



**BRANT HALDIMAND NORFOLK  
Catholic District School Board**

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

---

**Policy Committee  
Wednesday, January 13, 2016 ♦ 4:30 p.m.  
Boardroom**

**Members:** Cliff Casey (Chair), Bill Chopp, Dan Dignard, Carol Luciani, Bonnie McKinnon, Rick Petrella

Chris N. Roehrig (Director of Education & Secretary); Thomas R. Grice (Superintendent of Business & Treasurer), Patrick Daly, Michelle Shypula and Leslie Telfer (Superintendents of Education)

---

**1. Opening Business**

1.1 Opening Prayer – Cliff Casey

1.2 Attendance

1.3 Approval of the Agenda

Page 1

1.4 Approval of Minutes from the Policy Committee Meeting – October 14, 2015

Pages 2-4

1.5 Business Arising from the Minutes

**2. Committee and Staff Reports**

2.1 Public Concerns Policy 400.10 (*new*)

Pages 5-8

Presenter: Chris N. Roehrig, Director of Education & Secretary

2.2 Student Behaviour, Discipline and Safety Policy 200.09 (*new*)

Pages 9-71

Presenter: Chris N. Roehrig, Director of Education & Secretary

2.3 Board By-Laws (revised)

Pages 72-101

Presenter: Chris N. Roehrig, Director of Education & Secretary

**3. Discussion Items - Nil**

**4. Trustee Inquiries**

**5. Adjournment**

---

**Next meeting:** At the call of the Chair



**Policy Committee**  
**Tuesday, October 14, 2015 ♦ 4:00 p.m.**  
**Boardroom**

**Trustees:**

**Present:** Cliff Casey (Chair), Bill Chopp, Carol Luciani, Bonnie McKinnon, Rick Petrella

**Absent:** Dan Dignard

**Senior Administration:**

Chris N. Roehrig (Director of Education & Secretary), Thomas R. Grice (Superintendent of Business & Treasurer), Patrick Daly (Superintendent of Education)

---

**1. Opening Business**

**1.1 Opening Prayer**

The meeting opened with prayer led by Chair Casey.

**1.2 Attendance**

As noted above.

**1.3 Approval of the Agenda**

Moved by: Rick Petrella

Seconded by: Carol Luciani

THAT the Policy Committee approves the agenda of the October 14, 2015 meeting.

**Carried**

**1.4 Approval of the Policy Committee Meeting Minutes – June 18, 2015**

Moved by: Bonnie McKinnon

Seconded by: Carol Luciani

THAT the Policy Committee approves the minutes of the June 18, 2015 meeting.

**Carried**

**1.5 Business Arising - Nil**

**2. Committee and Staff Reports**

**2.1 Pupil Accommodation Review Policy 400.16 (revised)**

Superintendent Grice reviewed the salient points of the revised Pupil Accommodation Review policy and administrative procedure, resulting from the Ministry's third revision to the Pupil Accommodation Review Guideline (PARG) released in March 2015. He noted that the revised legislation aims to further streamline the process and to ensure that decisions made by a school board regarding the future of a school(s) is made with the involvement of an informed local community and is based on a broad range of criteria regarding the quality of the learning



experience for students. Superintendent Grice explained that a new key requirement is an initial pre-consultation stage with local municipal governments and other community partners prior to starting an ARC, and using the data gathered to build on the initial staff report to Board. Other changes include fewer Accommodation Review Committee (ARC) meetings, as well as the composition, mandate and responsibilities of the Accommodation Review Committee. Trustee inquiries and questions of clarification were addressed by Superintendent Grice.

Moved by: Rick Petrella

Seconded by: Carol Luciani

THAT the Policy Committee recommends that the Committee of the Whole refers the revised Pupil Accommodation Review Policy and Administrative Procedure 400.16 to the Brant Haldimand Norfolk Catholic District School Board for approval.

**Carried**

## **2.2 Community Planning and Facility Partnerships Policy 400.02 (revised)**

Superintendent Grice reported that the Ministry's revised Community Planning and Partnerships Guideline (CPPG), released in March 2015, supports the formation/expansion of cooperative and collaborative relationships/partnerships between school boards and community organizations to maximize usage of public buildings, reduce facility operating costs, and improve service delivery. Superintendent Grice noted that the Board will now hold an annual public meeting involving local municipalities and community partners to discuss potential planning and partnership opportunities. He added that these discussions will also explore options to address underutilized space issues in schools and will inform staff proposals to the Board, including recommendations to undertake a pupil accommodation review process.

Moved by: Rick Petrella

Seconded by: Bonnie McKinnon

THAT the Policy Committee recommends that the Committee of the Whole refers the revised Community Planning and Facility Partnerships Policy to the Brant Haldimand Norfolk Catholic District School Board for approval.

**Carried**

## **2.3 Public Concerns Policy 400.10 (new)**

Director Roehrig reported that effective September 1, 2015, school boards fall under the jurisdiction of the Ontario Ombudsman, an independent officer of the Legislature. He explained that the public may now file complaints about Ontario school boards, but the Ombudsman will not investigate a complaint if the complainant has not exhausted the school board's complaint procedures or if the complainant does not have a substantial personal interest or a direct connection to the matter. The role of the Ombudsman is to mediate conflict between the complainant and the Board and to make recommendations to the organization highlighting areas that could be improved. Director Roehrig commented that the proposed Public Concerns policy will help guide the public in dealing with and hopefully resolving complaints at the local level. He drew attention to the handling of privacy, as well as the role of trustees in assisting constituents with concerns.

Trustee Petrella expressed his concern with the wording of the Role of Trustees' section, namely, the last sentence which, in his opinion, implies that a trustee cannot represent or advocate for a ratepayer who comes to him/her with a concern. He and other trustees added that, under Bill 177, and as voiced by OCSTA, it is the trustee's role to bring concerns of parents



to the attention of the Board. Director Roehrig advised that the language was provided by legal counsel, but agreed to revisit the wording so that it reflects Bill 177, but provides latitude for trustees to bring concerns forward so they can be resolved. The revised wording will be reviewed at the next Policy Committee meeting.

**2.4 Support for Transgendered Students AP 200.48 (new)**

Director Roehrig reviewed this new Administrative Procedure which aims to support staff should a request for accommodation be received to support a student's gender identity and gender expression. The procedure draws from a toolkit developed by the Diocese of Hamilton's Partnership Committee. In response to inquiries from Trustees Chopp and Petrella, Director Roehrig will give additional consideration to where Accommodation Request forms will be kept on file, if/when this information might be purged, and if a similar procedure should be developed for employees.

Moved by: Carol Luciani

Seconded by: Bonnie McKinnon

THAT the Policy Committee recommends that the Committee of the Whole refers the Support for Transgendered Students Administration Procedure 200.48 to the Brant Haldimand Norfolk Catholic District School Board for receipt.

**Carried**

**3. Information Items – Nil**

**4. Trustee Inquiries**

Trustee Petrella advised that as per the revised Trustee Expenses policy, trustee expenses will be publically reported next month. He added that when reviewing the data, he noted discrepancies on cell phone calling plans/usage. Superintendent Grice explained that although the Board has one standard plan, it is how the plan is used by individuals that results in varying levels of expenses, i.e., the amount of data used monthly and out-of-country calls. Trustee Petrella proposed the following motion:

Moved by: Rick Petrella

Seconded by: Bonnie McKinnon

THAT all trustee cell phone plans be changed to Canada Wide unlimited voice and text, with a reasonable amount of data. Any outside-Canada charges, such as U.S. or international long distance, texting or roaming charges, will not be reimbursed by the Board.

**Carried**

**5. Adjournment**

Moved by: Bonnie McKinnon

Seconded by: Carol Luciani

THAT the Policy Committee adjourns the meeting of October 14, 2015.

**Carried**

## REPORT TO THE BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD POLICY COMMITTEE

Prepared by: Chris N. Roehrig, Director of Education & Secretary  
Presented to: Policy Committee  
Submitted on: January 13, 2016  
Submitted by: Chris N. Roehrig, Director of Education & Secretary

### PUBLIC CONCERNS Public Session

---

#### **BACKGROUND INFORMATION:**

At the October Policy Committee meeting, the Director of Education presented a draft Public Concerns Policy using a template that was developed by legal counsel. The Policy Committee sent the policy back to staff to clarify the language around their view of the advocacy role of the trustee in relation to ratepayer/parent concerns.

#### **DEVELOPMENTS:**

The revisions to the draft policy are in Article 4.0 (Role of Trustee) of the Administrative Procedure. The changes include a reference from the *Good Governance* document provided by the Ontario Education Service Corporation in relation to dealing with public concerns. Changes of the term 'shall' to 'should' in relation to facilitating communication between parents and staff and a change of 'shall' to 'should' in relation to referring parents with concerns to appropriate persons or steps in the process (as they relate to Board policy and procedures).

This Policy and Administrative Procedure was vetted by all Administrators and Managers, School Advisory Council Chairs, Union Presidents, SEAC Chair, and the Student Senate.

#### **RECOMMENDATION:**

THAT the Policy Committee recommends that the Committee of the Whole refers the Public Concerns Policy 400.10 to the Brant Haldimand Norfolk Catholic District School Board for approval.



**Policy: Public Concerns**

|                                 |     |                              |            |
|---------------------------------|-----|------------------------------|------------|
|                                 |     | <b>Policy Number:</b>        | 400.10     |
| <b>Adopted:</b>                 | TBD | <b>Former Policy Number:</b> | n/a        |
| <b>Revised:</b>                 | n/a | <b>Policy Category:</b>      | Operations |
| <b>Subsequent Review Dates:</b> | n/a | <b>Pages:</b>                | 1          |

**Belief Statement:**

The Brant Haldimand Norfolk Catholic District School Board is guided by Catholic virtues. In particular, dealing with public concerns ought to be inspired by the cardinal virtues of prudence, justice, fortitude and temperance. The Brant Haldimand Norfolk Catholic District School Board believes that the process of public concerns is an opportunity to improve relationships with our parents, students and community. It is the practice of the Brant Haldimand Norfolk Catholic District School Board that public concerns and questions should be dealt with at the level closest to the issue.

**Policy Statement:**

It is the policy of the Board to encourage a strong relationship with parents, students and community. The Board is committed to addressing public concerns in a fair, respectful and effective manner. The Board shall establish a protocol for dealing with public concerns through an administrative procedure.

**Glossary of Key Policy Terms:**

**Prudence**

Knowing the right thing to do and choosing it in each situation.

**Justice:**

Our constant and permanent determination to seek the good of others.

**Fortitude**

The ability to choose what is right, even in the face of difficulty.

**Temperance**

The ability to have balance and self-control in the living out of one’s life.

