suspension;
 - request a meeting with the adult pupil or the pupil's parent(s)/guardian(s) and the Principal to narrow the issues and try to effect a settlement;
 - where a settlement is not effected, provide notice of the suspension review decision to the adult pupil or pupil's parent(s)/guardian(s) (see Appendix J – Suspension Review Decision letter template).
- 3.3.3 Where the suspension is upheld on review and the adult pupil or pupil's parent(s)/guardian(s) chooses to continue with the appeal, the Director of Education or designate will:
- a) Arrange a date for the appeal before the Student Discipline Committee and coordinate the preparation of a written report for the Board. This report will contain at least the following components:
 - a report prepared by the Principal regarding the incident, the rationale for suspension and how the principles of equity and inclusion were applied;
 - a copy of the original suspension letter;
 - a copy of the letter requesting the suspension appeal; and
 - a copy of the correspondence with respect to the decision of the Director of Education or designate regarding the suspension review.
 - b) Inform the adult pupil or the pupil's parent(s)/guardian(s) of the date of the appeal to the Student Discipline Committee (see Appendix K – Notice of Suspension Appeal letter template);
 - c) Provide a guide to the process for the appeal (see Appendix L – Suspension Appeal Guidelines), a copy of the Student Behaviour, Discipline and Safety Policy 200.09, and a copy of the documentation that will go to the Student Discipline Committee.
 - d) Ensure that the item is placed on the Student Discipline Committee's agenda.
- 3.4 The parties in an appeal to the Student Discipline Committee shall be: the Principal, the school Superintendent and the adult pupil or the pupil's parent(s)/guardian(s).
- 3.5 Suspension appeals will be heard orally, in camera, by the Student Discipline Committee (of whose members are Trustees). The Student Discipline Committee may grant a person who has daily care authority to make submissions on behalf of the pupil. An adult pupil or pupil's parent(s)/guardian(s) may bring/be represented by legal counsel or attend with an advocate/agent or the support of a community member. Legal counsel for the Principal and/or the Board may be present at the appeal if the parent(s)/guardian(s) is represented by legal counsel or an agent.



- 3.6 The suspension appeal proceedings are ordered as follows:
- 3.6.1 The parent(s)/guardian(s) and/or the person with daily care authority will proceed first by making oral submissions and/or providing written submissions regarding the reason for the appeal and the result desired;
 - 3.6.2 The pupil will be asked to make a statement on his/her own behalf, if appropriate;
 - 3.6.3 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 parent(s)/guardian(s)' submissions. The Superintendent/Principal may rely on the report prepared for the Student Discipline Committee;
 - 3.6.4 The parent(s)/guardian(s) may make further submissions addressing issues raised in the administration's presentation that were not previously addressed by the parent(s)/guardian(s);
 - 3.6.5 The Student Discipline Committee may ask any party, or the pupil, where appropriate, questions of clarification;
 - 3.6.6 The Student Discipline Committee may make such orders or give such directions at an appeal as it considers necessary for the maintenance of order at the appeal. Should any person disobey or fail to comply with any such order and/or direction, a Trustee may call for the assistance of a police officer to enforce any such order or direction.
- 3.7 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 timelines, the appeal may proceed in the absence of the party and the party is not entitled to any further notice of the proceedings.
- 3.8 The Student Discipline Committee 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 pupil protected by the Human Rights Code, including but not limited to race and disability, and/or exacerbate the pupil's disadvantaged position in society and shall:
- 3.8.1 confirm the suspension and its duration; or
 - 3.8.2 confirm the suspension but shorten its duration and amend the record, as necessary; or
 - 3.8.3 quash the suspension and order that the record be expunged; or
 - 3.8.4 make such other appropriate order.
- 3.9 The decision of the Student Discipline Committee is final. The decision shall be communicated to the parent(s)/guardian(s) in writing [see Appendices M(A) and M(B) – Suspension Appeal Decision letter template and Decision document].

4.0 Expulsion of Pupils

- 4.1 It is the policy of the Board that Principals shall suspend pupils pending an investigation into expulsion for the following infractions:
- 4.1.1 Possessing a weapon including possessing a firearm;
 - 4.1.2 Using a weapon to cause or to threaten bodily harm to another person;
 - 4.1.3 Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
 - 4.1.4 Committing sexual assault;
 - 4.1.5 Trafficking in weapons or in illegal drugs;
 - 4.1.6 Committing robbery;
 - 4.1.7 Giving alcohol, cannabis, narcotics or any other drug that is used for the purpose of intoxication to a minor;
 - 4.1.8 Bullying (if the student has been previously suspended for engaging in bullying and the student's continuing presence in the school creates an unacceptable risk to the safety of another person)



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- 4.1.9 Any act leading to a suspension (see Section 3.1) 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.
 - 4.1.10 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;
 - 4.1.11 A pattern of behaviour that is so inappropriate that the pupil's continued presence is injurious to the effective learning and/or working environment of others;
 - 4.1.12 Activities engaged in by the pupil on or off school property that cause the pupil'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;
 - 4.1.13 Activities engaged in by the pupil 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; and/or
 - 4.1.14 The pupil has demonstrated through a pattern of behaviour that s/he has not prospered by the instruction available to him or her and that s/he is persistently resistant to making changes in behaviour which would enable him or her to prosper.
- 4.2 The Principal shall take into account any mitigating and other factors, such as:
- 4.2.1 The pupil does not have the ability to control his or her behaviour.
 - 4.2.2 The pupil does not have the ability to understand the foreseeable consequences of his or her behaviour.
 - 4.2.3 The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.
- 4.3 The following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:
- 4.3.1 The pupil's history.
 - 4.3.2 Whether a progressive discipline approach has been used with the pupil.
 - 4.3.3 Whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment.
 - 4.3.4 How the suspension or expulsion would affect the pupil's ongoing education.
 - 4.3.5 The age of the pupil.
 - 4.3.6 In the case of a pupil for whom an Individual Education Plan has been developed,
 - i. whether the behaviour was a manifestation of a disability identified in the pupil's Individual Education Plan,
 - ii. whether appropriate individualized accommodation has been provided, and
 - iii. whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.
- 4.4 When the pupil is suspended pending an investigation into expulsion, the Principal must assign the pupil to an Alternative Suspension Program.
- 4.5 The Principal shall undertake an investigation to determine whether to recommend to the Student Discipline Committee that the pupil be expelled.
- 4.6 When imposing a suspension pending an investigation into expulsion, the Principal is required to effect the following procedural steps:
- 4.6.1 Within 24 hours of the decision to suspend, the Principal must make all reasonable efforts to orally inform the student's parent(s) /guardian(s), or the adult student (18 years of age or older), or the 16 or 17 year old student who has withdrawn parental control or the pupil's parent(s)/guardian(s) of the suspension.



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- 4.6.2 The Principal must complete a Brant Haldimand Norfolk Catholic District School Board Suspension and Expulsion Record Form (Appendix E) and give it to the school's secretary to input into Student Management SystemSchool.
- 4.6.3 The Principal must inform the pupil's teacher(s) of the suspension pending investigation into expulsion.
- 4.6.4 The Principal must provide written notice of the suspension to the adult pupil or the pupil's parent(s)/guardian(s) and the pupil and the School Superintendent of Education (Appendix N – Suspension Pending Possible Recommendation for Expulsion template). The written notice of suspension will include:
- The reason for suspension;
 - The duration of the suspension;
 - Information about the program for suspended pupils the pupil is assigned to;
 - Information about the investigation the Principal is conducting to determine whether to recommend expulsion;
 - 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 Student Discipline Committee, and if the Principal decides to recommend an expulsion that the suspension may be addressed at the expulsion hearing.
- 4.6.5 Every effort should be made to include school work with the letter of suspension to the pupil and the pupil's parent(s)/guardian(s) (unless the pupil is an adult pupil) on the day the pupil is suspended if the letter is provided to the pupil to take home. If it is not possible to provide the letter because the pupil and/or his/her parent(s)/guardian(s) is not available, the letter should be mailed, or couriered, faxed or emailed to the home address that day and school work should be made available for the adult pupil's designate or pupil's parent(s)/guardian(s) or designate to pick-up from the school the following school day.
- 4.6.6 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. If notice is sent by fax or email, it is deemed to have been received the first school day after it was sent.
- 4.6.7 Where the incident is of a serious violent nature such as possessing a weapon, including possessing a firearm, physical assault causing bodily harm requiring medical attention, sexual assault, robbery, using a weapon to cause or to threaten bodily harm to another person, extortion, hate and/or bias-motivated, the Principal shall note the incident on the:
- 4.6.7.1 Safe Schools Incident Reporting Form – Part I, Section 6 (Appendix B – Part I) and file it in the pupil's Ontario School Record; and complete the
 - 4.6.7.2 Violent Incident Report Form (Appendix D) and file it in the pupil's Ontario School Record.
- 4.7 As part of the investigation, the Principal will:
- 4.7.1 make all reasonable efforts to speak with the adult pupil or the pupil's parent(s)/guardian(s) and the pupil;
 - 4.7.2 include interviews with witnesses who the Principal determines can contribute relevant information to the investigation; and
 - 4.7.3 make every reasonable effort to interview any witnesses suggested by the pupil, or the pupil's parent(s)/guardian(s).
- 4.8 Any police investigation will be conducted separately from the Principal's inquiry.
- 4.9 The Principal will consult with the School Superintendent of Education regarding the decision whether or not to recommend that the pupil be expelled.



- 4.10 The Principal shall consider the mitigating and other factors when determining whether to recommend to the Student Discipline Committee that the pupil be expelled (see 4.2). The Principal shall consider whether or not the recommendation might have a disproportionate impact on a pupil protected by the Human Rights Code, including but not limited to race and disability, and/or is in a position of disadvantage in society and evaluate the appropriateness of the accommodation if any was provided.
- 4.11 If the Principal decides not to recommend to the Student Discipline Committee that the pupil be expelled, the Principal must:
- 4.11.1 confirm the suspension and its duration;
 - 4.11.2 confirm the suspension but shorten its duration and amend the record accordingly; or
 - 4.11.3 withdraw the suspension and expunge the record.
- 4.12 If the Principal has decided not to recommend an expulsion of the pupil, the Principal will provide written notice of this decision to the adult pupil or the pupil's parent(s)/guardian(s) and pupil (see Appendix O – Decision Letter Not to Recommend Expulsion). The notice shall include:
- 4.12.1 A statement that the pupil will not be subject to an expulsion hearing for the activity that resulted in the suspension;
 - 4.12.2 A statement indicating whether the suspension has been upheld, upheld and shortened, or withdrawn;
 - 4.12.3 If the suspension has been upheld in duration or upheld and shortened, the following information about the right to appeal the suspension to the Student Discipline Committee shall be included with the written notice of the decision:
 - a) a copy of the Board's Student Behaviour, Discipline and Safety Policy 200.09 and guidelines regarding suspension appeals (Appendix L – Suspension Appeal Guidelines);
 - b) contact information for the Superintendent to which notice of appeal must be given; and
 - c) 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.
- 4.13 If a Principal, in consultation with the School Superintendent of Education, determines that a recommendation for expulsion is warranted, the Principal must refer the recommendation for expulsion to the Student Discipline Committee to be heard within twenty (20) school days from the date the Principal suspended the pupil unless the parties to the expulsion hearing agree upon a later date. The Superintendent will inform the other members of the Student Discipline Committee.
- 4.14 For the purposes of the expulsion proceeding, the Principal will:
- 4.14.1 Prepare a report to be submitted to the Student Discipline Committee and provide the report to the pupil and the pupil's parent(s)/guardian(s) (unless the pupil is an adult pupil) prior to the hearing.

