



**Catholic Code of Conduct: Positive Student Behaviour,  
Progressive Discipline and Safety  
#200.09**

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<b>Responsibility:</b>	Superintendent of Education
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**POLICY STATEMENT:**

Subsection 301(1) of Part XIII of the Education Act states that “the Minister may establish a Code of Conduct governing the behaviour of all persons in schools.” Policy/Program Memorandum No. 128 *The Provincial Code of Conduct and School Board Codes of Conduct* sets the expectations and requirements for all Ontario School Boards and provides direction on the authority and responsibility of boards to develop, implement, enforce, review, and assess codes of conduct for their school communities.

The Provincial, Board, and School Codes of Conduct apply to the entire school community. This means that, within the publicly funded school system Subsection 301(2) of Part XIII of the Education Act sets out the purposes of the Provincial Code of Conduct, as follows:

1. To ensure that all members of the school community, especially people in positions of authority, are treated with respect and dignity.
2. To promote responsible citizenship by encouraging appropriate participation in the civic life of the school community.
3. To maintain an environment where conflict and difference can be addressed in a manner characterized by respect and civility.
4. To encourage the use of non-violent means to resolve conflict.
5. To promote the safety of people in the schools.
6. To discourage the use of alcohol, illegal drugs and, except by a medical cannabis user, cannabis.
7. To prevent bullying in schools.

The Brant Haldimand Norfolk Catholic District School Board (‘the Board’) Catholic Code of Conduct is shaped by the Provincial Code of Conduct and communicates the Board’s belief that all schools should be safe, inclusive, accepting, and respectful environments for all students, staff, parents, and visitors. As a Board, we all work together to promote positive attitudes and behaviour towards each other that respect the *Standards of Acceptable Behaviour*. The Catholic Code of Conduct is expressed in Administrative Procedure 200.09, which is incorporated into this Policy 200.09: Catholic Code of Conduct: Positive Student Behaviour, Progressive Discipline and *Safety* by reference and forms an integral part thereof.

The Board Catholic Code of Conduct supports positive school climates that enhance the well-being and achievement of all students in the district and respects the human rights of all. All people are created equal, in the image of God, each with unique characteristics deserving of dignity (Genesis: 1:27). In accordance with the Church’s teachings, our schools provide, in all its operations, an educational environment which supports and celebrates the strength of diversity within our inclusive Catholic community.

The Board believes that a safe, inclusive, and accepting environment is accomplished when all community members:

- live the Gospel values of Jesus including love, humility, reconciliation, hospitality, justice, peace, honesty, and integrity;
- act with respect, civility, and responsible citizenship;
- respect the rights and dignity of all;
- respect others’ rights to work and learn in a safe and accepting environment;



- respect adults who are in a position of authority;
- show proper care for school property and the property of others; and
- resolve conflict and/or harm in a peaceful, non-violent manner.

### **APPLICATION AND SCOPE**

The Catholic Code of Conduct sets out the standard expectations of all members of all school communities. The *Standards of Acceptable Behaviour* within the Board's Catholic Code of Conduct apply to all individuals involved in the Board including students, parents, volunteers, teachers and other staff members, and visitors whether on school property, on school buses, at school or Board related events or activities, or in other circumstances (e.g., online interactions), that could have an impact on the school, school board climate, and relationships. To ensure school safety, this policy will provide direction for Superintendents, Principals/Vice-Principals and staff regarding Board and school progressive discipline responses to concerning student behaviour.

The Board is committed to the implementation of the Catholic Code of Conduct to provide and sustain a safe, caring, inclusive, and healthy Catholic school community in which every student can succeed. The Catholic Code of Conduct is founded in the principles of progressive and restorative approaches to conflict resolution.

All school community members are expected to assist each other in achieving the highest possible standard of behaviour. Such behaviour includes living according to Gospel values, and fostering a Catholic culture of respect, inclusion, equity, responsibility, and concern for the well-being of all.

In the case of more serious breaches of district-wide and school expectations, this Policy identifies a range of responses for the imposition of progressive discipline, which may involve third parties, such as police, child protection agencies, and/or other outside agencies. Progressive discipline may include actions up to and including suspension and/or expulsion of students from a school or the Brant Haldimand Norfolk Catholic District School Board and in the case of any individual, an official notice of trespass, enforceable by police. In all cases, a degree of latitude has been provided to allow school administrators to ascertain that an incident has occurred, to determine the nature of the incident, and to exercise supportive interventions and/or consequences.