**References**

The Ombudsman Act

The Brant Haldimand Norfolk Catholic District School Board *Growing in Virtue* document

[http://www.bhncdsb.ca/sites/2015-16/files/resources/catholicity/Growing\\_in\\_Virtue\\_document\\_website.pdf](http://www.bhncdsb.ca/sites/2015-16/files/resources/catholicity/Growing_in_Virtue_document_website.pdf)

Bill 177 – Student Achievement and School Board Governance Act



---

## Public Concerns AP 400.10

**Procedure for:** Parents/Guardians, Trustees, and All Employees  
**Submitted by:** Chris N. Roehrig – Director of Education  
**Category:** Operations

**Adopted:** Month, dd, yyyy  
**Revised:** N/A

### Purpose

The purpose of this Administrative Procedure is to provide guidance regarding the process for handling concerns.

### Responsibilities

Parents have a responsibility to follow the policy/administrative procedure of the Board in relation to conveying concerns. In particular parents and other stakeholders should deal with concerns at the closest level to the issue. Trustees and employees are responsible for following the policy and procedures for dealing with concerns raised by the public.

### Procedures

#### 1.0 Protocol

If a parent/guardian has a concern about a school matter, the following procedures for review of the issue are available to the parent/guardian:

##### Step 1: Review of the Issue with the Child's Teacher

The parent/guardian should review a concern or issue with the classroom teacher at a mutually convenient time.

##### Step 2: Review by the School Principal

If the parent/guardian and the teacher are not able to resolve the issue, the parent/guardian may request that the matter be reviewed by the school principal (or designate). The principal (or designate) will review the issues and work to resolve the matter as quickly as possible.

##### Step 3: Review by the Superintendent of Education

If the parent/guardian and the school principal are not able to resolve the issue, the parent/guardian may request that the matter be reviewed by the school's Superintendent of Education. The Superintendent will review the matter as it relates to established policies and procedures and will respond to the parent/guardian about his/her concern.

##### Step 4: Review by Director of Education

If the parent/guardian and the Superintendent are not able to resolve the issue, the parent/guardian may request the matter be reviewed by the Director of Education. The Director of Education (or designate) will review the matter and respond to the parent/guardian about the concerns.

#### 2.0 Representatives of Parents/Guardians

From time to time the parent/guardian may believe or feel that they need support in order that they can adequately address their child's interests. This support may be necessary while parents/guardians are attending meetings with the staff employed by the Board.

1. *Good Governance: A Guide for Trustees, School Boards, Directors of Education and Communities* – The Ontario Education Services Corporation (2014).



- 2.1 Parents/guardians have the right to have a representative of their choosing in attendance at meetings with staff, subject to any limitations established in these procedures. Any costs/expenses associated with such a representative are the responsibility of the parents/guardians.
- 2.2 Principals, staff and parents/guardians will be notified in advance of a meeting as to who is anticipated to be in attendance.
- 2.3 A representative supporting the parents/guardians must agree, at the outset of or in advance of the meeting, to respect and maintain the confidentiality of any matter discussed at a meeting between parents/guardians and staff.

### 3.0 Matters That Should Not Be Discussed with Staff

Although the subject matter of meetings between parents/guardians and staff (including meetings at which a representative or a parent/guardian is present) may be fairly broad, these meetings will generally relate to the education of the parents'/guardians' students(s) at the school in question. However, there are certain matters that staff are unable to discuss with parents or guardians.

- 3.1 Such matters that cannot be discussed include, for example, personal details or disciplinary measures concerning other student(s), and personal details related to staff or performance issues related to staff.
- 3.2 In the event that discussion cannot be limited to the subject matter that led to the meeting (generally the education of the parents'/guardians' student(s) at the school in question), as necessary, staff will bring closure to any meeting which becomes a discussion of personal details concerning other students or personal details about staff or issues relating to staff performance.

### 4.0 Role of Trustees

Parents or guardians may contact trustees at any time. Trustees may act on constituent complaints to help find a resolution by working with appropriate staff (usually the Director of Education or designate).<sup>1</sup> Trustees concern themselves with the implementation of their Board Policies and Procedures as they relate to parent or ratepayer complaints. Trustees will should facilitate the communication process between the parent/guardian and the appropriate staff and provide information and direction. Trustees shall should direct the parent or guardian to the process which should be followed in resolving any concerns or to the appropriate person or step in the process (dependent on the steps the parents/guardians have already undertaken to resolve the concerns at the time the trustee is contacted), but shall not act as a representative of the parents or guardians.

### 5.0 Role of School Councils

School Councils were established to advise Principals on matters such as the school curriculum and code of student behaviour. They are not forums to discuss individual parent/guardian-teacher-student issues. Any of these matters brought to a School Council member or any School Council meeting will be referred immediately to the Principal.

Definitions – N/A

### References

The Ombudsman Act  
The Brant Haldimand Norfolk Catholic District School Board Virtues document  
[http://www.bhncdsb.ca/sites/2015-16/files/resources/catholicity/Growing\\_in\\_Virtue\\_document\\_website.pdf](http://www.bhncdsb.ca/sites/2015-16/files/resources/catholicity/Growing_in_Virtue_document_website.pdf)  
The Education Act

1. *Good Governance: A Guide for Trustees, School Boards, Directors of Education and Communities* – The Ontario Education Services Corporation (2014).



## REPORT TO THE BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD POLICY COMMITTEE

Prepared by: Chris N. Roehrig, Director of Education & Secretary  
Presented to: Policy Committee  
Submitted on: January 13, 2016  
Submitted by: Chris N. Roehrig, Director of Education & Secretary

# STUDENT BEHAVIOUR, DISCIPLINE AND SAFETY POLICY

Public Session

---

### **BACKGROUND INFORMATION:**

Over the past ten years, a variety of policies and procedures have been developed to address student behaviour, discipline and safety. These policies and procedures were developed in the area commonly known as 'safe schools'. The 'safe schools' constellation of policies and procedures included the Code of Conduct Policy, Safe Schools Policy, Student Discipline Policy, Bullying Prevention and Intervention Policy, and Program for Students on Long-Term Suspension and for Expelled Students Policy. Furthermore, a variety of Ministry Policy Program Memoranda, as well as the Education Act, are in place to guide the work of school districts in this area.

### **DEVELOPMENTS:**

Due to the variety and scope of policies, memoranda, statutes and regulations that impact upon how schools deal with student discipline, it was prudent to compile and integrate all of these legal aspects and combine them into one policy to improve the ability of our principals to implement policy to assist in creating safe schools.

This integration project took a considerable amount of effort. Initially, a small committee of principals began work on this project two years ago and made some headway in reducing the overlap of existing policies. After consulting with our legal counsel, it was confirmed that a single policy would suffice and the Director of Education began the process of full integration with numerous re-writes. After the initial re-writes, a comprehensive legal analysis was completed to ensure compliance with the Ontario Human Rights Code and the various P/PMs, regulations and statutes of the Education Act. Subsequently, the new policy was reviewed by a legal expert in 'safe schools' and fine-tuned by Superintendent Telfer and Dr. Petruka (Principal of St. Peter School).

The new name for the 'safe schools' constellation of policies comes from the term used in the Education Act. The new *Student Behaviour, Discipline and Safety Policy* integrates all of the existing policies, procedures, Ministry P/PMs, and related regulations and statutes. Furthermore, the new policy has been updated to include delegation of authority provisions that were missing in the previous policies.

According to our legal counsel, this is the first project of its kind in Ontario. It marks a significant improvement upon our previous work because a principal can go to one document to deal with issues of student discipline. Consistent with our recently approved Strategic Plan, this policy change also includes ongoing measures to ensure district and school plans for 'safe schools' are updated regularly based on student and parent consultation and include training for staff to assist in their ability to ensure the safety of our students.

This Policy and Administrative Procedure was vetted by all Supervisory Officers, Administrators, Student Achievement Leaders, Mental Health Lead, School Advisory Council Chairs, Union Presidents, SEAC Chair, Brantford Police Services, and the Student Senate.

**RECOMMENDATIONS:**

- 1) THAT the Policy Committee recommends that the Committee of the Whole refers the rescinding of the following policies to the Brant Haldimand Norfolk Catholic District School Board for approval:
  - 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
- 2) THAT the Policy Committee recommends that the Committee of the Whole refers the Student Behaviour, Discipline and Safety Policy 200.09 to the Brant Haldimand Norfolk Catholic District School Board for approval.



**Policy: Student Behaviour, Discipline and Safety**

|                                 |     |                               |   |
|---------------------------------|-----|-------------------------------|---|
|                                 |     | <b>Policy Number:</b>         | 200.09  |
| <b>Adopted:</b>                 | TBD | <b>Former Policy Numbers:</b> | Code of Conduct – 200.05<br>Safe Schools – 200.25<br>Student Discipline – 200.26<br>Bullying Prevention and Intervention – 200.27<br>Program for Students on Long-Term Suspension<br>and for Expelled Students – 200.28 |
| <b>Revised:</b>                 | N/A | <b>Policy Category:</b>       | Students  |
| <b>Subsequent Review Dates:</b> | TBD | <b>Pages:</b>                 | 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 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 or illegal drugs;
- 3.1.3 being under the influence of alcohol;
- 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 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:**

#### **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

|                       |  |                 |                 |
|-----------------------|--|-----------------|-----------------|
| <b>Procedure for:</b> | Permission Level (i.e., Principals, all staff) | <b>Adopted:</b> | Month, dd, yyyy |
| <b>Submitted by:</b>  | Chris N. Roehrig, Director of Education        | <b>Revised:</b> | N/A             |
| <b>Category:</b>      | 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);
  - 1.2.3 Develop, implement and monitor a Safe and Accepting Schools Plan (SASP) to address student behaviour, discipline and safety;
  - 1.2.4 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 their behaviour or asking the pupil what he/she could do to 'make it right';
  - asking the pupil to promise not to repeat their 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) 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 or illegal drugs;
  - 3.1.3 being under the influence of alcohol;
  - 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.

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 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 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.
  - 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:
    - a) The reason for suspension;
    - b) The duration of the suspension;
    - c) Information about the program for suspended pupils the pupil is assigned to;
    - d) Information about the investigation the Principal is conducting to determine whether to recommend expulsion;
    - e) 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;
  - 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.
- 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.
- 6.4.5 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.
- 6.4.6 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.

- 6.4.7 A teacher-in-charge shall not be delegated authority to suspend a pupil.
- 6.4.8 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.
- 6.4.9 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.
- 6.4.10 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.

#### **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

## **DISTRICT CODE OF CONDUCT**

The Brant Haldimand Norfolk Catholic District School Board is responsible for a safe, inclusive and accepting environment through:

- The implementation of the District Code of Conduct;
- The establishment of appropriate programs and activities;
- The provision of early and ongoing identification and intervention strategies;
- The establishment of progressive discipline programs and strategies;
- The administration of fair and consistent disciplinary action in keeping with the Education Act, Board Policy and other relevant legislation; and
- Staff training in the knowledge, skills and attitudes necessary to develop and maintain safe learning and teaching environments.

The Brant Haldimand Norfolk Catholic District School Board believes 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 right 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.

All community members include students, Board staff, contracted service providers, parents/guardians, community partners, volunteers, visitors and third party users of Board facilities.