The report will include:

 - a) a summary of the findings the Principal made in the investigation;
 - b) an analysis of which, if any, mitigating or other factors or Human Rights Code related grounds might be applicable;
 - c) a recommendation of whether the expulsion should be from the school or from the Board; and
 - d) a recommendation regarding the type of school that would benefit the pupil if the pupil is subject to a school expulsion, or the type of program that might benefit the pupil if the pupil is subject to a Board expulsion.
- 4.15 The Principal shall inquire with the Director of Education or designate as to the date and location of the hearing and provide written notice of the expulsion hearing to the adult pupil or the pupil's parent(s)/guardian(s) and pupil (see Appendix P – Notice of Recommendation for Expulsion letter template).



The notice shall include:

- 4.15.1 a statement that the pupil is being referred to the Student Discipline Committee to determine whether the pupil will be expelled for the activity that resulted in suspension;
- 4.15.2 a statement that the pupil and/or his or her parent(s)/guardian(s) has the right to respond to the Principal's report in writing;
- 4.15.3 Detailed information about the procedures and possible outcomes of the expulsion hearing, including that:
 - a) if the Student Discipline Committee does not expel the pupil they will either confirm, confirm and shorten, or withdraw the suspension;
 - b) parent(s)/guardian(s) or legal counsel have the right to make a presentation or submissions with respect to the suspension;
 - c) any decision with respect to the suspension is final and cannot be appealed;
 - d) if the pupil is expelled from the school, they will be assigned to another school;
 - e) if the pupil is expelled from the Board, they will be assigned to a program for expelled pupils; and
 - f) if the pupil is expelled, there is a right of appeal to the Child and Family Review Board.
- 4.15.4 Attached to the notice shall be:
 - a) a copy of the Board's Student Expulsion Guidelines (Appendix Q);
 - b) a copy of the District Code of Conduct (Appendix A) and School Code of Conduct;
 - c) a copy of the Suspension Pending Possible Recommendation for Expulsion letter (Appendix N);
- 4.16 The Director of Education or designate shall act as a resource to the Student Discipline Committee and shall:
 - 4.16.1 Advise the Student Discipline Committee and shall prepare a package of documents for the Student Discipline Committee, which will include at least the following components:
 - a) a copy of the Principal's report; and
 - b) a copy of the notice of expulsion sent to the adult pupil or pupil's parent(s)/guardian(s);
 - 4.16.2 Submit the Principal's report to the School Superintendent of Education;
 - 4.16.3 Ensure that the item is placed on the Student Discipline Committee agenda for the date and time set out on the notice to the adult pupil or the pupil's parent(s)/guardian(s) and coordinate the attendance of the Trustees; and
 - 4.16.4 Confirm with the adult pupil or the pupil's parent(s)/guardian(s) the date and location of the expulsion hearing, and provide a copy of the Student Expulsion Guidelines (Appendix Q).
- 4.17 The Director of Education or designate may arrange a meeting with the adult pupil or the pupil's parent(s)/guardian(s) and pupil and the Principal as appropriate. If a meeting is arranged, the Director of Education or designate will:
 - 4.17.1 review the Student Discipline Committee process for expulsion hearings, as well as respond to any questions or concerns the pupil or the pupil's parent(s)/guardian(s) may have regarding the process or incident;
 - 4.17.2 assist to narrow the issues and identify agreed upon facts.



- 4.18 If the Principal recommends expulsion, the Student Discipline Committee shall hold a hearing and the parties before the Student Discipline Committee will be: the Principal and the adult pupil or the pupil's parent(s)/guardian(s). If a pupil is not a party, s/he has the right to be present at the expulsion hearing and to make the submissions on his/her own behalf. The Student Discipline Committee may grant a person with daily care authority to make submissions on behalf of the pupil. An adult pupil or pupil's parent(s)/guardian(s) may bring legal counsel, an advocate or support person with them to the expulsion hearing. The Principal may bring legal counsel to the expulsion hearing.
- 4.19 At the expulsion hearing, the Student Discipline Committee shall consider:
- 4.19.1 oral and written submissions, if any, of all parties;
 - 4.19.2 whether or not the Human Rights Code should be applied in the circumstances to mitigate the discipline if any;
 - 4.19.3 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;
 - 4.19.4 the views of all parties with respect to whether, if an expulsion is not imposed, the suspension should be confirmed, shortened or withdrawn;
 - 4.19.5 all other matters as the Student Discipline Committee considers appropriate;
 - 4.19.6 the mitigating and other factors (sections 4.2 and 4.3);
 - 4.19.7 whether or not the expulsion might have a disproportionate impact on a pupil protected by the Human Rights Code, including but not limited to race and disability, and/or exacerbate the pupil's disadvantaged position in society, and whether or not accommodation is required in the circumstances.
 - 4.19.8 where there is a conflict in the evidence presented by the parties on the issue of whether the pupil committed the infraction, the Student Discipline Committee may request further evidence as set out in the Student Expulsion Guidelines (Appendix Q), subject to the requirement that the hearing take place within twenty (20) school days, or the Student Discipline Committee may assess the evidence and determine whether, on a balance of probabilities, it has been established that it is more probable than not that the pupil committed the infraction.
- 4.20 If the Student Discipline Committee decides not to expel the pupil, the Student Discipline Committee shall take the submissions of the parties regarding the suspension into account, including mitigating and other factors, in determining whether to:
- 4.20.1 confirm the suspension and its duration;
 - 4.20.2 confirm the suspension but shorten its duration and amend the record accordingly; or
 - 4.20.3 quash the suspension and order that the record be expunged.
- 4.21 The Student Discipline Committee shall give written notice to all parties of the decision not to impose an expulsion and the decision with respect to the suspension (Appendix R – Expulsion Decision letter template) and Appendix S (Expulsion Decision of the Student Discipline Committee document). The Student Discipline Committee's decision with respect to the suspension is final.
- 4.22 In the event the Student Discipline Committee decides to impose an expulsion on the pupil, the Student Discipline Committee must decide whether to impose a Board expulsion or a school expulsion. In determining the type of the expulsion, the Student Discipline Committee shall consider the following factors:
- 4.22.1 the mitigating and other factors;
 - 4.22.2 whether a school or Board expulsion is likely to result in aggravating or worsening the pupil's behaviour or conduct or whether it is likely to result in a greater likelihood of further inappropriate conduct;
 - 4.22.3 whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school;



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- 4.22.4 the application of the Ontario Human Rights Code;
 - 4.22.5 all submissions and views of the parties;
 - 4.22.6 any written response to the Principal's report provided before the completion of the hearing;
 - 4.22.7 whether or not the type of expulsion might have a disproportionate impact on a pupil protected by the Human Rights Code, including but not limited to race and disability, and/or exacerbate the pupil's disadvantaged position in society, and whether or not accommodation is required in the circumstances; and
 - 4.22.8 such other matters as the Student Discipline Committee considers appropriate.
- 4.23 Where the Student Discipline Committee decides to impose a school expulsion, then the Student Discipline Committee must assign the pupil to another school and to the program for suspended and expelled pupils.
- 4.24 The Student Discipline Committee must promptly provide written notice of the decision to expel the pupil to all parties (see Appendix R – Expulsion Decision letter template and Appendix S – Expulsion Decision of the Student Discipline Committee). The written notice shall include:
- 4.24.1 the reason for the expulsion;
 - 4.24.2 a statement indicating whether the expulsion is a school expulsion or a Board expulsion;
 - 4.24.3 information about the school or program to which the pupil has been assigned; and
 - 4.24.4 information about the right to appeal the expulsion, including the steps to be taken.
- 4.25 Once the Principal has received notice that a pupil has been expelled, s/he must create a Student Action Plan (SAP) (Appendix T) for suspended and expelled pupils. The Superintendent of Education shall assign a person to adjudicate the successful completion of a student's SAP.
- 4.26 An expelled pupil is a pupil of the Board, even when s/he attends a program for expelled pupils at another School Board, unless s/he does not attend the program or registers at another School Board.
- 4.27 A pupil who is subject to a Board expulsion is entitled to apply in writing for re-admission to a school of the Board once s/he has successfully completed a program for expelled pupils or has satisfied the objectives required for completion of the program, as determined by the person who provides the program.
- 4.28 When the school's Superintendent of Education receives notice from the expelled pupil's SAP adjudicator that the pupil has successfully satisfied the objectives required for completion of the program, the school's Superintendent of Education shall, upon written application by the pupil, re-admit the pupil and inform the pupil in writing of the re-admission.
- 4.29 A pupil who is subject to a school expulsion may apply in writing to the school Superintendent of Education to be re-assigned to the school from which s/he was expelled. At that time:
- 4.29.1 the school's Superintendent of Education will consider whether re-attendance will have a negative impact on the school climate, including on any victim, where applicable;
 - 4.29.2 the pupil will be required to demonstrate that s/he has learned from the incident and has sought counseling, where appropriate;
 - 4.29.3 the pupil will be required to sign a Declaration of Performance form (Appendix U) provided by the Superintendent of Education; and
 - 4.29.4 the Superintendent of Education may determine that a different school than the one from which the pupil was expelled is a more appropriate placement for the pupil.
- 4.30 The adult pupil or the pupil's parent(s)/guardian(s) may appeal a Board decision to expel the pupil to the Child and Family Services Review Board. The decision of the Child and Family Services Review Board is final.



4.31 Appeal of Board Decision to Expel

The adult pupil or the pupil's parent(s)/guardian(s) may appeal a Board decision to expel the pupil 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 pupils.