## **REFERENCES**

[Ontario Human Rights Code](#)

[The Education Act](#)

[Ontario Regulation 181/98, Identification and Placement of Exceptional Pupils](#)

[O. Reg. 472/07: Behaviour, Discipline and Safety of Pupils](#)

[O. Reg. 440/20: Suspension of Elementary School Pupils](#)

[P/PM 119 | Education in Ontario: policy and program direction](#)

[P/PM 123 Safe Arrivals](#)

[P/PM 120 | Education in Ontario: Violent Incidents](#)

[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 149 Protocol for Partnerships with External Agencies](#)

[P/PM 169 Student Mental Health](#)

[Ontario's equity and inclusive education strategy, 2009 | ontario.ca](#)

[Ontario First Nation, Métis, and Inuit Education policy framework 2007](#)

[English Language Learners / ESL and ELD Programs and Services, 2007](#)

[200.23.P - Equity and Inclusive Education](#)

[200.29.P - Student Attendance](#)

[200.42.P - Assessment, Evaluation, Reporting](#)

[300.12.P – Volunteers](#)

[300.15.P – Police Records Check](#)

[400.19.P – Transportation of Students](#)

[400.25.P – Smoke and Vape-Free Environment](#)

[400.36.P – Educational Partnerships Including Third Party Professional and Paraprofessional Service](#)

[600.01.P - Electronic Communications and Social Media Use](#)

[600.02.P - Information and Communications Technology Use](#)

[600.34.AP - Digital Citizenship and Bring Your Own Device](#)

[Caring and safe schools in Ontario: supporting students with special education needs through progressive discipline, kindergarten to Grade 12, 2010](#)

[Pastoral-Letter-on-the Use of Social Media, Canadian Conference of Catholic Bishops](#)

## **FORMS**

- Form 1 - Safe Schools Incident Reporting Form - Part I (available in on-line reporting tool)
- Form 2 - Safe Schools Incident Reporting Form - Part II School Administration Acknowledgement of Receipt of Report (available in on-line reporting tool)

## **APPENDICES**

[Appendix A - Provincial Code of Conduct Poster.pdf](#)

[Appendix B - District Bullying Prevention Intervention Plan.pdf](#)

[Appendix C - List of examples activities that are unacceptable and or illegal.pdf](#)

[Appendix D - Suspension Appeal Guidelines.pdf](#)

[Appendix E - Student Expulsion Guidelines.pdf](#)



## DEFINITIONS

**Adult Pupil:** a pupil/student who is 18 years or older, or 16 or 17 and has withdrawn themselves from parental control. Also referred to as adult student.

### **Expulsion:**

- A. Board Expulsion:** an expulsion from all schools of the BHNCD SB.
- B. School (Limited) Expulsion:** an expulsion from the BHNCD SB school that the student was attending at the time of the incident.

**Bullying:** aggressive and typically repeated behaviour by a pupil where the behaviour is intended by the pupil to have the effect of, or the pupil ought to know that the behaviour would be likely to have the effect of:

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

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

For the purposes of the definition of "bullying" above, cyber-bullying includes bullying by electronic means (commonly known as cyber-bullying), including:

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

**Consequence:** an educative outcome resulting from a particular student behaviour that may occur "as a matter of course", or may be purposefully undertaken by staff, to help the student acquire insight into the impact of their behaviour and to develop new skills or ways of thinking/acting that improve future behaviour.

**Discipline Committee:** committee of three or more trustees designated to determine suspension appeals and recommendations for expulsion.

**District Safe and Accepting Schools Team:** This team focuses its attention on violence and bullying prevention and the creation of a safe, caring, inclusive, and healthy learning community for all. This team assists with the development, review, and revision process for the Catholic Code of Conduct, assessment of school climate survey data, and district-wide initiatives related to safe schools. It includes a wide variety of staff representatives and stakeholder groups.

**Educator:** teachers regulated under the *Ontario College of Teachers Act, 1996*, and early childhood educators regulated under the *Early Childhood Educators Act, 2007*.

**Harassment:** words, conduct, or action directed at an individual, which may include: remarks; jokes; threats; name-calling; the display of material(s); touching; or other behavior that an individual knows or ought to know insults, intimidates, offends, demeans, annoys, alarms or causes that individual emotional distress, and which may constitute discrimination when related to grounds protected by the *Ontario Human Rights Code*.

**IEP:** an Individual Education Plan that lays out the special education instruction, supports, and services a student needs to thrive in school.



**Impact on School Climate:** an incident or activity which has a negative impact on the school community, and which may or may not occur on school property at any time.

**Intervention:** a purposeful action undertaken by staff, either in the moment or on an ongoing basis, intended to promote a positive change in the student's behavior or learning. Typically, an intervention is a decisive change intended to facilitate the student's ability to adhere more consistently to the Catholic Code of Conduct, and to enhance the student's performance and sense of well-being and belonging. One example of an intervention is a referral to support services personnel.

**Intimate Image:** a visual recording of a person made by any means including a photographic, film or video recording, in which the person is nude, is exposing his or her genital organs or anal region or her breasts or is engaged in explicit sexual activity.