### **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 of our Catholic schools and the mission of the Board;
- Demonstrating care for the school community and a commitment to gospel values and academic excellence in a safe, inclusive and accepting teaching and learning environment;
- Holding everyone under their authority accountable for their behaviour and actions;
- Empowering students to be positive leaders in their school, parish and community as outlined in the Ontario Catholic Graduate Expectations;
- Communicating regularly and meaningfully with all members of their school community; and
- Modeling respect and civility for all members of the school community.

## *TEACHERS AND SCHOOL STAFF MEMBERS*

Under the leadership of the principal/vice principal, all school staff share in the responsibility of maintaining order in the school, and are expected to hold everyone to the highest standard of respectful and responsible behaviour. As role models of gospel values, all school staff uphold these high standards by:

- Supporting the mission of our Catholic schools and the mission of the Board;
- Helping students work to their full potential and develop their sense of self-worth;
- Empowering students to be positive leaders in their classroom, school, parish and community;
- 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;
- Preparing students for the full responsibilities of citizenship as outlined in the Ontario Catholic Graduate Expectations; and
- Communicating regularly and meaningfully with parents/guardians.

## *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 behaviour. Respect and responsibility, in keeping with our Catholic values are demonstrated when students:

- Fulfill the Ontario Catholic Graduate Expectations and live the gospel message;
- Come to school prepared, on time, and ready to learn;
- Show respect for themselves, others and those in authority;
- Refrain from bringing anything to school that may compromise the safety of others;
- Follow the established rules and take responsibility for their actions;
- Comply with the school's dress code/uniform policy; and
- Show respect for school property.


## *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:

- Support the mission of our Catholic schools and the mission of the Board;
- Show an active interest in their child's school work and progress;
- Communicate regularly with the school;
- Ensure that their child attends school regularly and on time;
- Help their child be neat, dressed appropriately, and prepared for school;
- Promptly report to the school their child's absence or late arrival;
- Show that they are familiar with the Provincial Code of Conduct, the District Code of Conduct and school rules;
- Encourage and assist their child in following the rules of behaviour; and
- Assist school staff in dealing with disciplinary issues involving their child.

## *COMMUNITY PARTNERS AND THE POLICE*

The police and community partners 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 District Catholic School Board (September 2011).

|  |   |
|--|---|
| Report No: _____                           |  <p style="text-align: center;"><b>Brant Haldimand Norfolk Catholic District School Board</b><br/> <b>SAFE SCHOOLS INCIDENT REPORTING – PART I</b><br/> <b>C O N F I D E N T I A L</b></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) _____<br><input type="checkbox"/> At a school-related activity (please specify) _____<br><input type="checkbox"/> On a school bus (please specify route number) _____<br><input type="checkbox"/> Other (please specify) _____  |
| 3. Time of Incident                        | Date: _____ Time: _____   |
| 4. Type of Incident (check all that apply) | <p><b>Activities for which suspension must be considered (Section 3.1 - Student Behaviour, Discipline and Safety Policy 200.09)</b></p> <input type="checkbox"/> uttering a threat to inflict serious bodily harm on another person;<br><input type="checkbox"/> possessing alcohol or illegal drugs;<br><input type="checkbox"/> being under the influence of alcohol;<br><input type="checkbox"/> swearing at a teacher or at another person in a position of authority;<br><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;<br><input type="checkbox"/> bullying;<br><input type="checkbox"/> conduct injurious to the moral tone of the school;<br><input type="checkbox"/> conduct injurious to the physical or mental well-being of members of the school community;<br><input type="checkbox"/> use of improper or profane language;<br><input type="checkbox"/> persistent truancy;<br><input type="checkbox"/> opposition to authority;<br><input type="checkbox"/> habitual neglect of duty;<br><input type="checkbox"/> discrimination and harassment;<br><input type="checkbox"/> extortion;<br><input type="checkbox"/> theft; and/or<br><input type="checkbox"/> inciting other students to act with physical violence upon another person.<br><br><p><b>Activities for which expulsion must be considered (S 4.1 – Student Behaviour, Discipline and Safety Policy 200.09)</b></p> <input type="checkbox"/> possessing a weapon including possessing a firearm;<br><input type="checkbox"/> using a weapon to cause or to threaten bodily harm to another person;<br><input type="checkbox"/> committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;<br><input type="checkbox"/> committing sexual assault;<br><input type="checkbox"/> trafficking in weapons or in illegal drugs;<br><input type="checkbox"/> committing robbery;<br><input type="checkbox"/> giving alcohol to a minor;<br><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)<br><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.<br><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;<br><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;<br><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;<br><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<br><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**

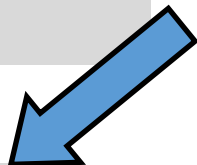
- lunch detention
- In-school suspension
- Accommodations
- Timetabling options
- Learning centre
- Etc.

**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 OEN: \_\_\_\_\_ Student Pupil Number: \_\_\_\_\_

Student's Teacher(s): \_\_\_\_\_

Date of Incident: \_\_\_\_\_ Time of Incident: \_\_\_\_\_

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 or illegal drugs;
3. being under the influence of alcohol;
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 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 enable him or her to prosper.



# 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:**     Anger Management     Drug/Alcohol     Family Counselling  
 Life Skills     Other     Individual Counselling

**Disposition:**    **Suspensions**     Attended     \*On-going     Did not attend  
**Expulsions**     Completed     \*On-going     Did not attend     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 school.

This suspension is made in accordance with the Board's Student Behaviour, Discipline and Safety Policy. 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, i.e. before [Insert Date]. 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: Teacher(s) of pupil  
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 school.

This suspension is made in accordance with the Board's Student Behaviour, Discipline and Safety Policy. 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, i.e. before [Insert Date]. 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: Teacher(s) of pupil  
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 school.

This suspension is imposed in accordance with the Board's Student Behaviour, Discipline and Safety Policy. 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, i.e. before [Insert Date]. 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: Teacher(s) of pupil  
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**

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

19.756.6369  
fo@bhncdsb.ca  
w.bhncdsb.ca

*Excellence in Learning ~ Living in Christ*

**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](http://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 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 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 of 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.

**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:

| <b>COURSE/SUBJECT</b> | <b>EXPECTATIONS</b> |
|-----------------------|---------------------|
| 1.                    |                     |
| 2.                    |                     |
| 3.                    |                     |
| 4.                    |                     |

**NON-ACADEMIC SUPPORT**  
**(Mandatory for 11-20 day suspensions /**  
**Optional for 1-10 day suspensions)**

**Goals of the non-academic supports:**

---

---

---

---

**CYW Support:**     Yes     No

---

---

---

---

**Social Worker Support:**     Yes     No

---

---

---

---

**Community Supports:**

Agency\_\_\_\_\_ Contact Person\_\_\_\_\_

Agency\_\_\_\_\_ Contact Person\_\_\_\_\_

**Non-academic support update:**

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.

1. **Schedule Changes** *(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.)*

2. **School Arrival** *(Change in time, entrance, transportation, with whom, etc.)*

3. **School Bus Transportation** *(Bus stop, seating arrangement on bus, etc.)*

4. **Locker** *(Is there a gym locker as well? How will the student access their locker, i.e., five minutes early?)*

5. **Lunch** *(Is the cafeteria safe? Will the victim experience retaliation from friends of the perpetrator? Can the eating schedule be changed?)*

6. **Route Change** *(Include places to avoid/watch for, after-school activities and team schedules, travel to and from school, class, etc.)*

7. **School Departure** *(Time, entrance, designated friend, etc.)*

## REPORT TO THE BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD POLICY COMMITTEE

Prepared by: Chris N. Roehrig, Director of Education & Secretary  
Presented to: Policy Committee  
Submitted on: January 13, 2016  
Submitted by: Chris N. Roehrig, Director of Education & Secretary

### BOARD BY-LAWS

Public Session

---

#### **BACKGROUND INFORMATION:**

At or about the time of this past year's Annual Meeting of the Board, it became apparent that in an attempt to appoint trustees to positions on 'Board' committees or to fill vacancies, a further analysis of the Board By-Laws was necessary. Over time, the number of committees that trustees have been members of has increased substantially. Furthermore, the previous Board By-Laws did not address the types of committees that trustees of this Board have been interested in serving.

Furthermore, a few minor changes related to Notices of Motion, the Board meeting agendas, the Board seal and additional business pertaining to inaugural/annual meetings were due for revision in order to improve clarity and to update according to current practice.

#### **DEVELOPMENTS:**

In order to ensure that there is a consistent and transparent process to fill trustee positions on committees where trustees are either required or invited, the Board By-Laws have to be revised. In particular, Article 4, which defines the structure of the Board, has reference to committees that interfere with Article 8, which outlines the specifics of Board committees. Article 4 has been revised to describe the aspects of the Board's structure that contribute to its decision making.

Revisions are being suggested to the following aspects of Article 8 include:

- categorization of committees;
- reporting of committees to the Board; and
- membership of committees.

The revised By-Laws have encompassed some customs of the Board that were in place, but not articulated in past By-Laws. For example, the number of committees that Trustees participate in is now eighteen. To accommodate these changes, the By-Laws now delineate between committees that have a policy or governance function (they make decisions), are advisory in nature, or are staff committees/interjurisdictional committees with trustee representation.

The Notices of Motion section (Article 7.5.1) has been changed to reflect better alignment to Roberts' Rules of Order and to clarify that Notices of Motion are dealt with at Board Meetings (as motions to the Board are not dealt with at committee meetings). Furthermore, in an attempt to clarify how this works procedurally, the order of business (agenda framework – Article 7.1) has been modified to clarify separate agenda items for Notices of Motion and motions under consideration for adoption (notices of motion from the previous meeting).

Lastly, a minor revision has been made to Article 11 pertaining to the Board Seal.

#### **RECOMMENDATION:**

THAT the Policy Committee recommends that the Committee of the Whole refers the revised Board By-Laws to the Brant Haldimand Norfolk Catholic District School Board for approval.