- An individual who appeals an expulsion may argue that his/her rights pursuant to the Human Rights Code have been infringed.
- In addition, a separate right to apply to the Human Rights Tribunal of Ontario exists where an individual believes his/her rights pursuant to the Human Rights Code have been infringed.

The decision of the Child and Family Services Review Board is final.

5.0 Programs for Suspended or Expelled Pupils

5.1 A Student Action Plan (SAP) (Appendix T) shall be developed for every pupil that has been suspended for more than five (5) consecutive school days who makes a commitment to attend the program for suspended pupils. The SAP has two components: 1) an academic component; and, 2) a non-academic component, and shall address discipline and safety.

5.2 Pupils who have been suspended for more than five (5) consecutive school days but fewer than eleven (11) consecutive school days shall be offered academic supports and may be offered non-academic supports. A pupil who has been suspended for eleven (11) or more consecutive school days or has been expelled from school shall be provided with both academic and non-academic supports, which shall be identified in the pupil's SAP.

5.3 The Principals will actively encourage suspended pupils to participate in the program for suspended or expelled pupils. Where the adult pupil or pupil's parent(s)/guardian(s) declines the offer to participate in the SAP, the Principal or Vice-Principal shall record the date and time of such refusal. Should the adult pupil or a pupil's parent(s)/guardian(s) choose not to have the pupil participate in the program, the pupil will continue to be provided with school work to be completed at home for the duration of his/her suspension. This school work will be available at the school for pick-up by the adult pupil's designate or the pupil's parent(s)/guardian(s) or designate at regular intervals during the suspension period. In circumstances where the school work is not picked up, the Principal should contact the adult pupil or the pupil's parent(s)/guardian(s) to determine whether the school work will be picked up. The Principal should record the follow-up and response.

5.4 The SAP must be implemented as soon as possible following notification from the adult pupil or the pupil's parent(s)/guardian(s) that the pupil will participate in the SAP. The Principal must ensure that the pupil is provided with school work until the SAP is in place.

5.5 The SAP shall be developed under the direction of the Principal. The Principal shall hold a planning meeting that must include school and Board staff and the student. Where possible, the student's parent(s)/guardian(s) should attend. Once completed, the SAP will be shared with the adult pupil, or the pupil's parent(s)/guardian(s) and the pupil and all necessary staff to facilitate implementation. In developing the SAP, the Principal should consider what types of support, if any, the pupil may require during the suspension and upon his or her return to school. In developing the SAP, the Principal shall consider continuing any supports that may have been in place for the pupil prior to the suspension. In the case of pupils with Special Education needs, the Principal shall provide appropriate support consistent with the pupil's IEP.



- 5.6 The SAP shall identify:
- 5.6.1 objectives of the SAP;
 - 5.6.2 the needs academic needs of the pupil;
 - 5.6.3 risk factors and protective factors for the pupil; and
 - 5.6.4 types of supports that the pupil may need to continue his/her learning
- 5.7 Following a suspension of six (6) or more school days, a re-entry meeting will be held with appropriate staff, the pupil, and the pupil's parent(s)/guardian(s) if possible, to facilitate the pupil's transition back to school. The results of the pupil's SAP may be reviewed at the re-entry meeting.

6.0 Delegation of Authority

- 6.1 Whenever possible, the Board will attempt to have an administrator present on school property.
- 6.2 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 Human Rights Code of Ontario.
- 6.3 Delegation of Authority to a Vice-Principal
- 6.3.1 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 and School Response Protocol.
 - 6.3.2 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.
 - 6.3.3 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.
 - 6.3.4 A Vice-Principal may be delegated authority to impose a suspension of five (5) or fewer days in accordance with these procedures.
 - 6.3.5 A Vice-Principal may be delegated authority to create and facilitate all aspects of the Student Action Plan process when a pupil has been suspended for five (5) or more days or when a pupil who is referred to the Student Discipline Committee of the Board for expulsion.
 - 6.3.6 A Vice-Principal may be delegated authority to notify a parent/guardian of a pupil 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 Safety Plan (Appendix V) for an individual.
 - 6.3.7 A Vice-Principal may be delegated authority to coordinate a transition meeting for a pupil where a decision has been made by the Superintendent in consultation with the Principal that the pupil must be transferred to another school.



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- 6.3.8 Authority delegated to the Vice-Principal may include one or more of the following:
- (1) receive reports about suspension and expulsion infractions from Board employees and transportation providers;
 - (2) contact police in accordance with the Police and School Response Protocol;
 - (3) conduct investigations and inquiries;
 - (4) consider and implement progressive discipline measures;
 - (5) impose suspensions of between one (1) and five (5) days;
 - (6) develop and implement Student Action Plans;
 - (7) notify a parent/guardian of a pupil who has been the victim of an incident;
 - (8) develop a Safety Plan (Appendix V);
 - (9) develop a Transition Plan; and
 - (10) organize and be responsible for a school transfer meeting.
- 6.3.9 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.
- 6.3.10 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.
- 6.3.11 A Vice-Principal may not be delegated the Student Management System to impose a suspension of more than five (5) days or make the final decision with respect to recommending to the Board that a pupil be expelled.
- 6.4 Delegation of Authority to Teacher-In-Charge
- 6.4.1 A teacher-in-charge may be delegated authority by the Principal 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 or Vice-Principal and when the absence of the Principal and Vice-Principal might be for one or more days, the Superintendent.
- 6.4.2 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 and School Response Protocol.
- 6.4.3 A teacher-in-charge may be delegated authority by the Principal 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 or Vice-Principal, and in the absence of the Principal and Vice-Principal for one or more days, the Superintendent, with a detailed written and oral account of the steps taken and information determined up to that point.
- 6.4.4 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, and in the absence of the Principal and Vice-Principal for one or more days, the Superintendent.
- 6.4.5 In such circumstances, the teacher-in-charge may be delegated authority to provide information to the parent/guardian of a pupil, who is NOT an adult pupil and where the teacher-in-charge is NOT of the opinion that informing the parent/guardian would put the pupil at risk of harm, about the fact that harm has been caused and the nature of the harm that has occurred. The teacher-in-charge shall also inform the parent/guardian that, at the earliest opportunity, an administrator will contact the parent/guardian 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 a parent/guardian of an adult pupil if that pupil consents to the disclosure of information.



- 6.4.6 A teacher-in-charge shall NOT be delegated authority to share with the parent/guardian 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.
- 6.4.7 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.
- 6.4.8 A teacher-in-charge shall not be delegated authority to suspend a pupil.
- 6.4.9 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 Human Rights Code, s/he should take immediate steps to contact an administrator. In emergency circumstances, where an administrator is not available, the teacher-in-charge shall contact the school Superintendent.
- 6.4.10 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.
- 6.4.11 When a teacher-in-charge has been identified to assume duties for a particular timeframe, communication by internal electronic mail 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 administration's absence.



Glossary of Key Policy Terms:

Adult Student

A student who is 18 years of age or 16 or 17 years of age who has withdrawn from parental control.

Bullying

Aggressive and typically repeated behaviour by a pupil where,

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

Bullying behaviour includes the use of any physical, verbal, electronic, written or other means.

Cyber-bullying includes bullying by electronic means, including,

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

District Safe and Accepting Schools Committee

The District Safe and Accepting Schools Committee shall include a wide variety of stakeholder groups and may be comprised of a Supervisory Officer, one Principal from each panel, a teacher from each panel, and a member of the Student Senate. The team may also include representation from the Deaneries, Catholic School Advisory Councils, local police services and community partners/agencies.



Appendices

- A – District Code of Conduct
- B – Safe Schools Incident Reporting Form - Part 1
- B – Safe Schools Incident Reporting Form – Part II (*Acknowledgement of Receipt of Report*)
- C - Suspension and Expulsion Guidelines - Flowchart
- D – Violent Incident Report Form
- E - Suspension/Expulsion Record Form
- F – Suspension letter template: 5 days or less (*Principal to Adult Student/Parent-Guardian*)
- G – Suspension letter template: 6-10 days (*Principal to Adult Student/Parent-Guardian*)
- H – Suspension letter template: 11-20 days (*Principal to Adult Student/Parent-Guardian*)
- I – Notice of Suspension Review letter template (*Superintendent to Adult Student/Parent-Guardian*)
- J – Suspension Review Decision letter template (*Superintendent to Adult Student/Parent-Guardian*)
- K – Notice of Suspension Appeal letter template (*Superintendent to Adult Student/Parent-Guardian*)
- L – Suspension Appeal Guidelines
- M (A) – Suspension Appeal Decision of the Student Discipline Committee letter template (*Superintendent to Adult Student/Parent - Guardian*)
- M (B) – Suspension Appeal Decision of the Student Discipline Committee document (*Superintendent to Adult Student/Parent - Guardian*)
- N – Suspension Pending Possible Recommendation for Expulsion letter template (*Principal to Adult Student/Parent-Guardian*)
- O – Decision Letter Not to Recommend Expulsion letter template (*Principal to Adult Student / Parent-Guardian*)
- P – Notice of Recommendation for Expulsion letter template (*Principal to Adult Student / Parent-Guardian*)
- Q – Student Expulsion Guidelines
- R – Expulsion Decision letter template (*Superintendent to Adult Student/Parent-Guardian*)
- S – Expulsion Decision of the Student Discipline Committee document
- T – Student Action Plan (SAP)
- U - Declaration of Performance form (to be signed by student)
- V - Safety Plan

References

The Education Act
P/PM 128 The Provincial Code of Conduct and School Board Codes of Conduct
P/PM 141 School Board Programs for Students on Long-Term Suspension
P/PM 142 School Board Programs for Expelled Students
P/PM 144 Bullying Prevention and Intervention
P/PM 145 Progressive Discipline and Promoting Positive Student Behaviour
P/PM 119 Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools
P/PM 149 Protocol for Partnerships with External Agencies
Equity and Inclusive Education Policy 200.23
Student Attendance 200.29
Transportation of Students 400.19

Brant Haldimand Norfolk Catholic School Board
District Code of Conduct¹

The Brant Haldimand Norfolk Catholic District School Board believes in the dignity of the human person. Therefore:

- Parents, students and staff need to work together to make sure Catholic schools are safe places to learn.
- Students are able to achieve their highest potential when they feel welcome and included at school.
- When we foster positive relationships that emphasize mutual respect, understanding and trust, we are able to improve the cohesion of our community.