**Medical Cannabis User:** as defined in the Education Act, is a person who is authorized to possess cannabis for the person's own medical purposes in accordance with applicable federal law.

**Parent/Guardian/Caregiver:** where there is a reference to involving or informing a parent/guardian/caregiver, it means the custodial parent or legal guardian of a minor child who is not an adult pupil.

**Principal or Designate:** in this policy, principal refers to the administrator in charge of a local school community. Designate refers to a person designated by the principal or by the Board to fulfill that role.

**Safe Schools Incident Reporting Form:** documentation that staff are required to complete in the event of witnessing and/or receiving information regarding a violent incident and/or incident that may lead to the suspension/expulsion of a student or students.

**SAP:** Student Action Plan

**School Climate:** the total of all personal relationships within a school. A positive climate exists when all members feel safe, cared for, included, and accepted.

**School Climate Survey:** Every two years, the School Climate Survey is conducted as part of a commitment to safe, inclusive, and welcoming schools. The survey is a requirement by the Ministry of Education. The survey is anonymous and confidential.

**School Community:** the school community is composed of staff, students, parents/guardians, and volunteers of the school, as well as the community of people and businesses that are served by or located in the greater neighbourhood of the school. The school community includes persons who, although not Board staff, nevertheless hold positions of authority and responsibility in the life of the school (e.g., coaches, lunchroom supervisors, bus drivers, guest lecturers, facilitators at off-site facilities, field trip/classroom volunteers, parish, police, and community agency representatives).

**School Day:** the instructional day, excluding professional development days.

**School-Related Activities:** any activity sponsored or organized by the school, including extracurricular activities, field trips, and school events.

**School Safe and Accepting Schools Team:** a required local school team, under the leadership of the principal, that has broad representation and exists to ensure the school community's compliance with the *Catholic Code of Conduct*. This team focuses its attention on violence and bullying prevention and the creation of a safe, caring, inclusive, and healthy learning community for all. This team assists with the development, review, and revision process for the *Catholic Code of Conduct*, assessment of school climate survey data, and various whole school program initiatives related to safe schools.



**Staff:** refers to all individuals who are paid employees of the Board. At the local school level, this term would include the following: administrators, chaplaincy team leaders, teachers, educational assistants, ABA leads, speech and language pathologists, social workers, child and youth worker), office staff, custodial and maintenance staff, library and IT technicians, student monitors, and emergency instructors/supervisors any other support staff affiliated with the school.

**Staff Who Work Directly with Students:** staff including administrators, teachers, educational resource workers, ABA leads, child and youth workers, social workers, speech language pathologists, and other professional and para-professional staff who have regular and direct duties with the Board's students.

**Student:** refers to pupil, as used in the Education Act.

**Student Personal Mobile Device (as defined in PPM 128):** refers to any personal electronic device that can be used to communicate or to access the Internet, such as a cellphone, tablet, laptop or smartwatch.

**Support:** a designated course of action that is purposefully tailored to provide a scaffold of assistance that will maximize the probability of on-going growth/improvement in student learning and/or behaviours. A support may be intended as preventative, rehabilitative or transformative. Preventive strategies that build community and cultivate pro-social skills are frequently undertaken for the whole school, as they are deemed good for all and essential for some. A support may also be initiated for an individual student in anticipation of possible concerns, based on the student's propensity to engage in challenging behaviours, or to be victimized by them. Supports are often part of the school's attempt to address a behavioural incident, as a student moves through the renewal and re-entry phases of progressive discipline. On-going supports may be part of a student's gradual re-entry to ensure that they continue to move in a positive direction.

**Violent Incident (as per PPM 120):** the occurrence of any one of the following or occurrence of a combination of any of the following that must be reported to the Ministry of Education:

- 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 occurrences

**Violent Threat Risk Assessment (VTRA):** assessment that guides the BHNCDSB's response following a situation/incident that may indicate or confidently suggest there is a continued targeted threat against an individual(s) and/or site(s), or when significant information exists to suggest a student may demonstrate violent behavior toward themselves or others.

**Weapon:** any article designed as a weapon or used or intended to be used for the purposes of threatening, intimidating, or injuring a person. All firearms, including replica firearms and imitation firearms, are always considered weapons.