# **Brant Haldimand Norfolk Catholic District School Board**

## **BOARD BY-LAWS**

Relating generally to the conduct of the  
operational and procedural affairs  
of the Board

|          |                   |
|----------|-------------------|
| Enacted: | June 8, 1998      |
| Amended: | June 10, 2003     |
|          | January 25, 2005  |
|          | October 23, 2007  |
|          | February 26, 2008 |
|          | April 29, 2009    |
|          | May 25, 2010      |
|          | October 22, 2013  |
|          | June 24, 2014     |
|          | January 27, 2015  |
|          | April 28, 2015    |

Chair of the Board: Rick Petrella

Secretary of the Board: Chris N. Roehrig

# TABLE OF CONTENTS

|  |              |
|--|--------------|
| 1. Preamble.....                             | 1            |
| 2. Interpretation .....                      | 1            |
| 2.1 Definitions and Meaning of Terms .....   | 1            |
| 2.2 Calculation of Majorities .....          | 2            |
| 3. Name and Jurisdiction of the Board .....  | 2            |
| 4. Structure of the Board .....              | 2            |
| 4.1 Board of Trustees .....                  | 2            |
| 4.2 Executive Council.....                   | 3            |
| 4.3 Committee of the Whole.....              | 3            |
| <del>    4.3 Statutory Committees.....</del> | <del>3</del> |
| <del>    4.4 Standing Committees.....</del>  | <del>4</del> |
| <del>    4.5 Ad Hoc Committees.....</del>    | <del>4</del> |
| 5. Officers of the Board .....               | 4            |
| 5.1 Officers of the Board.....               | 4            |
| 5.2 Election of Chair.....                   | 5            |
| 5.3 Election of Vice Chair .....             | 5            |
| 5.4 Officers' Duties and Rights.....         | 5            |
| 6. Meetings of the Board .....               | 7            |
| 6.1 Inaugural and Annual Meetings .....      | 7            |
| 6.2 Regular Meetings of the Board .....      | 8            |
| 6.3 Special Meetings of the Board .....      | 9            |
| 6.4 Electronic Meetings.....                 | 9            |
| 6.5 Quorum for Meetings .....                | 11           |
| 6.6 Notice of Meetings .....                 | 11           |
| 6.7 Maximum Length of Meetings .....         | 11           |
| 6.8 Seating Arrangements .....               | 12           |
| 6.9 Access to Meetings .....                 | 12           |
| 6.10 Delegations .....                       | 12           |

|  |    |
|--|----|
| 7. Conduct of Business for Regular Board and Committee of the Whole Meetings.....  | 13 |
| 7.1 Order of Business .....  | 13 |
| 7.2 Rules of Order .....   | 14 |
| 7.3 Motions and Debate .....   | 14 |
| 7.4 Amendment(s) to Motion .....   | 16 |
| 7.5 Notices of Motion .....  | 16 |
| 7.6 Protocol for Debate .....  | 17 |
| 7.7 Voting Procedures.....   | 18 |
| 8. <del>Committees and Committee Meetings</del> .....                              | 19 |
| Governance, Ad-Hoc and Advisory Committees of the Board .....                      | xx |
| 8.1 Governance Committees of the Board   |    |
| 8.1.1 Accommodations Committee .....   |    |
| 8.1.2 Audit Committee .....  |    |
| 8.1.3 Budget Committee .....   |    |
| 8.1.4 Policy Committee .....   |    |
| 8.1.5 School Year Calendar Committee .....   |    |
| 8.1.6 Student Discipline Committee .....   |    |
| 8.1.7 Student Transportation Services Brant Haldimand Norfolk Board of Trustees... |    |
| 8.1.8 Supervised Alternative Learning (SAL) Committee .....                        |    |
| 8.2 Advisory Committees of the Board   |    |
| 8.2.1 Catholic Education Advisory Committee .....                                  |    |
| 8.2.2 Communications and Information Technology Advisory Committee .....           |    |
| 8.2.3 Legal Expenses Review Committee .....  |    |
| 8.2.4 Special Education Advisory Committee .....                                   |    |
| 8.2.5 Teacher-Trustee Committee .....  |    |
| 8.3 Ad-Hoc Committees of the Board .....   |    |
| 9. District and Interjurisdictional Committees with Trustee Representation .....   |    |
| 9.1 Accessibility Steering Committee .....   |    |
| 9.2 Educational Archives Committee .....   |    |
| 9.3 Joint Use – City of Brantford .....  |    |
| 9.4 Mental Health Steering Committee .....   |    |
| 9.5 Regional Catholic Parent Involvement Committee .....                           |    |

|   |    |
|---|----|
| 10. Access to Records .....               | 20 |
| 11. Execution of Documents .....          | 20 |
| 11.1 Signing Authorities                  | 20 |
| 11.2 Bank Signing Officers.....           | 20 |
| 11.3 Board Seal.....                      | 21 |
| 11.4 <del>Seal Register</del> .....       | 21 |
| 11.4 Board Minutes .....                  | 21 |
| 12. Other Professional Services.....      | 21 |
| 13. Conflict of Interest Guidelines ..... | 21 |
| 14. By-law Amendments .....               | 21 |

**\*\* Page numbers will be adjusted once final edits are made**

## 1.0 PREAMBLE

- 1.1 Pursuant to the provisions of the Education Act and regulations thereunder, the By-laws of the Brant Haldimand Norfolk Catholic District School Board shall regulate the powers and responsibilities of the Board, its officers and committees, and shall be observed for the procedure and dispatch of business at the meetings of the Board and its committees.
- 1.2 Procedural By-Laws of the Brant Haldimand Norfolk Catholic District School Board shall be approved by the Board and reviewed from time to time as directed by the Board or recommended by the Director of Education and Secretary.

## 2.0 INTERPRETATION

### 2.1 Definitions and Meaning of Terms

For this By-Law and all other By-Laws of the Board, unless the context otherwise requires:

- 2.1.1 the singular includes the plural;
- 2.1.2 "ACT" means the Education Act as amended from time to time;
- 2.1.3 "ANNUAL MEETING" means the first meeting held in December of each year, which is not a municipal election year;
- 2.1.4 "BOARD" means the Brant Haldimand Norfolk Catholic District School Board which, in accordance with the Education Act, is a Roman Catholic School Board in union with the See of Rome;
- 2.1.5 "CHAIR" means the Chair of the Board, any Committee or Subcommittee established by the Board;
- 2.1.6 "COMMITTEE" means Committee of the Whole, any special or ad hoc Committee established by the Board;
- 2.1.7 "DIRECTOR OF EDUCATION AND SECRETARY OF THE BOARD" means the Chief Executive Officer of the school Board;
- 2.1.8 "EX-OFFICIO" means by "virtue of office". The Chair of the Board, when acting as "Ex-Officio" to a committee, is counted in the quorum of any committees and has the right to make motions, discuss motions and vote on all questions;
- 2.1.9 "INAUGURAL MEETING" means the first meeting of a newly elected board to be held following a municipal election and the commencement of the term of office;
- 2.1.10 "IN-CAMERA MEETING" means a private meeting of the whole board or a committee from which the public is excluded, as per the Education Act, Section 207 (2);
- 2.1.11 "MEETING" includes a meeting of the Board and of Committees;

- 2.1.12 “OFFICERS” means the Chair of the Board, the Vice Chair of the Board, the Secretary of the Board, and the Treasurer of the Board.
- 2.1.13 “STATUTORY COMMITTEE” means any committee that, by statute, the Board is required to appoint;
- 2.1.14 “STUDENT TRUSTEE” means the person designated as a non-voting trustee of the Board, representing the interests of pupils within the Board on any matters before the Board of Trustees, including but not limited to government legislation and policies or operational practices.
- 2.1.15 “TREASURER” means the person appointed within the Act to fulfill the responsibility of the Treasurer to the Board;
- 2.1.16 “TRUSTEE” means a person elected, acclaimed or appointed to the office of Trustee of the Board pursuant to the provisions of the Municipal Elections Act;
- 2.1.17 “VICE CHAIR” means the Vice Chair of the Board; any Committee or Sub-committee established by the Board;
- 2.1.18 “YEAR” means, unless qualified by word “calendar” or “school year”, the period commencing on the first day of December, and ending on the last day of November next following.

## 2.2 Calculation of Majorities

Whenever in the By-laws of the Board there is provision for a majority of Trustees present or a majority of all Trustees, such majorities shall be calculated as the simple majority, unless otherwise specified.

## 3.0 NAME AND JURISDICTION OF THE BOARD

The name of the Board shall be the “Brant Haldimand Norfolk Catholic District School Board” and it shall have jurisdiction as is provided by the Education Act and Regulations.

## 4.0 STRUCTURE OF THE BOARD

The structure of the Board and its committees will be structured according to the descriptions that follow:

### 4.1 Board of Trustees

- 4.1.1 Composed of six (6) **voting** Trustees **and one non-voting Student Trustee. Performs duties according to the Education Act and Regulations.**
- ~~4.1.2 Performs duties according to the Education Act and Regulations.~~
- ~~4.1.3 All Trustees shall be entitled to notice of, to attend and to speak at all Meetings of all Committees composed only of Trustees, except:~~
- ~~• meetings of salary negotiating committees;~~
  - ~~• meetings of any committee required by any collective agreement; and~~
  - ~~• meetings of the Executive Council.~~

## 4.2 Executive Council

4.2.1 Composed of the Chair of the Board, the Vice Chair of the Board, the Director of Education and Secretary of the Board, and the Superintendent of Business and Treasurer. Functions include reviewing and assisting with the preparation of agendas for Board and Committee of the Whole meetings and system planning, coordination and communication.

- the Chair of the Board;
- the Vice Chair of the Board;
- the Director of Education and Secretary of the Board; and
- the Superintendent of Business and Treasurer.

4.2.2 Functions include reviewing and assisting with the preparation of agendas for Board and Committee of the Whole meetings and system planning, coordination and communication.

## 4.3 Committee of the Whole (Note: wording from 4.4. below)

4.3.1 Composed of all Trustees of the Board, the Director of Education and Superintendents, as required. The Chair of this Committee will be the Chair of the Board. Functions include reviewing educational, operational, policy and financial issues and making recommendations, as necessary, to the Board for approval, unless there are strict timelines that will inherently cost the Board money by delaying passage, or said motion needs to meet Provincial timelines.

## 4.3 Statutory Committees

### 4.3.1 Special Education Advisory Committee (S.E.A.C.)

4.3.1.1 Composed of

- one Trustee of the Board;
- Superintendent of Education (responsible for Special Education); and
- Community Representatives (The composition of Special Education Advisory Committee is outlined in Reg. 464/97, Section 2)

4.3.1.2 Functions include examining, reviewing and making recommendations, as appropriate, relative to the provision of special education programs and services.

### 4.3.2 Supervised Alternative Learning (S.A.L.) Committee

4.3.2.1 Composed of at least

- one (1) Trustee of the Board;
- one (1) Supervisory Officer or designate; and
- one (1) Community Representative (non-employee) appointed by the Supervisory Officer

4.3.2.2 In accordance with Ontario Regulation 374/10, the function of the S.A.L. Committee is to make decisions at meetings regarding Supervised Alternative Learning by pupils of the Board.