We promote a safe, inclusive and accepting environment through:

- living our Catholic faith, virtues, morals and values;
- implementing the District Code of Conduct;
- establishing appropriate programs, training and activities;
- providing early and ongoing identification and intervention strategies;
- implementing strategies, education, and training specifically addressing bullying prevention and intervention as well as programs, interventions and other supports for students who have been bullied, witnessed bullying, or engaged in bullying;
- providing curricular and program links;
- establishing progressive discipline programs and strategies;
- administering fair and consistent progressive disciplinary action in keeping with the Education Act, Board policy² and other relevant legislation; and
- training for all staff in the knowledge, skills and attitudes necessary to develop and maintain safe, inclusive and accepting learning and teaching environments.

We believe that a safe, inclusive and accepting environment is accomplished when all community members:

- demonstrate the Gospel values of Jesus including love, reconciliation, hospitality, justice, peace, honesty and integrity;
- respect the rights and dignity of others regardless of their differences;
- respect the rights of others to work in an environment of teaching and learning;
- respect persons who are in a position of authority;
- respect and comply with all federal, provincial and municipal laws;
- show proper care for school property and the property of others; and
- resolve conflict in a peaceful, non-violent manner.

¹ Reviewed and finalized in May 2016. To be reviewed again in 2018.

² Student Behaviour, Discipline and Safety Policy 200.09

Roles and Responsibilities

Each member of the school community has specific roles and responsibilities in providing a safe, inclusive and accepting environment which promotes respect, civility and academic excellence.

Principals and Vice Principals

Under the direction of the School Board, principals/vice principals provide leadership in the daily operation of the school. Leadership is provided by:

- supporting the mission and spiritual theme of the Brant Haldimand Norfolk Catholic District School Board³
- demonstrating care for the school community and a commitment to Gospel values and academic excellence in a safe, inclusive and accepting teaching environment;
- modelling respect and civility with dignity for all members of the school community;
- holding everyone under their authority accountable for their behavior and actions;
- communicating regularly and meaningfully with all members of their school community; and
- empowering students to be positive leaders in their school, parish and community as outlined in the Ontario Catholic School Graduate Expectations⁴

Teachers and School Staff Members

As role models of Gospel values, principals/vice principals and all school staff share in the responsibility to maintain order in the school, and are expected to hold everyone to the highest standard of respectful and responsible behavior. All school staff uphold these high standards by:

- supporting the mission and spiritual theme of the Brant Haldimand Norfolk Catholic District School Board;
- demonstrating respect for all students, staff, parents, guardians, volunteers and the members of the parish and school community;
- maintaining consistent standards of behaviour for all students;
- helping students work to their full potential and develop their sense of self-worth;
- communicating regularly and meaningfully with parents/guardians;
- preparing students for the full responsibilities of citizenship as outlined in the Ontario Catholic School Graduate Expectations; and
- empowering students to be positive leaders in their classroom, school, parish and community.

³ Board mission statement: As a Catholic Learning Community, we provide faith formation and academic excellence, which enable our graduates to live a life of love and service in Christ.

⁴ Ontario Catholic School Graduate Expectations: A Discerning Believer; An Effective Communicator; A Reflective, Creative and Holistic Thinker; A Self-Directed, Responsible, Lifelong Learner; A Collaborative Contributor; A Caring Family Member; and a Responsible Citizen. (Institute for Catholic Education, 2011)

Students

Students are to be treated with respect and dignity. In return, students must demonstrate respect for themselves, for others, and for the responsibilities of citizenship through acceptable behavior. In keeping with our Catholic values, respect and responsibility are demonstrated when students:

- fulfill the Ontario Catholic School Graduate Expectations and live the Gospel message;
- show respect for themselves, others and those in authority;
- show respect for school property;
- come to school prepared, on time, and ready to learn;
- comply with the school's dress code/uniform policy;
- follow the established rules and take responsibility for their actions; and
- refrain from bringing anything to school that may compromise the safety of others.

Parents/Guardians

As primary educators, parents/guardians play an important role in the education of their children and can support the efforts of school staff in maintaining a safe, inclusive, accepting and respectful learning environment for students. Parents/guardians fulfill their role when they:

- teach and model our Catholic faith and values in their homes;
- support the mission of the Brant Haldimand Norfolk Catholic District School Board;
- ensure that their child attends school regularly and on time;
- help their child be dressed appropriately and prepared for school;
- promptly report to the school their child's absence or late arrival;
- show an active interest in their child's school work and progress;
- communicate regularly with the school;
- encourage and assist their child in following the rules of behavior;
- show that they are familiar with the provincial Code of Conduct⁵, the District Code of Conduct and school rules; and
- assist school staff in dealing with disciplinary issues involving their child.


Community Partners

Community partners play an essential role in making our schools and communities safer. Our community partners shape their work with us out of respect for our Catholic identity and Gospel values.

Police

The police play an essential role in making our schools and communities safer. Police investigate incidents in accordance with the protocol co-developed with the Brant Haldimand Norfolk Catholic District School Board.

⁵ The Provincial Code of Conduct can be found at <http://www.edu.gov.on.ca/extra/eng/ppm/128.pdf>

Report No: _____	 <p style="text-align: center;">Brant Haldimand Norfolk Catholic District School Board SAFE SCHOOLS INCIDENT REPORTING – PART I C O N F I D E N T I A L</p>
Name/Location 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: _____
4. Type of Incident (check all that apply)	<p>Activities for which suspension must be considered (Section 3.1 - Student Behaviour, Discipline and Safety Policy 200.09)</p> <input type="checkbox"/> uttering a threat to inflict serious bodily harm on another person; <input type="checkbox"/> possessing alcohol, cannabis, narcotics or any other drug that is used for the purpose of intoxication; <input type="checkbox"/> being under the influence of alcohol, cannabis, narcotics or any other drug that is used for the purpose of intoxication; <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 at the student's school or to property located on the premises of the student's school; <input type="checkbox"/> bullying; <input type="checkbox"/> conduct injurious to the moral tone of the school; <input type="checkbox"/> conduct injurious to the physical or mental well-being of members of the school community; <input type="checkbox"/> use of improper or profane language; <input type="checkbox"/> persistent truancy; <input type="checkbox"/> opposition to authority; <input type="checkbox"/> habitual neglect of duty; <input type="checkbox"/> discrimination and harassment; <input type="checkbox"/> extortion; <input type="checkbox"/> theft; and/or <input type="checkbox"/> inciting other students to act with physical violence upon another person. <p>Activities for which expulsion must be considered (S 4.1 – Student Behaviour, Discipline and Safety Policy 200.09)</p> <input type="checkbox"/> possessing a weapon including possessing a firearm; <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; <input type="checkbox"/> committing sexual assault; <input type="checkbox"/> trafficking in weapons or in illegal drugs; <input type="checkbox"/> committing robbery; <input type="checkbox"/> giving alcohol, cannabis, narcotics or any other drug that is used for the purpose of intoxication to a minor; <input type="checkbox"/> bullying (if the student has been previously suspended for engaging in bullying and the student's continuing presence in the school creates an unacceptable risk to the safety of another person) <input type="checkbox"/> any act leading to a suspension (see Section 3.1) 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"/> 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; <input type="checkbox"/> a pattern of behaviour that is so inappropriate that the pupil's continued presence is injurious to the effective learning and/or working environment of others; <input type="checkbox"/> activities engaged in by the pupil on or off school property that cause the pupil'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; <input type="checkbox"/> activities engaged in by the pupil 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; and/or <input type="checkbox"/> the pupil has demonstrated through a pattern of behaviour that s/he has not prospered by the instruction available to him or her and that s/he is persistently resistant to making changes in behaviour which would enable him or her to prosper.

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.

Violent incident

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 and Privacy Act and the Education 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.

Information Collection Authorization

Notice of Collection: The personal information you have provided on this form and any other correspondence relating to your involvement in our programs is collected by the District School Board under the authority of the Education Act (R.S.O. 1990 c.E.2) ss. 58.5, 265 and 266 as amended and in accordance with Section 29(2) of the Municipal Freedom and Protection of Privacy Act, 1989. The information will be used to register and place the student in a school, or for a consistent purpose such as the allocation of staff and resources and to give information to employees to carry out their job duties. In addition, the information may be used to deal with matters of health and safety or discipline and is required to be disclosed in compelling circumstances or for law enforcement matters or in accordance with any other Act. The information will be used in accordance with the Education Act, the regulations, and guidelines issued by the Minister of Education governing the establishment, maintenance, use, retention, transfer and disposal of pupil records. If you have any questions, please contact the school principal and/or the Freedom of Information Officer, Brant Haldimand Norfolk Catholic District School Board, 322 Fairview Drive, Brantford, ON, N3T 5M8 (Telephone 519-756-6505, Ext. 234).

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 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 and Privacy Act and the Education 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.

Suspension and Expulsion Guidelines—Flowchart

Incident occurs—on-school property, off site, social media, etc.

Investigation takes place

Considerations:

- past progressive discipline measures utilized
- mitigating factors
- severity of incident/behavior (resource officer in high school may be contacted)
- Contact parent(s)/guardian(s) of involved students (victims and harm-doers, if safe to do so) within 24 hours of administrator becoming aware and discuss/notify parent(s)/guardian(s) of your decision for progressive discipline, suspension for __ days, or a 20 day suspension

Progressive Discipline

- lunch detention
- In-school suspension
- Accommodations
- Timetabling options
- Learning centre
- Etc.

Suspension

- complete the Safe Schools Reporting Form (Appendix B—part 1 & 2)
- If this is a violent incident—tick box on the bottom of the Safe Schools Reporting Form Part 1 and complete the Violent Incident Report Form (Appendix D). Put a copy of this form in the child's OSR.
- Complete the Board Suspension/Expulsion Record Form (Appendix C) and give to secretary to enter into the Student Management System.

20 day Suspension Pending Expulsion

- complete the Safe Schools Reporting Form (Appendix B—parts 1 & 2)
- If this is a violent incident—tick box on the bottom of the Safe Schools Reporting Form Part 1 and complete the Violent Incident Report Form (Appendix D). Put a copy of this form in the child's OSR.
- Complete the Board Suspension/Expulsion Record Form (Appendix C) and give to secretary to enter into the Student Management System.

5 days or less suspension

- notify guidance counsellor, teacher(s) and attendance secretary
- Send home suspension letter (Appendix F)
- Put copy of letter in OSR
- Provide school work

6-10 day suspension

- notify superintendent, social worker, guidance counsellor, teacher(s), Continuing Education Principal, attendance secretary
- Send home suspension letter (Appendix G)
- Put copy of letter in OSR
- Have a suspension meeting
- Academic programming will be determined during the meeting
- Provide a copy of the Student Action Plan (SAP) - Appendix T to the parent(s)/guardian(s) and put a copy in the OSR
- Re-entry meeting with student prior to returning to school

11-20 day suspension

- notify superintendent, social worker, guidance counsellor, teacher(s), Continuing Education Principal, attendance secretary
- Send home suspension letter (Appendix H)
- Put copy of letter in OSR
- Have a suspension meeting
- Academic and non-academic programming will be determined during the meeting
- Provide a copy of the Student Action Plan (SAP) - Appendix T to the parent(s)/guardian(s) and put a copy in the OSR
- Re-entry meeting with student

20 day suspension pending expulsion

- notify superintendent, social worker, guidance counsellor, teacher(s), Continuing Education Principal, attendance secretary
- Send Suspension Pending Possible Recommendation for Expulsion (Appendix N) letter home
- Put copy of letter in OSR
- Do further investigation to determine if an expulsion will be recommended
- See next page

20 Day Suspension
Pending Possible Expulsion

- Recommend expulsion to the Student Discipline Committee
- Contact superintendent
- Provide parent(s)/guardian(s) with written Notice of Recommendation for Expulsion letter (Appendix P), a copy of the Student Expulsion Guidelines
- Prepare a report that includes a summary of your findings stating any mitigating factors and including a statement that you recommend expulsion from either the school or whole board
- Recommend the type of school or program that would benefit the student

- Do not recommend expulsion to the Student Discipline Committee
- Provide written notice to the parent(s) /guardian(s) not recommending expulsion (Appendix O)

Confirm the suspension and duration

Confirm the suspension but shorten its duration and amend the record accordingly

Withdraw the suspension and expunge the record

Student Discipline Committee expels student

Student Discipline Committee does not expel student

Expels student from school

Expels student from board

Confirm the suspension and duration

Confirm the suspension but shorten its duration and amend the record accordingly

Withdraw the suspension and expunge the record



VIOLENT INCIDENT REPORT FORM

Complete this form immediately following a violent incident at a school and send to the appropriate Superintendent of Education. A copy should be retained for your records.

Name of Pupil: _____ Grade: _____
 School Name: _____ Date: _____
 Location of Incident: _____ Time: _____ a.m. / p.m.
 Report Filed by: _____

Brief Description of Incident:

 Personal Injury: _____
 Weapons: Yes No Type: _____
 Name(s) of person(s) involved, if known: _____

Police Involvement:
 Date of Contact: _____ Date of Policy Investigation at school: _____
 Name of Investigating Officer: _____
 Additional Information:

School Actions: (specify)

 Parent(s) Notified: Yes No Suspension Expulsion Other _____
 Attach copy of letter of suspension or expulsion.

Date of Inclusion in OSR

Principal/Designate Signature

Information Collection Authorization
Notice of Collection: The personal information you have provided on this form and any other correspondence relating to your involvement in our programs is collected by the District School Board under the authority of the Education Act (R.S.O. 1990 c.E.2) ss. 58.5, 265 and 266 as amended and in accordance with Section 29(2) of the Municipal Freedom and Protection of Privacy Act, 1989. The information will be used to register and place the student in a school, or for a consistent purpose such as the allocation of staff and resources and to give information to employees to carry out their job duties. In addition, the information may be used to deal with matters of health and safety or discipline and is required to be disclosed in compelling circumstances or for law enforcement matters or in accordance with any other Act. The information will be used in accordance with the Education Act, the regulations, and guidelines issued by the Minister of Education governing the establishment, maintenance, use, retention, transfer and disposal of pupil records. If you have any questions, please contact the school principal and/or the Freedom of Information Officer, Brant Haldimand Norfolk Catholic District School Board, 322 Fairview Drive, Brantford, ON, N3T 5M8 (Telephone 519-756-6505, ext. 234).



BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD SUSPENSION AND EXPULSION RECORD FORM

Directions: Principals/Vice Principals are to complete the following form for each suspension/expulsion and forward to the school secretary for entry into the Student Management System.

School: _____ Student Name: _____ Student DOB: _____

Student OEN: _____ Student Pupil Number: _____

Student's Teacher(s): _____

Date of Incident: _____ Time of Incident: _____ Incident No. (PowerSchool): _____

Reported By: _____ Action Assigned by: _____

Print Name

Print Name

Incident/Offense Type: (please circle the appropriate incident type)

Suspension

The infractions for which a suspension may be imposed include:

1. uttering a threat to inflict serious bodily harm on another person;
2. possessing alcohol, cannabis, narcotics or any other drug that is used for the purpose of intoxication;
3. being under the influence of alcohol, cannabis, narcotics or any other drug that is used for the purpose of intoxication;
4. swearing at a teacher or at another person in a position of authority;
5. committing an act of vandalism that causes extensive damage to school property at the student's school or to property located on the premises of the student's school;
6. bullying;
7. conduct injurious to the moral tone of the school;
8. conduct injurious to the physical or mental well-being of members of the school community;
9. use of improper or profane language;
10. persistent truancy
11. opposition to authority
12. habitual neglect of duty;
13. discrimination and harassment;
14. extortion;
15. theft; and/or
16. inciting other students to act with physical violence upon another person.

Suspension Pending Expulsion

The infractions for which a principal may consider recommending to the Board that a pupil be expelled from the pupil's school or from all schools of the Board include:

1. Possessing a weapon including possessing a firearm;
2. Using a weapon to cause or to threaten bodily harm to another person;
3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
4. Committing sexual assault;
5. Trafficking in weapons or in illegal drugs;
6. Committing robbery;
7. Giving alcohol, cannabis, narcotics or any other drug that is used for the purpose of intoxication to a minor;
8. Bullying (if the student has been previously suspended for engaging in bullying and the student's continuing presence in the school creates an unacceptable risk to the safety of another person)
9. Any act leading to a suspension (see Section 3.1) 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.
10. 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;
11. A pattern of behaviour that is so inappropriate that the pupil's continued presence is injurious to the effective learning and/or working environment of others;
12. Activities engaged in by the pupil on or off school property that cause the pupil'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;
13. Activities engaged in by the pupil 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; and/or
14. The pupil has demonstrated through a pattern of behaviour that s/he has not prospered by the instruction available to him or her and that s/he is persistently resistant to making changes in behaviour which would



BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD SUSPENSION AND EXPULSION RECORD FORM

Weapon Type: (select one or more if applicable) Knife Gun Physical Other

Number of Days Suspended/Expelled: _____

Note: If suspension is 6 days or more, Program Information MUST be completed in the Program Information section below.

Dates Suspended/Expelled: From _____ to _____

Incident Description: (Principal, Vice Principal narrative)

Incident Site: (select one)

Note: Description of the incident is to be entered in the Student Management System School Incident Details screen only. DO NOT include in the suspension letter.

- | | |
|--|---|
| <input type="checkbox"/> Bleachers | <input type="checkbox"/> Cafeteria/Lunch Room |
| <input type="checkbox"/> Change Room | <input type="checkbox"/> Classroom |
| <input type="checkbox"/> Gymnasium | <input type="checkbox"/> Hallway |
| <input type="checkbox"/> Laboratory | <input type="checkbox"/> Library |
| <input type="checkbox"/> Off Site | <input type="checkbox"/> Office |
| <input type="checkbox"/> Parking Lot | <input type="checkbox"/> Portable |
| <input type="checkbox"/> School Bus | <input type="checkbox"/> School Grounds |
| <input type="checkbox"/> School Trip/Excursion | <input type="checkbox"/> Sports Events |
| <input type="checkbox"/> Staircase | <input type="checkbox"/> Swimming Pool |
| <input type="checkbox"/> Washroom | <input type="checkbox"/> Other |

Parent/Guardian Contacted: Yes No (Phone Letter Email) **Time:** _____

Police Contacted: Yes No

Officer's Name: _____ **Badge #:** _____

Police Department: _____

Suspension/Expulsion Program Information

- Action Location:** Academic Only (6-10 day Suspension where student was not referred to Program)
 Both Academic & Non-Academic (6-10 day Suspension where student was referred to Program)
 Both Academic & Non-Academic (11 or more days – Program referral is mandatory)

- | | | | | |
|--|---|---------------------------------------|---|--|
| Non Academic Program Referral Type: | <input type="checkbox"/> Anger Management | <input type="checkbox"/> Drug/Alcohol | <input type="checkbox"/> Family Counselling | |
| | <input type="checkbox"/> Life Skills | <input type="checkbox"/> Other | <input type="checkbox"/> Individual Counselling | |
| Disposition: | Suspensions | <input type="checkbox"/> Attended | <input type="checkbox"/> *On-going | <input type="checkbox"/> Did not attend |
| | Expulsions | <input type="checkbox"/> Completed | <input type="checkbox"/> *On-going | <input type="checkbox"/> Did not attend <input type="checkbox"/> No Longer Attending |

**On-going is selected when Non-Academic Program is interrupted by summer or Christmas vacation.*

Principal/VP Signature: _____ **Date Incident Entered in Student Management System:** _____

Information Collection Authorization

Notice of Collection: The personal information you have provided on this form and any other correspondence relating to your involvement in our programs is collected by the District School Board under the authority of the Education Act (R.S.O. 1990 c.E.2) ss. 58.5, 265 and 266 as amended and in accordance with Section 29(2) of the Municipal Freedom and Protection of Privacy Act, 1989. The information will be used to register and place the student in a school, or for a consistent purpose such as the allocation of staff and resources and to give information to employees to carry out their job duties. In addition, the information may be used to deal with matters of health and safety or discipline and is required to be disclosed in compelling circumstances or for law enforcement matters or in accordance with any other Act. The information will be used in accordance with the Education Act, the regulations, and guidelines issued by the Minister of Education governing the establishment, maintenance, use, retention, transfer and disposal of pupil records. If you have any questions, please contact the school principal and/or the Freedom of Information Officer, Brant Haldimand Norfolk Catholic District School Board, 322 Fairview Drive, Brantford, ON, N3T 5M8 (Telephone 519-756-6505, Ext. 234).

Suspension Letter
[on the Letterhead of the School]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: Suspension of [Pupil's Name], [DOB] from [Name of School]

[You/Pupil's Name] [have/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, i.e. [number] school days. This suspension applies to all school buildings, grounds, school buses, school functions, activities and trips. [You/Pupil's Name] may return to school on [Date] at [Time]. [You/Pupil's Name] must report to the office before returning to class.

This suspension is made in accordance with the Board's Student Behaviour, Discipline and Safety Policy 200.09. The reason for the suspension is [use infraction applicable]. School work is available at the office. Please make arrangements to have it picked up.