#### ~~4.3.3 Discipline Committee~~

~~4.3.3.1 Composed of three (3) trustees.~~

~~4.3.3.2 Established annually and meets monthly or as necessary.~~

~~4.3.3.3 Functions include hearing suspension appeals and expulsion requests.~~

#### ~~4.3.4 Audit Committee~~

~~4.3.4.1 Composed of~~

~~4.3.4.1.1 two (2) trustees~~

~~4.3.4.1.2 Superintendent of Business & Treasurer~~

~~4.3.4.1.3 two external members (3-year term)~~

~~4.3.4.2 Established as per Section 253.1(1) of the Education Act and Regulation 361/10~~

~~4.3.4.3 Meets three times annually, at a minimum.~~

~~4.3.4.4 Functions include assisting the Board of Trustees in fulfilling its duties related to governance and oversight. Duties fall under the following key areas: financial reporting process, internal control framework, risk management practices, performance and function of the Board's internal and external auditors, and the Board's compliance with its obligations under legislation.~~

#### ~~4.4 Standing Committees:~~

##### ~~4.4.1 Committee of the Whole~~

~~4.4.1.1 Composed of~~

~~• Trustees of the Board~~

~~• Director of Education; and~~

~~• Superintendents, as required~~

~~4.4.1.2 Chair of this Committee will be the Chair of the Board~~

~~4.4.2 Functions include reviewing educational, operational, policy and financial issues and making recommendations, as necessary, to the Board for approval, unless there are strict timelines that will inherently cost the Board money by delaying passage, or said motion needs to meet Provincial timelines.~~

#### ~~4.5 Ad-Hoc Committees~~

~~4.5.1 The Board may establish ad-hoc committees as deemed appropriate.~~

~~4.5.2 The establishing motion shall indicate the mandate of the committee, the membership of the committee, and the due date of the final report.~~



## **5.0 OFFICERS OF THE BOARD**

### **5.1 The Officers of the Board shall consist of:**

- the Chair;
- the Vice Chair;
- the Director of Education and Secretary of the Board; and
- the Superintendent of Business and Treasurer.

### **5.2 Election of Chair**

#### **5.2.1 Appointment of Scrutineers**

The presiding officer shall name two (2) scrutineers for the election of officers.

#### **5.2.2 Nomination and Election of Chair**

The Presiding Officer shall conduct the election for the office of the Chair of the Board, which shall be as follows:

#### **5.2.3 Nomination shall be by secret ballot.**

#### **5.2.4 The Presiding Officer shall announce the result of the nominations by declaring the names of those nominated. The nominees will declare their intention. The count shall not be declared.**

#### **5.2.5 Voting shall be conducted by secret ballot.**

#### **5.2.6 The Trustee receiving a clear majority of the votes cast by all Trustees present shall be declared elected.**

#### **5.2.7 Should no candidate receive a clear majority of the votes cast, the name of the candidate receiving the smallest number of votes shall be dropped and the Board shall proceed to vote anew and so continue until the Chair is elected.**

#### **5.2.8 In case of equality of votes (with only two candidates remaining), one more vote shall be taken. If after this vote there is still a tie, the candidates shall draw lots to fill the position as per Section 208(8) of the Education Act.**

#### **5.2.9 The Presiding Officer shall announce the result of the ballot by declaring the name of the Trustee who has received a clear majority of the votes cast and shall not declare the count.**

### **5.3 Election of Vice Chair**

#### **5.3.1 The Chair shall then take the Chair and shall conduct the election for the office of Vice Chair using the same procedures as set out for the election of the office of the Chair.**

#### **5.3.2 At the first meeting after a vacancy occurs in the office of Vice Chair, the vacancy shall be filled by the same method used for the election at the inaugural meeting.**

## 5.4 Officers' Duties and Rights

### 5.4.1 Duties of the Chair (as per Education Act 218.4, 2009, c. 25, s. 25)

- (a) preside over meetings of the board;
- (b) conduct the meetings in accordance with the board's procedures and practices for the conduct of board meetings;
- (c) establish agendas for board meetings, in consultation with the board's director of education or the supervisory officer acting as the board's director of education;
- (d) ensure that members of the board have the information needed for informed discussion of the agenda items;
- (e) act as spokesperson to the public on behalf of the board, unless otherwise determined by the board;
- (f) convey the decisions of the board to the board's director of education or the supervisory officer acting as the board's director of education;
- (g) provide leadership to the board in maintaining the board's focus on the multi-year plan;
- (h) provide leadership to the board in maintaining the board's focus on the board's mission and vision; and
- (i) assume such other responsibilities as may be specified by the board.

In addition to the duties assigned under provincial legislation, and these By-Laws, the Chair shall:

- (j) be a signing officer of the Board as prescribed in the By-Laws; and
- (k) call special meetings of the Board.

### 5.4.2 Rights of the Chair

If eligible by law to vote on a matter, the Chair of the Board, when present, shall:

- be an ex-officio member of all Committees;
- be counted in determining the quorum; and
- have the right to vote at all Committee Meetings; however, the intention to vote must be declared when the item is first on the floor.

### 5.4.3 Duties of the Vice Chair

The Vice Chair, in addition to those duties assigned under provincial legislation and the By-laws, shall:

- in the absence of the Chair, or in the event of the inability of the Chair to act, assume any or all of the duties of the Chair, except those that are precluded by law, By-law, or regulation;
- be a signing officer of the Board as prescribed by the By-laws; and
- perform duties as outlined from time to time by the Chairperson.

### 5.4.4 Rights of the Vice Chair

The Vice Chair, when delegated by or in the absence of the Chair, shall have all powers of the Chair, including the right to vote, if eligible by law to vote on a matter, provided that whenever the Vice Chair exercises any of the powers of the Chair, the absence of, or the delegation by, the Chair shall be presumed.

#### 5.4.5 Duties of the Secretary of the Board

The Secretary of the Board, in person or by designate, in addition to those duties assigned under the provincial legislation and the By-laws, shall:

- attend all meetings of the Board and meetings of Committees;
- prepare minutes of all meetings;
- keep records as required by law and subject to the directions of the Board;
- conduct the official correspondence of the Board;
- receive and pass on to the Board, Committee of the Whole, or the relevant Committee, all correspondence, petition and reports of other officials;
- prepare, in consultation with Executive Council, the draft agenda of all Board, Committee of the Whole, and Committee meetings;
- maintain an up-to-date policy register;
- maintain charge of all correspondence, reports, and other documents;
- promulgate all orders, policies and other directions of the Board and other matters in accordance with requirements of the law;
- bring to the attention of the Board any matter in respect of which, in the opinion of the Secretary, it may be necessary or useful for the Board to be aware; and
- issue verbal or written statements on administrative matters coming under his/her duties and responsibilities; press releases may be issued.

#### 5.4.6 Duties of the Treasurer of the Board

The Treasurer of the Board, in addition to those duties assigned under provincial legislation and the By-laws, shall:

- submit to the Board annually a statement of estimated revenue and expenditures;
- have prepared for submission to the Board the annual financial statements and the auditor's report;
- report annually to the Board particulars of existing insurance bonds expiring during such year with recommendations for renewal; and
- report to the Board from time to time and as required by the Board on all financial matters.

## 6.0 MEETINGS OF THE BOARD

### 6.1 Inaugural and Annual Meetings

#### 6.1.1 Presiding Officer

The Presiding Officer at the Inaugural Meeting and Annual Meeting shall be the Director of Education and Secretary of the Board or designate until the Chair is elected.

#### 6.1.2 Meeting Proceedings

##### 6.1.2.1 Inaugural Meeting

- The Inaugural Meeting to be held in the calendar year in which all Trustees are elected or acclaimed at the regular Municipal Election under the Municipal Elections Act shall be held in accordance with the Act.
- The Inaugural Meeting shall include an Inaugural Liturgy.

- At the Inaugural Meeting of the Board, the Chief Executive Officer shall read the returns of the election as certified by the Municipal Clerks.
- At the Inaugural Meeting of the Board, every Trustee elected to the Board shall make and sign the Declaration of Office and Oath of Allegiance before the Secretary of the Board or before such person authorized to administer an oath.

#### 6.1.2.3 Annual Meeting

- The Annual Meeting of the Board, to be convened in the years between Municipal Elections, shall be held in accordance with the Act.
- The Annual Meeting shall include a Liturgy.

### 6.1.3 Additional Business

The Inaugural and Annual meetings shall include further business as follows:

6.1.3.1 the appointment of the Auditors for the Board;

~~6.1.3.2 the passing of a resolution authorizing the Director of Education and Secretary or Superintendent of Business and Treasurer and the Chair or Vice Chair to borrow from time to time by way of promissory note, such sums as the Board considers necessary to meet current expenditures of the Board until the current revenue has been received; and~~

6.1.3.2 any urgent business of the Board.

## 6.2 **Regular Meetings of the Board**

### 6.2.1 Board Meeting

#### 6.2.1.1 Schedule and Location of Meetings

Unless otherwise ordered by special motion, the Brant Haldimand Norfolk Catholic District School Board will conduct regular meetings of the Board at 7:00 p.m. on the fourth Tuesday of each month at 322 Fairview Drive, in the City of Brantford.

#### 6.2.1.2 School Holidays

During the months of March and December, school holidays impact on the regularly scheduled meeting dates. In December, there will be two meetings: the Inaugural or Annual Meeting as legislated, and a Board Meeting on the second Tuesday of the month. In March, both the Committee of the Whole Meeting and the Board Meeting will be scheduled after the planned March Break.

#### 6.2.1.3 Summer Meetings

The Board will recess from its regular meeting schedule from July 1<sup>st</sup> to August 31<sup>st</sup> of each year. The Chair of the Board is authorized to schedule any meetings during July and August as required.

## 6.2.2 Committee of the Whole Meeting

6.2.2.1 The Committee of the Whole shall be composed of all six trustees and will meet at 7:00 p.m. on the third Tuesday of each month at 322 Fairview Drive, in the City of Brantford, other than the exceptions noted in section 6.2.1.2.

6.2.2.2 The Committee of the Whole will report directly to the Board on a monthly basis during the school year, except for the month of December.

6.2.3 Board meetings between a municipal election resulting in the acclamation/ election of new Trustees constituting one-third or more of the total number of Trustees, and the Inaugural Meeting of the Board.

6.2.3.1 In the instance that one-third or more of the total number of trustees is new to the Board as a result of the acclamation/election from a municipal election, the Board shall cancel all regular meetings of the Board of Trustees between the election and the Inaugural Meeting of the Board. This does not preclude the Board from calling a Special Meeting of the Board as per Section 6.3.

## 6.3 **Special Meetings of the Board**

6.3.1 Special meetings of the Board shall be held by order of the Board, on the written request of three (3) Trustees to the Chair or the Director; on the call of the Chair; or at the request of the Director of Education.

6.3.2 The Trustees shall be given a 24-hour notice for special meetings, except in emergency situations.

6.3.3 Such meetings shall be called for specific reasons. Such subjects shall be stated in the notice calling the meeting. Notwithstanding any other provisions to the Board's By-laws, no other business shall be considered.

## 6.4 **Electronic Meetings**

(as per Education Act s.208.1, O. Reg. 463/97, O. Reg. 268/06, O. Reg. 234/04)

6.4.1 The Board may hold a meeting of the board or committee meetings (including Committee of the Whole) using electronic means.

6.4.2 The public will be notified about electronic meetings at Board designated sites through postings on the Board's website.

6.4.3 The electronic means by which the meeting will be held may be one of teleconference, videoconference or webconference. The electronic means must provide for a manner to verify that a trustee has left the meeting in the case that the trustee declares a conflict of interest.

6.4.4 At the request of any board member or student trustee, the board shall provide the member or student trustee with electronic means for participating in meetings of the board or of a committee of the board. The electronic means shall permit the member or student trustee to hear and be heard by all other participants in the meeting.