Should you wish to appeal this suspension, you must provide written notice of your intention to appeal to the Director of Education, 322 Fairview Drive, Brantford, ON N3T 5M8 within 10 school days of the commencement of the suspension. A Superintendent of Education will contact you to discuss the appeal. Please be aware that the suspension must be served even if an appeal is submitted. A copy of the Board's Suspension Appeal Guideline is enclosed.

Sincerely,

[Principal]

Enclosure

c: Superintendent of Education (Elementary School suspensions only)
Ontario Student Record

Suspension Letter
[on the Letterhead of the School]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: Suspension of [Pupil's Name], [DOB] from [Name of School]

[You/Pupil's Name] [have/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, i.e. [number] school days. This suspension applies to all school buildings, grounds, school buses, school functions, activities and trips. [You/Pupil's Name] may return to school on [Date] at [Time]. [You/Pupil's Name] must report to the office before returning to class.

This suspension is made in accordance with the Board's Student Behaviour, Discipline and Safety Policy 200.09. The reason for the suspension is [use infraction applicable]. School work is available at the office. Please make arrangements to have it picked up.

In addition, [you/pupil's name] [have/has] been assigned an Alternative Suspension Program, a program for suspended pupils. This Alternative Suspension Program will provide an opportunity for continued academic work to assist with the re-entry to school.

Please confirm [your/pupil's name] participation in an Alternative Suspension Program at your earliest opportunity by contacting the School. As soon as notice of [your/pupil's name] participation is received, a planning meeting will be scheduled to develop a Student Action Plan (SAP).

Should you wish to appeal this suspension, you must provide written notice of your intention to appeal to the Director of Education, 322 Fairview Drive, Brantford, ON N3T 5M8 within 10 school days of the commencement of the suspension. A Superintendent of Education will contact you to discuss the appeal. Please be aware that the suspension must be served even if an appeal is submitted. A copy of the Board's Suspension Appeal Guideline is enclosed.

Sincerely,

[Principal]

Enclosure

c: Superintendent of Education
Ontario Student Record

Suspension Letter
[on the Letterhead of the School]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: Suspension of [Pupil's Name], [DOB] from [Name of School]

[You/Pupil's Name] [have/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, i.e. [number] school days. This suspension applies to all school buildings, grounds, school buses, school functions, activities and trips. [You/Pupil's Name] may return to school on [Date] at [Time]. [You/Pupil's Name] must report to the office before returning to class.

This suspension is imposed in accordance with the Board's Student Behaviour, Discipline and Safety Policy 200.09. The reason for the suspension is [use infraction applicable]. School work is available at the office. Please make arrangements to have it picked up.

In addition, [you/pupil's name] [have/has] been assigned an Alternative Suspension Program, a program for suspended pupils. This Alternative Suspension Program will provide an opportunity for continued academic work and support for self-management to assist with the re-entry to school.

Please confirm [your/pupil's name] participation in an Alternative Suspension Program at your earliest opportunity by contacting the School. As soon as notice of [your/pupil's name] participation is received, a planning meeting will be scheduled to develop a Student Action Plan (SAP).

Should you wish to appeal this suspension, you must provide written notice of your intention to appeal to the Director of Education, 322 Fairview Drive, Brantford, ON N3T 5M8 within 10 school days of the commencement of the suspension. The Superintendent of Education will contact you to discuss the appeal. Please be aware that the suspension must be served even if an appeal is submitted. A copy of the Board's Suspension Appeal Guideline is enclosed.

Sincerely,

[Principal]

Enclosure

c: Superintendent of Education
Ontario Student Record

Notice of Suspension Review
[on the letterhead of the Board]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/ Parent's/Guardian's Name]:

Re: Suspension of [Pupil's Name], [DOB] from [Name of School]

I am in receipt of your notice of intention to appeal [your/Pupil's Name] suspension from [Name of School], dated [insert date]. [You/Pupil'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 Principal [Name], either confirm, 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 info].

Sincerely,

[Name]

Superintendent of Education

c: Principal

Suspension Review Decision
[on the letterhead of the Board]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/ Parent's/Guardian's Name]:

Re: Suspension Review of Suspension of [Pupil's Name], [DOB] from [Name of School]

I have completed my review of [your/pupil's name] suspension from [Name of School]. As a result of my review, I have decided to [expunge/modify/uphold] the suspension.

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

Sincerely,

[Name]

Superintendent of Education

c: Principal

Ontario Student Record

Notice of Suspension Appeal
[on the letterhead of the Board]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/ Parent's/Guardian's Name]:

Re: Appeal of Suspension of [Pupil's Name], [DOB] from [Name of School]

You have appealed the decision of Principal [Name] to suspend [you/pupil's name] from [Name of School]. The Appeal will be heard by the Student Discipline Committee of the Board of Trustees at [insert time and date] at [insert location].

You will find enclosed a copy of the Information Package that will be used in the Discipline Hearing. 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. A copy of the Board's Suspension Appeal Guidelines is also enclosed.

Please advise me at your earliest opportunity if you intend to bring legal representation to the appeal.

Please be advised that if you fail to attend on time, the Student Discipline Committee 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,

[Name]
Superintendent of Education

Enclosures

c: Director of Education
Principal
Ontario Student Record

Suspension Appeal Guidelines

The Suspension Appeal shall be held in accordance with the *Education Act*, the Board's Student Behaviour, Discipline and Safety Policy and Administrative Procedures.

1. Appeals of Suspension will be heard by the Student Student Discipline Committee sitting as a committee of three (3) Trustees appointed by the Board. One of the appointed Trustees will be elected Chair of the Student Student Discipline Committee. Appeals will be scheduled by the Superintendent of Education.
2. An adult pupil is a pupil who is 18 years old or older or who is 16 or 17 years old and has withdrawn from parental control.
3. A suspension may be appealed by an adult pupil or the pupil's parent(s)/guardian(s).
4. A person who intends to appeal a suspension must give written notice of his/her intention to appeal the suspension within ten (10) school days of the commencement of the suspension. All appeals will be received by the Director of Education.
5. An individual who appeals a suspension may argue that his/her rights pursuant to the Human Rights Code have been infringed. In addition, a separate right to apply to the Human Rights Tribunal of Ontario exists where an individual believes his/her rights pursuant to the Human Rights Code have been infringed.
6. The suspension must be served even when an appeal is put forth.
7. The Board must hear and/or determine the appeal within fifteen (15) school days of receiving the notice of intention to appeal (unless the parties agree to an extension.)
8. Parties to a Suspension Appeal shall include the adult pupil or the pupil's parent(s)/guardian(s) and the principal. The pupil may also attend the Suspension Appeal.
9. The Superintendent of Education will act as Secretary to the Student Discipline Committee to facilitate the Appeal, ensure that a copy of the principal's report is forwarded to the parent(s)/guardian(s) prior to the Appeal and provided to the Student Discipline Committee at the beginning of the Appeal, and to ensure that any documents, reports and/or submissions prepared by the parent(s)/guardian(s) are provided to the principal at the earliest opportunity and to the Student Discipline Committee at the beginning of the Appeal.
10. A lawyer or agent may represent the parent(s)/guardian(s). Prior notice of a lawyer's or an agent's attendance at the Appeal must be provided to the Superintendent of Education. If prior notice is not provided, the Suspension Appeal may be rescheduled.
11. The Student Discipline Committee and/or the principal may exercise the right to legal counsel.
12. The principal will prepare a report summarizing the incident, the evidence relied upon and the rationale for discipline, including the pupil's disciplinary and academic history, any progressive discipline strategies that have been used and any mitigating and other factors that may be applicable.
13. The Student Discipline Committee of the Board may decide that:
 - a. The suspension was justified and should be upheld; or
 - b. The suspension was justified but that the number of days imposed was too many, in which case the Student Discipline Committee may reduce the length of the suspension and amend the record of suspension accordingly;
 - c. The suspension was justified, but that the record of suspension be removed after a period of time if there are no further incidents requiring discipline;
 - d. The suspension was not justified, in which case the record of suspension will be expunged, and the pupil will be permitted to return to school, if the suspension remains outstanding; or
 - e. Such other order as the Student Discipline Committee considers appropriate.
14. When making their determination, the Student Discipline Committee shall consider:
 - a. The principal's report and submissions;
 - b. The submissions and any other information provided by the parent(s)/guardian(s); and
 - c. The analysis and application of the mitigating and other factors, which may or may not be applicable in other circumstances.
15. The Student Discipline Committee may give such directions or make such orders at a Suspension 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 the direction.
16. The Student Discipline Committee will wait for thirty (30) minutes after the time communicated for the commencement of the Suspension Appeal. If the parent(s)/guardian(s) or representative has not yet attended and notification that they may be late has not been provided, the Student Discipline Committee may proceed to hear the appeal or dismiss the appeal in their absence.

17. The Superintendent of Education will invite the parties into the Student Discipline Committee meeting room and will introduce the parties to the Student Discipline Committee.
18. The Superintendent of Education will introduce the Student Discipline Committee and will indicate:
 - a. That they have been appointed by the Board to hear the matter;
 - b. That they have had no prior involvement with the matter that has come before them;
 - c. That this matter will be heard *In Camera*; and
 - d. That the decision of the Student Discipline Committee is final.
19. The Superintendent of Education will call the Suspension Appeal meeting to order.
20. The Superintendent of Education will outline:
 - a. The process to be followed during a Suspension Appeal; and,
 - b. The matter on appeal before the Student Discipline Committee, including the suspension that was imposed and the infraction for which the pupil was suspended.
21. The Superintendent of Education will distribute copies of the principal's report and any documents submitted by or to be submitted by the parent(s)/guardian(s) to the Student Discipline Committee. The Student Discipline Committee may choose to have a brief recess in order to read the reports and documents.
22. The parent(s)/guardian(s) will be invited to make an oral presentation. Following the presentation:
 - a. Trustees may ask questions of clarification through the Chair; and,
 - b. Administration may ask questions of clarification through the Chair.
23. The pupil will be invited to make a statement on his/her own behalf to the Student Discipline Committee. Following the statement:
 - a. Trustees may ask questions of clarification through the Chair; and,
 - b. Administration may ask questions of clarification through the Chair.
24. Administration will be invited to make a presentation. Following the presentation:
 - a. Either the principal or the Superintendent of Education will review the report provided to the Student Discipline Committee and the parent(s)/guardian(s), and provide any response to the parent(s)/guardian(s)'s presentation;
 - b. Trustees may ask questions of clarification through the Chair;
- c. The parent(s)/guardian(s) may ask questions of clarification through the Chair.
25. The parent(s)/guardian(s) will be invited to respond to Administration's presentation, but only with respect to issues the parent(s)/guardian(s) has not previously addressed.
26. At the conclusion of both presentations, the parent(s)/guardian(s) and Administration will be invited to make summary statements but may not introduce new issues. The Student Discipline Committee may choose to have a brief recess prior to hearing the summary statements.
27. Trustees may ask final questions of clarification.
28. The Superintendent of Education will explain that:
 - a. All persons, except the Student Discipline Committee, will be asked to leave the room while the Trustees deliberate and make their decision;
 - b. The Superintendent of Education will be informed of the decision by the Student Discipline Committee and will relay this decision to the parties at the earliest opportunity.
29. The Superintendent of Education will contact the parties involved by phone the next day with the decision of the Student Discipline Committee. Written notice shall also be provided to the adult pupil or the pupil's parent(s)/guardian(s) informing them of the decision of the Student Discipline Committee.
30. The decision of the Student Discipline Committee is final.



**BRANT HALDIMAND NORFOLK
CATHOLIC DISTRICT SCHOOL BOARD**

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Suspension Appeal Decision of the Student Discipline Committee
[on the letterhead of the Board]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/ Parent's/Guardian's Name]:

Re: Decision of Student Discipline Committee
Suspension Appeal of [Pupil Name], [DOB]
[Name of School]

Please find enclosed a copy of the Decision of the Student Discipline Committee regarding your suspension appeal, dated [insert date].

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

Should you have any questions, please contact me at [insert contact information].

Sincerely,

[Name]

Superintendent of Education

Enclosure

c: Director of Education
Principal
Ontario Student Record

Suspension Appeal Decision of the Student Discipline Committee
[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 Parent/Guardian], of the suspension
of [Pupil Name], a pupil of [School Name]

Decision

UPON being satisfied that the Student Discipline Committee 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 parent/guardian and relationship to pupil] and [Principal 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 STUDENT DISCIPLINE COMMITTEE does hereby [confirm the suspension / confirm the suspension but shorten its duration to [number] school days and amend the record accordingly / quash the suspension and expunge the record / **confirm the suspension but expunge the record on [insert date or event]**].

THE DECISION OF THE STUDENT DISCIPLINE COMMITTEE is final.

DATED this [day] of [Month], [Year] and signed on behalf of the Student Discipline Committee and Board of Trustees by the Chair of the Student Discipline Committee.

Brant Haldimand Norfolk Catholic District School Board

By _____
Chair

Suspension Pending Possible Recommendation for Expulsion
[on the letterhead of the School]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: Suspension of [Pupil's Name], [DOB] from [Name of School]

[You/Pupil's Name] [have/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, i.e. twenty (20) school days. This suspension applies to all school buildings, grounds, school buses, school functions, activities and trips.

Please be advised that this suspension is made in accordance with the Board's Student Behaviour, Discipline and Safety Policy. The reason for the suspension is [use the infraction applicable].

Please be advised that I am continuing my investigation of this matter in order to determine whether to recommend to the Student Discipline Committee of the Board of Trustees that [you/Pupil's Name] be expelled. An expulsion may be from [Name of School] or from all schools of the Board. You will be informed of the results of my investigation in writing.

The Board is committed to the education and future of its pupils. [You/Pupil's name] [have/has] been assigned to an Alternative Suspension Program, a program for suspended pupils. An Alternative Suspension Program provides pupils with the opportunity to continue academic work and receive support for self-management. Please contact the school at your earliest opportunity to confirm [your/pupil's name] participation in an Alternative Suspension Program. As soon as notice of [your/pupil's name] participation is received, a planning meeting will be scheduled.

You do not have the right to appeal the suspension at this time. Should it be determined at the conclusion of the investigation that a recommendation for expulsion will not be made, you will be entitled to appeal the suspension to the Student Discipline Committee of the Board of Trustees within five days following notification of that decision. Should it be determined that a recommendation for expulsion is warranted, then you may address the suspension before the Student Discipline Committee at the expulsion hearing.

Sincerely,

[Name]
Principal

c: Director of Education
Superintendent of Education
Ontario Student Record

Decision Letter Not to Recommend Expulsion
[on the letterhead of the School]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: [Pupil's Name], [DOB] [Name of School] - Expulsion Not Recommended

I am writing to you to report the result of my investigation following [your/ pupil's name] suspension. I have decided not to recommend to the Student Discipline Committee that [you/pupil's name] be expelled. This means [your/pupil's name] will not be subject to an expulsion hearing for the activity that resulted in the suspension.

As part of my investigation, I have reviewed [your/pupil's name] suspension, and I have determined that the suspension should be [confirmed / confirmed but shortened to [INSERT NUMBER] school days and the record amended accordingly / withdrawn and the record expunged].

[*Unless the suspension is withdrawn:] Should you wish to appeal the suspension, you must provide written notice of your intention to appeal the suspension to the Director of Education, 322 Fairview Drive, Brantford, ON N3T 5M8, within five school days of the receipt of this notice, i.e., before [insert date - by courier or mail is 10 school days from date of this letter; by e-mail or fax is six school days from date of this letter].

If you provide notice of your intention to appeal, the Superintendent of Education will contact you to discuss the appeal. If the suspension has been reduced in length, and you choose to appeal, you will be appealing the reduced length suspension. Please be aware that the suspension must be served even if an appeal is submitted. A copy of the Board's Suspension Appeal Guidelines is enclosed.

Sincerely,

[Name]
Principal

Enclosure

c: Director of Education
Superintendent of Education
Ontario Student Record

Notice of Recommendation for Expulsion
[on the letterhead of the School]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: [Pupil's Name], [DOB], [Name of School] Investigation

I am writing to you following my investigation to determine whether to recommend an expulsion. As a result of my investigation, **I have decided to recommend to the Student Discipline Committee of the Board of Trustees that [you/pupil's name] be expelled.**

A copy of my Report to the Student Discipline Committee Recommending Expulsion is enclosed. You may respond to this Report in writing to the Student Discipline Committee or to me. A copy of your written submissions should be provided to the Superintendent of Education [insert name], and mailed to or dropped off at the Catholic Education Centre, PO Box 217, 322 Fairview Drive, Brantford, ON N3T 5M8].

The hearing by the Student Discipline Committee to decide whether [you/pupil's name] should be expelled will be held on [date] at [location] [to be determined by the Director of Education or designate]. The Board's Student Behaviour, Discipline and Safety Policy is posted on the Board's website – www.bhncdsb.ca. A copy of the Student Expulsion Guidelines is attached.

You will be provided with an opportunity to make a presentation to the Student Discipline Committee about whether [you/pupil's name] should be expelled, and whether, if [you/pupil's name] [are/is] expelled, [you/s/he] should be expelled from [School Name] or from all schools of the Board and, if no expulsion is imposed, your position with respect to the suspension.

The Student Discipline Committee will determine whether [you/pupil's name] should be expelled, and whether [your/pupil's name] expulsion should be from [School Name] or from all of the schools of the Board.

If [you/pupil's name] [are/is] expelled from [School Name], the Student Discipline Committee will assign [you/pupil's name] to a program provided at another school of the Board. If [you/pupil's name] [are/is] expelled from all schools of the Board, the Student Discipline Committee will assign [you/pupil's name] to a program for expelled pupils.

Information about both the program that will be provided at another school and the program for expelled pupils is enclosed. Both the program that will be provided at another school and the program for expelled pupils will provide [you/pupil's name] with an opportunity to pursue academic work and receive additional supports.

Should the Student Discipline Committee decide not to expel [you/pupil's name], the Student Discipline Committee will review the suspension. The Student Discipline Committee may confirm the suspension, confirm but shorten the suspension and amend the record accordingly, or withdraw the suspension and expunge the record. The decision of the Student Discipline Committee with respect to the suspension is final and is not subject to appeal.

You may bring legal counsel to represent you before the Student Discipline Committee, which might be funded by Legal Aid, depending upon your circumstances. If you intend to bring legal counsel, please provide notice at your earliest convenience to [Name], Superintendent of Education, Catholic Education Centre, PO Box 217, 322 Fairview Drive, Brantford, ON N3T 5M8.

Please note that the Student Discipline Committee will wait for thirty (30) minutes for your arrival on [Month], [Day], [Year] and, should you fail to attend in a timely manner, the Student Discipline Committee may proceed in your absence.

If [pupil's name] is expelled, you have the right of appeal to the Child & Family Review Board at 416-327-4673 or 1-888-728-8823 within 30 days of receipt of this notice.

The Superintendent of Education will contact you to review the hearing process and answer any questions that you might have.

Sincerely,

[Name]
Principal

Enclosures

c: Director of Education
Superintendent of Education
Ontario Student Record

Student Expulsion Guidelines

The Student Expulsion Guidelines shall be held in accordance with the Education Act and the Board's Student Behaviour, Discipline and Safety Procedures.

1. A principal may consider issuing a suspension pending expulsion, if the pupil engages in the following behaviours:
 - Possessing a weapon including possessing a firearm;
 - Using a weapon to cause or to threaten bodily harm to another person;
 - Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
 - Committing sexual assault;
 - Trafficking in weapons or in illegal drugs;
 - Committing robbery;
 - Giving alcohol, cannabis, narcotics or any other drug that is used for the purpose of intoxication to a minor;
 - Bullying (if the student has been previously suspended for engaging in bullying and the student's continuing presence in the school creates an unacceptable risk to the safety of another person)
 - Any act leading to a suspension (listed in section 4.1 of the Student Behaviour, Discipline and Safety Policy 200.09) 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.
 - 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 pupil's continued presence is injurious to the effective learning and/or working environment of others;
 - Activities engaged in by the pupil on or off school property that cause the pupil'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 pupil 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; and/or
 - The pupil has demonstrated through a pattern of behaviour that s/he has not prospered by the instruction available to him or her and that s/he is persistently resistant to making changes in behaviour which would enable him or her to prosper.
2. A principal must take the following mitigating circumstances into account:
 - The pupil does not have the ability to control his or her behaviour.
 - The pupil does not have the ability to understand the foreseeable consequences of his or her behaviour.
 - The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.
3. A principal shall consider the following other factors if they will mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:
 - The pupil's history.
 - Whether a progressive discipline approach has been used with the pupil.
 - Whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment.
 - How the suspension or expulsion would affect the pupil's ongoing education.
 - The age of the pupil.
 - In the case of a pupil for whom an Individual Education Plan has been developed,
 - i. whether the behaviour was a manifestation of a disability identified in the pupil's Individual Education Plan,
 - ii. whether appropriate individualized accommodation has been provided, and
 - iii. whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.
4. The expulsion hearing may be attended by:
 - The principal who suspended the student
 - The adult pupil or the pupil and his/her parent(s) or guardian(s)
 - Legal counsel may represent the pupil/parent(s)/guardian(s)*
 - Members of the Board's Student Discipline Committee
5. Prior notice and name of legal counsel in attendance at the hearing must be provided to the Director of Education one week before the hearing. If prior notice is not provided, the Expulsion Hearing may be rescheduled.
6. The Board's Student Discipline Committee will hear the expulsion hearing. This committee is composed of two (2) trustees appointed by the board;
 - One trustee will be elected Chair of the Student Discipline Committee;
 - Hearings will be scheduled by a Superintendent of Education;