- 6.4.5 Subject to any conditions or limitations provided for under the Education Act or under Regulations, a member of a board who participates in a meeting through electronic means shall be deemed to be present at the meeting.
- 6.4.6 Roll call for all electronic meetings will be taken verbally and duly recorded to ensure Board members and the student trustee are recognized as in attendance.
- 6.4.7 Board members or the student trustee participating in an electronic meeting will notify the Chair of their departure (either temporary or permanent) from the meeting before absenting themselves in order to ensure a quorum is maintained.
- 6.4.8 Whatever the electronic means, where a trustee declares a conflict of interest, the trustee shall excuse himself from the meeting and follow the procedures noted in the Trustees' Code of Conduct policy 100.04 by leaving the electronic conference.
- 6.4.9 At every meeting of the board or of a committee of the whole board (including electronic meetings), the following persons be physically present in the meeting room of the board:
- a) The chair of the board or his or her designate.
  - b) At least one additional member of the board.
  - c) The director of education of the board or his or her designate.
- 6.4.10 At every meeting of a committee of the board, except a committee of the whole board, the following persons are to be physically present in the meeting room of the committee:
- a) The chair of the committee or his or her designate.
  - b) The director of education of the board or his or her designate.
- 6.4.11 The meeting room of the board or of a committee of the board, as the case may be, shall be open to permit physical attendance by members of the public at every meeting of the board or of the committee of the board.
- 6.4.12 The chair of the board, in consultation with the director of education, shall determine whether electronic means should be provided at one or more locations within the area of jurisdiction of the board, to permit participation by members of the public in meetings.
- 6.4.13 Where the board determines that electronic means should be provided under this section, the board shall:
- a) provide for the extent and manner of participation by members of the public through electronic means; and
  - b) ensure that members of the public who are participating through electronic means do not participate in any proceedings that are closed to the public in accordance with the Act.
- 6.4.14 Should the board refuse to provide a member with electronic means of participation in a meeting of the board, a meeting of a committee of the whole board or a meeting of any other committee of the board, where to do so is necessary to ensure compliance with this section, the member will be notified in writing by the chair of the board at least 24 hours prior to the start of the meeting along with a rationale for not being able to provide the member with the electronic means to participate.

- 6.4.15 Should there be technical difficulties and the electronic portion of the meeting is interrupted, the meeting shall be recessed for a period not exceeding thirty (30) minutes as determined by the chair of the meeting.
- 6.4.16 Should there be technical difficulties and the electronic portion of the meeting cannot be reconvened before the end of the recess provided in subsection 6.4.15:
- 6.4.16.1 Subsection 6.5.3 shall apply if there is no quorum;
  - 6.4.16.2 The minutes of the meeting shall indicate the time of any electronic disruption and the recess determined by the chair of the meeting, and the name of any trustee who thereby ceases to be present.

## **6.5 Quorum for Meetings**

- 6.5.1 Subject to the Municipal Conflict of Interest Act, a majority of the Trustees of the Board shall constitute a quorum for meetings of the Board and of the Committee of the Whole Board.
- 6.5.2 A majority of Trustees eligible to vote who are members of the Committee shall constitute a quorum for Meetings of the Committee when a committee is composed of only Trustees.
- 6.5.3 If a quorum is not present within fifteen (15) minutes after the time appointed for any Meeting (or such longer time as may be agreed upon by the Trustees eligible to vote then present), the person assigned as Recording Secretary shall record the names of the persons present and the meeting shall stand adjourned, to be reconvened within seven (7) days at the call of the Chair.

## **6.6 Notice of Meetings**

- 6.6.1 Written notices of all meetings of the Board shall be transmitted, along with the Agenda of the Meeting, at least forty-eight hours before the time of meeting. The agenda may be amended at the opening of a meeting with the consent of the majority of Trustees present at the meeting.
- 6.6.2 Agendas for the regular meetings shall be made available on the board website and also provided to the following:
- Supervisory Officers of the Board;
  - Principals;
  - President or Chairs of the local employee groups who have requested the public agenda;
  - members of the local news media; and
  - public in attendance (if requested).
- 6.6.3 Portions of the agenda dealing with in-camera shall be distributed only to Trustees and, if applicable, to senior staff and to the student trustee.
- 6.6.4 A Trustee who cannot attend a Board meeting shall inform the Director of Education before the meeting.

6.6.5 The Education Act states – “If a member of a Board absents himself/herself without being authorized by resolution entered in the minutes from three consecutive regular meetings of the Board, he/she thereby vacates his/her seat and the provisions of the Act with respect to the filling of vacancies apply.”

## **6.7 Maximum Length of Meetings**

No meeting shall continue in session for more than three and one-half (3½) hours. A meeting may be extended beyond the limits established with consent of two-thirds of Trustees present.

## **6.8 Seating Arrangements**

As far as practical, at all Board and Committee of the Whole Meetings, the following seating arrangement will be assigned. Trustees will sit in a semi-circle configuration with the Chair at the centre and the Vice Chair to the immediate right of the Chair. The Student Trustee will sit at the last seat to the left of the Chair. Trustees will draw annually for their seat positions and their placement in the remaining four seats. Administration will be in a curved row across from the Trustees, with the Director at the centre, directly across from the Chair. The three academic Superintendents will be to the right of the Director, and to the left of the Director will be the Superintendent of Business, followed by the Recording Secretary, and then the Manager of Communications.

## **6.9 Access to Meetings**

6.9.1 In accordance with the Education Act, Section 207(2), a meeting of the Board may be closed to the public (in camera) when the subject matter under consideration involves:

- the security of the property of the Board;
- the disclosure of intimate, personal or financial information in respect of:
  - a member of the Board,
  - an employee or prospective employee of the Board,
  - a pupil or his or her parent or guardian;
- the acquisition or disposal of a school site;
- decisions in respect of negotiations with employees of the Board; or
- litigation affecting the Board.

6.9.2 The Presiding Officer may expel or exclude from any meeting any person who, at the determination of the Presiding Officer, has exhibited improper conduct at the meeting; for example, use of profanity, threatening language and/or action(s), etc.

## **6.10 Delegations**

6.10.1 Any Catholic School elector or group may request to address the Board as a delegation.

6.10.2 The delegation must provide the request in writing to the Director of Education or the Chair of the Board, at least five (5) days prior to the next regular meeting of the Board or Committee at which the Delegation wishes to be heard.



- 6.10.2.1 The request shall contain the topic to be discussed and the identity of the Spokesperson(s).
- 6.10.2.2 The person(s) wishing to address the Board or Committee shall be notified of the date, time and location of the meeting at which the presentation will be made.
- 6.10.2.3 Delegations will, upon notification, have these regulations shared with them prior to their presentation.
- 6.10.2.4 Copies of the presentation shall be shared with the Board or Committee at the same time that the agenda is distributed or at such time as the presentation is made.
- 6.10.2.5 In any case, the subject matter of the Delegation will not be discussed nor will a decision be made at the meeting at which the presentation is made unless the matter is on the agenda as pre-determined.
- 6.10.2.6 Delegations will be advised that the Chair will not allow content or language which is not consistent with the values of the Board.
- 6.10.2.7 Following the presentation by the Delegation, questions of clarification only will be allowed through the Chair.
- 6.10.3 A delegation's presentation will be limited to 15 minutes. Amendments as to the length of time are at the discretion of the Chair.
- 6.10.4 In-Camera rules shall apply to Delegations of an In-Camera nature.
- 6.10.5 Notwithstanding the above, the Board retains discretion to decide all matters concerning delegations.

## **7.0 CONDUCT OF BUSINESS FOR REGULAR BOARD AND COMMITTEE OF THE WHOLE MEETINGS**

### **7.1 Order of Business**

The order of business for meetings of the Board that are open to the public shall appear as follows:

1. Opening Business
  - 1.1 Opening Prayer
  - 1.2 Attendance \*
  - 1.3 Approval of the Agenda
  - 1.4 Declaration of Conflict of Interest
  - 1.5 Approval of Minutes from Previous Meetings(s)
  - 1.6 Business Arising
2. Presentations
3. Delegations
4. Consent Agenda
  - 4.1 Any Reports/Minutes that are information only.
5. Committee and Staff Reports
6. Information and Correspondence

7. Notices of Motion **for Consideration at Next Board Meeting**
8. **Notices of Motion Being Considered for Adoption**
9. Trustee Inquiries
10. Business In-Camera
11. Report on the In-Camera Session
12. Future Meetings and Events
13. Closing Prayer
14. Adjournment
  - \* Late arrivals or early departure times of Trustees will be noted by the recording secretary

## **7.2 Rules of Order**

- 7.2.1 The rules of order to be observed at meetings shall be in accordance with the provisions of these By-laws.
- 7.2.2 In all cases for which no specific provision is made in these By-laws, the rules and practice of Robert's Rules of Order, Newly Revised 11<sup>th</sup> Edition, (Henry M. Robert III, William J. Evans, Daniel H. Honeymann, Thomas J. Blach, Perseus Publishing 2000) shall govern so far as applicable.
- 7.2.3 The Chair or other Presiding Officer shall preserve order and decorum and decide upon all questions of order.
- 7.2.4 In the absence of the Chair and Vice Chair for any cause, the Board may, from the members present thereof, appoint a Presiding Officer who, during such absence, shall have the powers of the Chair of the Board.
- 7.2.5 The Chair or person presiding may vote on all questions and shall declare this intention after the motion is put to the floor.
- 7.2.6 A tie vote is a lost motion.
- 7.2.7 Should the Chair elect to vacate the chair to take part in any debate or discussion or for any other reason, he/she shall call upon the Vice Chair or in his/her absence, one of the members to fill his/her place until he/she resumes it.
- 7.2.8 Where a question is before the Board, the mover may speak first and the seconder may speak next, and the Chair will make every attempt to allow each person wishing to speak, the opportunity to speak once before any member may speak for a second time. The mover also has the prerogative to be the last speaker before the question is decided and the seconder shall be the second to last speaker.
- 7.2.9 No member shall speak for more than five minutes or more than three times on the same question without the permission of the Chair.
- 7.2.10 Whenever an adjournment takes place in consequence of there not being a quorum present, the time of adjournment and the names of the members present shall be entered in the records of the Board.