- The Board will hear the expulsion hearing within 20 school days from the initial suspension, unless the parties agree on a later date.
7. Parent(s)/Guardian(s) will receive from the Superintendent of Education a copy of the Principal's report. The report will include:
 - A summary of the findings the Principal made in the investigation;
 - An analysis of which, if any, mitigating or other factors or human Rights Code related grounds might be applicable;
 - A recommendation of whether the expulsion should be from the school or from the Board; or
 - Recommendation regarding the type of school that would benefit the pupil if the pupil is subject to a school expulsion, or the type of program that might benefit the pupil if the pupil is subject to a Board expulsion.
 8. At the expulsion hearing, the Superintendent of Education will introduce everyone and outline the process to be followed during the hearing:
 - Copies of the Principal's report and any other documentation will be distributed
 - The Principal and/or Superintendent will make a presentation;
 - The parent(s)/guardian(s) will be invited to make an oral presentation;
 - The pupil, if present, will be invited to make a statement;
 - Both parties will be provided an opportunity to make summary statements before the Board's Student Discipline Committee deliberates and makes decision.
 9. In most cases, the Student Discipline Committee's decision will be communicated at the hearing followed by a written notice to the adult pupil or the pupil's parent(s)/guardian(s); otherwise the parties involved will be contacted by phone the following day.
 10. The Board's Student Discipline Committee will decide whether to expel the pupil or not to expel the pupil but maintain the suspension, shorten the suspension or excuse the suspension.
 11. If the student is to be expelled, the Committee will decide if the expulsion is from the student's school or from all schools within the Board.
 12. Expelled pupils are assigned to a program for expelled students.
 13. To appeal the Student Discipline Committee's decision, written notice must be given to the Child and Family Services Review Board within thirty (30) days after the expulsion hearing. The Appeal Notice must include a written statement setting out all of the reasons for the appeal, and a copy of the expulsion decision by the Committee. The Child and Family Services Review Board will hear the expulsion appeal within thirty (30) days of receiving the notice to appeal the expulsion. The decision of the Child and Family Services Review Board is final.

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**BRANT HALDIMAND NORFOLK
CATHOLIC DISTRICT SCHOOL BOARD**

322 Fairview Drive, P.O. Box 217
Brantford, ON N3T 5M8

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www.bhncdsb.ca

Expulsion Decision
[on the letterhead of the Board]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/ Parent's/Guardian's Name]:

Re: Decision of Student Discipline Committee
Expulsion Hearing – [Pupil's Name], [DOB]
[Name of School]

Please find attached the Decision of the Student Discipline Committee, 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 pupil 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 [insert contact information].

Sincerely,

[Name]

Superintendent of Education

Enclosure

c: Director of Education
Principal
Ontario Student Record

Recommendation for Expulsion Decision of the Student Discipline Committee
[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
[Pupil's Name], a pupil of **[School Name]**

Decision

UPON being satisfied that the Student Discipline Committee 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 parent/guardian and relationship to pupil]** and **[Principal 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 parent/guardian 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 STUDENT DISCIPLINE COMMITTEE does hereby impose an expulsion from **[School Name]** and assign the pupil to an educational program at **[School Name]** for the following reason: **[INSERT REASON FOR EXPULSION]** *

***OR**

THE STUDENT DISCIPLINE COMMITTEE does hereby impose an expulsion from all schools of the Board; assign the pupil to the program for expelled pupils; and require that the pupil successfully complete and meet the objectives of the program for expelled pupils before being re-admitted to a regular day school program in Ontario for the following reason: **[INSERT REASON FOR EXPULSION]**.

***OR**

THE STUDENT DISCIPLINE COMMITTEE does not hereby impose an expulsion and does hereby **[confirm the suspension imposed by [Principal Name] / confirm the suspension imposed by [Principal Name] but shorten its duration to [number] school days and amend the record accordingly / quash the suspension and expunge the record]**.

Should you wish to appeal this decision, you may contact the Child and Family Services Review Board within 30 days of receipt of this notice.

DATED this **[day]** of **[Month]**, **[Year]** and signed on behalf of the Student Discipline Committee and Board of Trustees by the Chair of the Student Discipline Committee.

Brant Haldimand Norfolk Catholic District School Board
by _____
Chair



BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD

STUDENT ACTION PLAN (SAP)

STUDENT'S NAME:	SCHOOL:
OEN:	PARENT(S)/GUARDIAN(S):
GRADE:	ADDRESS:
D.O.B.:	TELEPHONE:
	IEP: <input type="checkbox"/> No <input type="checkbox"/> Yes (attach copy)
DATE OF SUSPENSION: _____	LENGTH OF SUSPENSION () days
Suspension Letter attached <input type="checkbox"/> Yes <input type="checkbox"/> No	DATES (inclusive) _____

Suspension Meeting Date: _____

In attendance: _____

Review of SAP Meeting Date: _____

In attendance: _____

Re-Entry Meeting Date: _____

In attendance: _____

- List the progressive discipline steps taken prior to suspension;

- Identify any learning needs that the student has that may have contributed to the infraction.

ACADEMIC COMPONENT

Number of hours of instruction ())

Dates: _____ Time: _____

Location of program: _____

Please provide all materials required to support student success.

Provide the specific program modifications required where necessary.

List courses and expectations:

COURSE/SUBJECT	EXPECTATIONS
1.	
2.	
3.	
4.	

Suspension Program
Declaration of Commitment

I have a responsibility to demonstrate a commitment to the learning process, to honour the School Code of Conduct, and to demonstrate age-appropriate behaviour. My attendance in the suspension program is dependent on my commitment, as demonstrated by my co-operation with the conditions stated below.

1. I will be in full attendance and punctual. If for any reason I cannot attend, I will advise the Suspension Program staff as soon as possible.

Name: _____

Phone Number: _____

2. I will give the required attention to my school work by:
- having the appropriate books and materials with me at all times;
 - completing assignments given during the time spent at the suspension program; and
 - being attentive, cooperative, and productive.

3. I will follow published rules in class and on school property.

4. I will dress appropriately.

5. I will be respectful of fellow students and staff, their rights, and their property.

If I fail to meet the expectations at outlined above, my suspension will be served at home without academic/non-academic support.

I understand that if a review determines that I am failing to comply, then I will be/could be suspended for my lack of co-operation in this program.

Student Signature: _____

Parent(s)/Guardian(s) Signature(s): _____

Principal/Vice Principal Signature: _____

Date: _____

RE-ENTRY MEETING

ACADEMIC REPORT AND RE-ENTRY SUPPORTS

- Classroom Teacher Name: _____ Contact: _____
- SERT Name: _____ Contact: _____
- Peer Name: _____ Contact: _____
- Community Agency Name: _____ Contact: _____
- Safe School's Team Name: _____ Contact: _____
- Chaplain (if applicable) Name: _____ Contact: _____

NON-ACADEMIC SUPPORT REPORT & PLAN

This section is for Secondary Schools ONLY:

This student will be added to the Student Success Team (SST) meeting agenda. Yes No

This student is already on the agenda of the School's SST Meeting. Yes No

Name of Staff member monitoring the student's progress post SAP: _____

_____ Date

_____ Principal (or Designate) Signature

_____ Date

_____ Student's Signature

_____ Date

_____ Parent(s)/Guardian(s)' Signature

Information Collection Authorization

Notice of Collection: The personal information you have provided on this form and any other correspondence relating to your involvement in our programs is collected by the District School Board under the authority of the Education Act (R.S.O. 1990 c.E.2) ss. 58.5, 265 and 266 as amended and in accordance with Section 29(2) of the Municipal Freedom and Protection of Privacy Act, 1989. The information will be used to register and place the student in a school, or for a consistent purpose such as the allocation of staff and resources and to give information to employees to carry out their job duties. In addition, the information may be used to deal with matters of health and safety or discipline and is required to be disclosed in compelling circumstances or for law enforcement matters or in accordance with any other Act. The information will be used in accordance with the Education Act, the regulations, and guidelines issued by the Minister of Education governing the establishment, maintenance, use, retention, transfer and disposal of pupil records. If you have any questions, please contact the school principal and/or the Freedom of Information Officer, Brant Haldimand Norfolk Catholic District School Board, 322 Fairview Drive, Brantford, ON, N3T 5M8 (Telephone 519-756-6505, ext. 234).

**Declaration of Performance
[on the Letterhead of the School]**

[Date]

[Pupil Name]

I agree to comply with the following expectations on my return as a student to [insert the name of School]:

1. I agree to comply with the expectations of the Brant Haldimand Norfolk Catholic 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/illegal substances to solve my problems].

[Student's Name] Signature

Date

Safety Plan

Student Name: _____ **Grade:** _____

School Name: _____ **Administrator:** _____

NOTE: Administrative staff develops this safety plan with individuals in an effort to empower them and to keep them safe. A safety plan needs to be individualized as every individual has unique needs and challenges. Not all parts of the plan apply to all situations.

<p>1. Schedule Changes <i>(For instance, what if there's only one AP English course or Grade 8 class in the school and both individuals in conflict take the course or are in the same class. Are schedule changes necessary? If yes, who will notify teachers? Attach revised schedules.)</i></p>
<p>2. School Arrival <i>(Change in time, entrance, transportation, with whom, etc.)</i></p>
<p>3. School Bus Transportation <i>(Bus stop, seating arrangement on bus, etc.)</i></p>
<p>4. Locker <i>(Is there a gym locker as well? How will the student access their locker, i.e., five minutes early?)</i></p>
<p>5. Lunch <i>(Is the cafeteria safe? Will the victim experience retaliation from friends of the perpetrator? Can the eating schedule be changed?)</i></p>
<p>6. Route Change <i>(Include places to avoid/watch for, after-school activities and team schedules, travel to and from school, class, etc.)</i></p>
<p>7. School Departure <i>(Time, entrance, designated friend, etc.)</i></p>