### **7.3 Motions and Debate**

- 7.3.1 All motions shall be recorded in the minutes of the meeting and shall be seconded before being stated by the Chair, whereupon the Chair shall ask if there is any further discussion on the motion before the vote.
- 7.3.2 When a motion has been stated by the Chair, it shall be open to debate and shall be disposed of only by a vote, unless the mover, by permission of the seconder, withdraws it, in which case such motion shall not appear in the minutes of the meeting.
- 7.3.3 Any Trustee of the Board may require the question under discussion to be read at any part of the debate, but not so as to interrupt a speaker.
- 7.3.4 A Trustee, prior to speaking to any question or motion, shall address the Chair. The Trustee shall confine remarks to the question at hand.
- 7.3.5 When two or more Trustees wish to speak at the same time, the Chair shall name the Trustee who is to speak.
- 7.3.6 No Trustee shall be interrupted while speaking, except in a case where the Trustee is called to order by another Trustee for a transgression of rules of the Board, in which case the Trustee shall remain silent until the point of order has been decided by the Chair.
- 7.3.7 Where a Trustee wishes to make a point of order or to seek clarification, he or she should so indicate in addressing the Chair and the Chair will rule on such matters before the next speaker is allowed to speak.
- 7.3.8 When the question under consideration contains two or more distinct propositions, any particular proposition, upon the request of any member, shall be considered and voted upon separately.
- 7.3.9 No question, once decided by the Board at a regular meeting, shall be reconsidered during that meeting unless someone on the affirmative side requests by motion that Trustees reconsider the pass motion, which is seconded and will take a two-thirds majority to reconsider.
- 7.3.10 If it is desired to defer action on a question until a particular time, the proper motion to make is “to postpone it to that time”. This motion allows limited debate, which must be confined to the propriety of the postponement to that time; it can be amended by altering the time, and this amendment allows the same debate.
- 7.3.11 Whenever a motion has been made and seconded, it is the duty of the Chair, if the motion is in order, to state the question, so that the members may know what question is before them.
- 7.3.12 In stating the question on an amendment, the Chair should read the passage to be amended; the words to be struck out, if any, the words to be inserted, if any; and the whole passage as it will stand if the amendment is adopted.
- 7.3.13 The motion to adjourn is not debatable, it cannot be amended, or have any other subsidiary motion applied to it, nor can a vote on it be reconsidered.

7.3.14 If a Trustee does not put new motions or amendments in writing for the Chair, the motion as stated by the Chair and recorded by the secretary shall be the motion.

7.3.15 When a motion is under debate, the only motion in order shall be:

- to adjourn,
- to lay on the table,
- to put the previous question,
- to postpone,
- to refer,
- to amend, and
- to vote on the present motion.

Such motion shall have precedence in the order above named; and the first, second and third shall be decided without debate.

A question having been postponed indefinitely shall not be taken up again at the same meeting without a two-thirds (2/3) vote in favour.

#### **7.4 Amendment(s) to Motion:**

7.4.1 An amendment may be in any of the following forms:

- a) to “add” or “insert” certain words or paragraphs;
- b) to “strike out” certain words or paragraphs, and if this fails it does not preclude any other amendment than the identical one that has been rejected;
- c) to “strike out certain words and insert others”, which motion is indivisible, and if lost does not preclude another motion to strike out the same words and insert different ones;
- d) to “substitute” another resolution or paragraph on the same subject for the one pending; or
- e) to “divide the question” into two or more questions as the mover specifies, so as to get a separate vote on any particular point or points;

If an amendment is defeated, vote on the motion. If an amendment is carried, vote on the amended motion.

7.4.2 No more than three (3) amendments can be made to a motion.

#### **7.5 Notices of Motion**

7.5.1 Notices of motion on new matters are required from trustees to give trustees the benefit of advance consideration by themselves and administration before any decision is to be made. No new decisions will be entertained unless a written notice of motion has been provided on new matters at a previous meeting or by way of inclusion in the agenda, **at least seven days in advance of the Board meeting**. Notices of Motion will be given to the Secretary and Chairperson of the Board to include as an item in the agenda of a **the next regular Board meeting**. ~~no less than seven calendar days prior to the meeting, or communicated in~~

~~writing at a previous regular meeting.~~

7.5.2 A member of the Board must give notice of motion if he/she wishes to:

- a) repeal or make permanent amendment to any of the Board's By-laws;
- b) recommend an action, which has not been considered and recommended to the Board by a Committee of the Board;
- c) consider a matter by the Board without reference to a Committee.

7.5.3 Regulations regarding Notice of Motion

7.5.3.1 A Notice of Motion shall not be seconded at the meeting at which it is initially presented.

7.5.3.2 A Notice of Motion is not debatable.

7.5.3.3 Before any discussion shall take place at the meeting at which a Notice of Motion is presented as a Proposed Resolution, a Trustee must second it. The number of Notices of Motion, which are presented as Proposed Resolutions at any single meeting, shall be limited in number at the discretion of the Chair.

7.5.3.4 Notices of Motion, which are not presented for discussion as Proposed Resolutions at the meeting, shall be presented at the next regular meeting.

7.5.3.5 Notices of Motion, which require reports or information, shall be presented to the Board without any written reports by any of the senior officials. However, such persons may be permitted to make oral statements relating to these Notices of Motion at the time of presentation.

7.5.3.6 The officials may make written reports and/or recommendations supporting or opposing Notices of Motion, when they are presented as Motions, and which if carried will require direct action by the Board or its officials.

## **7.6 Protocol for Debate**

7.6.1 When, at a meeting, any member wishes to speak in debate, the member shall raise a hand and await recognition by the Chair.

7.6.2 Trustees may speak when recognized by the Chair and may not speak to the issue again:

- unless the Chair of the meeting allows further debate; and
- only after all other Trustees who wish to speak have been recognized by the Chair.

7.6.3 After recognition by the Chair, a member shall at all times during debate:

- maintain a courteous tone;
- avoid personalities;
- avoid allusion to motives of other members;
- address all debate, remarks, questions and the like to the Chair;

- confine all remarks, questions and the like to the motion, which is the subject of debate.

7.6.4 No Trustee who does not have the floor shall interrupt a Trustee who does have the floor except:

- on a point of order;
- on a question of privilege;
- to request permission to withdraw a motion;
- to appeal a ruling of the Chair;
- on a motion to extend the time limit; and
- in the event that a Trustee interrupts a speaker pursuant to the authority given in this section, the Trustee shall confine all remarks to the particular point.

7.6.5 A Trustee may rise on a point of information, that is, a request for information relevant to the matter on the floor but not related to preliminary procedure, only if the member then speaking consents to the interruption, in which case the time consumed in responding to the point of information will be included as part of the speaker's allotted time.

7.6.6. Any member of the Board may require the question/motion under discussion to be read at any time in the debate, but not so as to interrupt any member while speaking.

## **7.7 Voting Procedures**

7.7.1 Every matter considered by the Board shall be disposed of by a vote of all those present and eligible to vote on the matter in one of the following ways, with preference being given in the following sequence:

- a) By general or unanimous consent, in which the Chair, exercising discretion, states that the motion will be adopted in the absence of objection.
- b) By show of hands, in which each Trustee present and eligible to vote raises a hand in response to the request of the Chair for the votes, in the affirmative and in the negative, as the case may be, until the votes are counted.
- c) By rising, in which each Trustee present and eligible to vote stands in response to the requests of the Chair for the votes, in the affirmative and in the negative, as the case may be, until the votes are counted.
- d) By individual recorded vote, in which each Trustee present and eligible to vote raises a hand or stands in place in response to the request of the Chair for the votes in the affirmative and in the negative, as the case may be, until the Chair has called the name of each Trustee as voting, respectively.
- e) By ballot, in which each Trustee eligible to vote shall mark on a ballot provided by the Secretary of the Board, the Trustee's choice from among the available alternatives, the ballots being collected and counted immediately thereafter.

- 7.7.2 Although the method requested by any Trustee eligible to vote should be used to the extent practicable, the particular method of voting to be used to dispose of any matter shall be governed by the following rules:
- a) Determination by general or unanimous consent will be used only when no trustee eligible to vote objects or requests another method.
  - b) Notwithstanding that a show of hands vote has been called for and has been taken, on the request of any Trustee eligible to vote, including the Chair, a rising vote will be taken whenever there is any doubt as to the accuracy of the count on the show of hands; and
  - c) Voting by ballot shall be used only when ordered by majority vote or general consent.
- 7.7.3 Votes Lost on Equality  
Any motion on which there is an equality of votes, is lost.
- 7.7.4 Declaration of Votes  
The Chair shall declare the result of all votes.
- 7.7.5 Recording of Votes  
The vote on any question shall be recorded in the minutes as “carried” or “defeated”.

## 8.0 ~~COMMITTEES AND COMMITTEE MEETINGS~~ GOVERNANCE, AD-HOC AND ADVISORY COMMITTEES OF THE BOARD

- a) All Governance, Ad-Hoc and Advisory Committees shall be established by the Board or by statute or regulation.

Trustee representation for each Governance, Ad-Hoc and Advisory Committee shall be determined by the Chair of the Board. The Chair of the Board, after the annual or inaugural meeting of the Board, will request and receive within a reasonable amount of time requests from each Trustee on which committees they wish to be members of and/or Chair. The Chair of the Board will assign the trustees membership and/or the position of Chair of the committee, as decided by the Chair each year after the annual or inaugural meeting of the Board. Each Governance, Ad-Hoc and Advisory Committee of the Board shall have a staff resource assigned by the Director of Education.

- b) ~~Each of the additional Committees~~ Governance, Ad-Hoc and Advisory Committees of the Board which require Trustee representation shall be composed of not less than one (1) nor more than three (3) Trustees, unless otherwise provided by resolution of the Board. ~~with the exception of the Policy Committee. The Policy Committees may be~~ that are composed of more than (3) Trustees are the Policy Committee, Accommodations Committee, and Communications & Information Technology Committee. In the instance where there is an option for more than three (3) Trustees on a committee, it will be the sole discretion of the Chair to determine the number of trustees to serve on that committee. ~~These Committees will report, as required, to the Committee of the Whole.~~

- c) Sub-Committees may be established by any Committee to consider any matter within the Terms of Reference of the Committee.
- d) Only members of a **Governance, Ad-Hoc and Advisory** committee are required to attend that committee's meeting. However, all members of the Board shall receive notice, ~~agenda, and minutes~~ of all **Governance, Ad-Hoc and Advisory** committee meetings, if requested. All Board members shall be permitted to attend **Governance, Ad-Hoc and Advisory** committee meetings and ~~may take part in discussion, but only members of the committee and the Chair of the Board, if present, shall have voting power~~ **except for:**

- **Teacher-Trustee Committee**
- **Audit Committee**
- **Student Discipline Committee**
- **Supervised Alternative Learning Committee**
- **Legal Expenses Review Committee**

**For all other Governance, Ad-Hoc, and Advisory Committees of the Board, all trustees may attend and may take part in discussion, but only members of the Committee and the Chair of the Board or ex-officio designate, if present, shall have voting power.**

- e) **Governance, Ad-Hoc and Advisory** Committee reports shall be considered public documents, except reports presented to the In-Camera session.
- f) In dealing with **Governance, Ad-Hoc and Advisory** Committee reports at the Board meeting, it shall be the prerogative of the Chair to rule on a request by a Trustee to have the recommendations dealt with item by item or as a whole.
- g) **Governance, Ad-Hoc and Advisory** Committee minutes shall be considered public documents except when the subject matter under consideration involves:
- the security of the property of the Board;
  - the disclosure of intimate, personal or financial information in respect of a member of the Board, an employee or prospective employee of the Board, a pupil or his/her parent or guardian;
  - the acquisition or disposal of a school site;
  - decisions in respect of negotiations with employees of the Board; and
  - litigation affecting the Board.
- h) **With the exception of meetings of the Student Discipline Committee and Supervised Alternative Learning Committee, which are called by the Director of Education or designate, meetings of a Governance, Ad-Hoc and Advisory** Committee shall be called by the Chair of the Committee. If the Chair of a Committee neglects to call meetings, it is the duty of the Committee to meet on the call of any two of its members. All meetings shall be called or cancelled through the Office of the Secretary of the Board. In the absence of the Chair, providing there is a quorum, the members present will elect an interim Chair for that meeting.
- i) The Chair of the Board shall be an ex-officio member of all **Governance, Ad-Hoc and Advisory** Committees of the Board. The Chair may delegate some of the ex-officio duties to the Vice Chair of the Board.



## 8.1 Governance Committees of the Board

All Governance Committees of the Board report to the Committee of the Whole with a report of their minutes and motions for approval for the Board of Trustees except:

- Student Discipline Committee, and
- Supervised Alternative Learning Committee

### 8.1.1 Accommodations Committee

Composed of three (3) or more Trustees, the Superintendent of Business and the Director of Education or designate. Functions include providing recommendations to the Board regarding the use of pupil places for schools in the Board.

### 8.1.2 Audit Committee (wording from 4.3.4. above)

Composed of two (2) trustees, the Superintendent of Business & Treasurer, and two external members (3-year term). Established as per Section 253.1(1) of the Education Act and Regulation 361/10. Meets three times annually, at a minimum. Functions include assisting the Board of Trustees in fulfilling its duties related to governance and oversight. Duties fall under the following key areas: financial reporting process, internal control framework, risk management practices, performance and function of the Board's internal and external auditors, and the Board's compliance with its obligations under legislation.

### 8.1.3 Budget Committee

Composed of three (3) or more Trustees, the Superintendent of Business, and the Manager of Finance. Functions include to review the budget and refer the budget to the Board for approval.

### 8.1.4 Policy Committee

Composed of three (3) or more Trustees and the Director of Education or designate. Functions include reviewing and referring Board policies to the Board for approval.

### 8.1.5 School Year Calendar Committee

One (1) Trustee, the Director of Education or designate, union representation, the Chair of the RCPIIC, and other staff representation as determined by the Director of Education. Function includes making recommendations to the Board for approval of the school year calendar as per the Education Act.

### 8.1.6 Student Discipline Committee (wording from 4.3.3 above)

Composed of three (3) trustees and the Director of Education or designate that acts as a resource for the committee. Established annually and meets as necessary. Functions include hearing suspension appeals and expulsion requests as per the Board Policy.

### 8.1.7 Student Transportation Services Brant Haldimand Norfolk Board of Directors

Terms of reference and membership are determined by the Student Transportation Services Brant Haldimand Norfolk (Consortium) By-Laws and Board policy. One (1) Trustee and the Superintendent of Business represent the interests of the Board at the Transportation Consortium. The Consortium makes recommendations to the Board regarding Policy and Procedures related to student transportation.

- 8.1.8 Supervised Alternative Learning (S.A.L.) Committee (wording from 4.3.2 above)  
Composed of at least one (1) Trustee of the Board, one (1) Supervisory Officer or designate, and one (1) Community Representative (non-employee) appointed by the Supervisory Officer. In accordance with Ontario Regulation 374/10, the function of the S.A.L. Committee is to make decisions at meetings regarding Supervised Alternative Learning by pupils of the Board.

## 8.2 **Advisory Committees of the Board**

All Advisory Committees of the Board report to the Committee of the Whole with a report of their minutes for the Board of Trustees except the Teacher-Trustee Committee, which reports to Executive Council.

- 8.2.1 Catholic Education Advisory Committee  
Composed of at least one (1) or more Trustees, the Director of Education or designate and community members as determined by the Director of Education or designate as per the terms of reference for the committee. Functions include advising the Board on matters of Catholic faith formation and catechesis.
- 8.2.2 Communications and Information Technology Advisory Committee  
Composed of three (3) or more Trustees, the Superintendent of Business, the Manager of Information Technology, the Manager of Communications and Community Relations, and the Director of Education or designate. Functions include advising the Board on the implementation of information, communication and computer technology initiatives.
- 8.2.3 Legal Expenses Review Committee  
Composed of three (3) Trustees, the Superintendent of Business and the Director of Education or designate. Function is to review legal expenses of the Board and to provide advice to the Director of Education on the designation of finances to cover legal costs.
- 8.2.4 Special Education Advisory Committee (wording from 4.3.1 above)  
Composed of one Trustee of the Board, Superintendent of Education (responsible for Special Education), and community representatives. (The composition of Special Education Advisory Committee is outlined in Reg. 464/97, Section 2). Functions include examining, reviewing and making recommendations, as appropriate, relative to the provision of special education programs and services.
- 8.2.5 Teacher-Trustee Committee  
Composed of the Chair and one (1) Trustee. Functions include listening to the concerns of the Ontario English Catholic Teachers' Association (OECTA). This committee has no staff assigned to it. The committee reports to Executive Council.

## 8.3 **Ad-Hoc Committees of the Board** (8.12.1 wording from 4.5 above)

The Board may establish ad-hoc committees as deemed appropriate. The establishing motion shall indicate the mandate of the committee, the membership of the committee, and the due date of the final report.

- 8.3.1 All Trustees shall be entitled to notice of, to attend and to speak at all meetings of all Committees composed only of Trustees, except those Ad-Hoc committees that deal specifically with salary negotiations and collective bargaining.

## **9.0 District and Interjurisdictional Committees with Trustee Representation**

- a) District and Interjurisdictional Committees with Trustee Representation are staff or community committees that require trustee representation at the request of the Chair of the committee according to statute, regulation, policy or committee bylaws. These committees are advisory in nature and report to the Committee of the Whole, Board, or to Executive Council (as indicated), for information.
- b) Trustee representation for each District and Interjurisdictional Committee shall be determined by the Chair of the Board. The Chair of the Board, after the annual or inaugural meeting of the Board, will request and receive within a reasonable amount of time requests from each Trustee on which committees they wish to be representatives of and/or Chair. The Chair of the Board will assign the trustees as decided by the Chair each year after the annual or inaugural meeting of the Board.
- c) Only Trustee representatives of a District and Interjurisdictional Committees are required to attend that committee's meeting.

### **9.1 Accessibility Steering Committee**

One (1) Trustee representative and staff as determined by the Director of Education or designate. This committee is chaired by the Director of Education or designate. Its functions include overseeing compliance with the Accessibility for Ontarians with Disabilities Act in accordance with the AODA and Board Policy. This committee reports to the Committee of the Whole with minutes and reports for information.

### **9.2 Educational Archives Committee**

One (1) Trustee representative and the Director of Education or designate who represent the interests of the Board in the Friends of the Educational Archive Committee (FEAC). The terms of reference for the FEAC are articulated in the agreement between the partners. This committee reports to the Committee of the Whole with minutes of each meeting, for information.

### **9.3 Joint Use Committee**

The Superintendent of Business, the Director of Education or designate, and the two City of Brantford Trustees are asked, from time to time, to meet with City officials and the Grand Erie District School Board related to the joint use protocols for which the Boards and the City are parties. This committee reports to Executive Council, for information.

### **9.4 Mental Health Steering Committee**

One (1) Trustee representative and the Director of Education or designate, staff and community members as determined by the Director of Education or designate. Functions as an advisory group related to initiatives of the Board's mental health strategy. This committee reports to the Committee of the Whole with minutes and reports for information.

- 9.5 Regional Catholic Parent Involvement Committee  
One (1) or more Trustees and the Director of Education or designate, parent council representatives and other members as determined by the Director of Education or designate. Functions include disseminating information, program information for parents, and seeking advice for education initiatives (see Board Policy). This committee reports to the Committee of the Whole with minutes and reports for information.

## 10.0 ACCESS TO RECORDS

- 10.1 Any person may, at all reasonable hours, at the Catholic Education Centre, inspect the minute book, the audited annual financial report and the current accounts of the Board and, upon written request by any individual or group, a copy of a requested section of minute books, audited financial reports, and the current accounts of the Board will be furnished at a cost as determined under the Freedom of Information and Protection of Privacy Act, 1990.
- 10.2 All other materials made available to the public under the Freedom of Information and Protection of Privacy Act will be made available at a similar fee.

## 11.0 EXECUTION OF DOCUMENTS

### 11.1 Signing Authorities

11.1.1 All deeds, conveyances, mortgages, bonds, debentures, agreements, documents, and contracts approved by the Board shall be sealed with the seal of the Board and signed by:

- the Director of Education/Secretary of the Board  
together with one of:
  - the Chair of the Board; or
  - the Vice Chair of the Board; or
  - the Superintendent of Business and Treasurer of the Board.

11.1.2 In the event of a prolonged absence by the Director of Education / Secretary of the Board, a delegate can be appointed by the Director in charge.

### 11.2 Bank Signing Officers

11.2.1 The signatures of the Superintendent of Business and Treasurer, together with one of:

- the Chair of the Board;
- the Vice Chair of the Board; or
- the Director of Education and Secretary

are required when:

- making, drawing, accepting, endorsing, negotiating, lodging, depositing or transferring all or any cheques, promissory notes, drafts, acceptances, bills of exchange, order for payment of money, contracts for letters of credit and foreign exchange;
- issuing cheques, drafts or orders for payment drawn on the bank accounts of the Board.

11.2.2 The Treasurer of the Board, by signature or by rubber stamp endorsement, may negotiate or deposit with or transfer to the bankers for the Board, but for the credit only of the account of the Board, all or any cheques, promissory notes, drafts, acceptances, bills of exchange and orders for the payment of money.

11.2.3 Signatures of persons authorized to sign may be printed, lithographed or otherwise mechanically reproduced as provided by the regulations.

### **11.3 Board Seal**

**11.3.1** The Seal of the Board shall be in custody of the Secretary who shall be responsible for affixing it to such documents as may be required.

### **11.4 ~~Seal Register~~**

**11.3.2** The Secretary shall keep a record in a special book of the date and the particulars of each use of the seal.

### **11.4 Board Minutes**

The Chair or other presiding member and the Secretary shall sign the minutes of all Board meetings.

## **12.0 OTHER PROFESSIONAL SERVICES**

The Board will periodically issue calls for proposals for various professional services. The call for proposals will specify the term and specifications of the proposal, which will be presented for approval to the Board.

## **13.0 CONFLICT OF INTEREST GUIDELINES**

According to current Provincial Legislation regarding the Municipal Conflict of Interest Act.

## **14.0 BY-LAW AMENDMENTS**

14.1 By-laws of the Board may be amended from time to time at a meeting of the Board (such meeting, hereinafter referred to as the "later meeting") upon the affirmative vote of a two-thirds (2/3) majority of all members of the Board, provided:

- a) written notice of motion proposing the amendment shall have been given at a meeting held prior to the later meeting; and
- b) the text and a brief statement of intended purpose of the amendment shall have been included in the notice of motion.

14.2 At any time the By-laws may be amended without notice upon the unanimous vote of all the members of the Board entitled to vote thereon.