## **ADMINISTRATIVE PROCEDURES**

### **1.0 APPLICATION OF THE CODE OF CONDUCT**

- 1.1 The Brant Haldimand Catholic District School Board interprets and applies the provisions of the Education Act, including its Regulations, in a broad and liberal manner consistent with the Ontario Human Rights Code, as well as other applicable laws and aligned practices. In a circumstance in which there is a conflict between provincial law (such as the Education Act), regulations, Policy Program Memoranda, school and Board policies and procedures, and the Ontario Human Rights





Code, the Ontario Human Rights Code is deemed to be more important, and the inferior law, regulation, policy, or procedure must be applied in a manner consistent with the Ontario Human Rights Code (unless there is an explicit exception contained for such a circumstance). The principle of primacy of the Ontario Human Rights Code also requires Board policies and procedures to be interpreted and applied in a manner consistent with the Ontario Human Rights Code.

## **2.0 MINISTRY OF EDUCATION REQUIREMENTS**

- 2.1** This policy includes the requirement set out in Policy/Program Memorandum 128 for school boards to "develop policies that set out how their schools will implement and enforce the Provincial Code of Conduct".
- 2.2** This policy also includes requirements described in the Education Act, Ministry of Education Policy/Program Memoranda), and Ministry of Education documents, each as amended, including: Policy/Program Memorandum 119, Developing and Implementing Equity and Inclusive Education Policies in Ontario schools, Policy/Program Memorandum 120 Reporting Violent Incidents to the Ministry of Education, Policy/Program Memorandum 144 Bullying Prevention and Intervention, and PPM 145 Progressive Discipline and Promoting Positive Student Behaviour and other related policies.

## **3.0 STANDARDS OF BEHAVIOUR**

### **3.1 Respect, civility, and responsible citizenship**

*All members of the school community must:*

- comply with all applicable federal, provincial, and municipal laws
- comply with all Ministry of Education, school board and school policies
- demonstrate honesty and integrity
- treat one another with dignity and respect, both in person and online, especially when there is disagreement or difference
- respect and treat others fairly, regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, or disability (or replace with – not engage in any form of social or cultural discrimination, or discrimination based on any of the protected grounds covered by the Ontario Human Rights Code
- respect the rights of others
- show proper care and regard for school property and the property of others
- take appropriate measures to help those in need
- seek assistance from a member of the school staff, if necessary, to resolve conflict peacefully
- refrain from using abusive language or swearing at another person
- respect the needs of others to work in an environment that is conducive to learning and teaching
- not use personal mobile devices during instructional time except when approved for an exemption by a school official according to Ministry of Education and Board Policy

### **3.2 Safety**

*All members of the school community must not:*

- engage in bullying behaviours, including cyberbullying
- commit sexual assault or sexual harassment
- traffic in weapons or illegal drugs
- commit robbery, theft or extortion
- be in possession of any weapon, including firearms
- threaten or intimidate another person
- be in possession of alcohol, cannabis, and illegal drugs (for students, this would also include being in possession of electronic cigarette, tobacco, and nicotine products)
- use, or be under the influence of alcohol, cannabis, tobacco, electronic cigarettes, illegal drugs or related products



- provide others with alcohol, illegal drugs, tobacco, electronic cigarettes, cannabis and related products
- inflict or encourage others to inflict bodily harm on another person
- engage in hate propaganda and other forms of behaviour motivated by hate or bias
- commit an act of vandalism that causes damage to school property, to property located on the premises of the school or to the property of a member of the school community
- record, take or share non-consensual recordings or photos of members of the school community

#### **4.0 EQUITY AND INCLUSIVE EDUCATION**

- 4.1** The Catholic Code of Conduct is responsive and equitable and promotes inclusive education. It is reflective of Ministry of Education policy; and ensures a whole-school approach in the development and maintenance of a positive Catholic school learning environment for students and working environment for staff. The Board and its staff are committed to fostering a Catholic culture of respect, inclusion, equity, responsibility, and concern for the wellbeing of students, while working towards the elimination of discrimination as outlined in Ontario's Equity and Inclusive Education Strategy.
- 4.2** Any form of social or cultural discrimination, or discrimination based on any of the protected grounds covered by the Ontario Human Rights Code is contradictory to Catholic moral principles and is in violation of the Ontario Human Rights Code.
- 4.3** The Board and its staff are committed to the elimination of discrimination as outlined in Ontario's Equity and Inclusive Education Strategy.

#### **5.0 THE ONTARIO CATHOLIC SCHOOL GRADUATE EXPECTATIONS**

- 5.1** The Ontario Catholic School Graduation Expectations provide an image of the Catholic learner and a vision for the graduate of Catholic schools in Ontario. These distinctive expectations are shaped by a vision and destiny of the human person that emerges from the Catholic faith tradition and is best understood within the context of a human journey accomplished in community, in solidarity with brothers and sisters in the Church, and beyond. These expectations provide the broader vision within which the Catholic Code of Conduct is situated.
- 5.2** The Ontario Catholic School Graduate is expected to be:
- A discerning believer formed in the Catholic faith community who celebrates the signs and sacred mystery of God's presence through word, sacrament, prayer, forgiveness, reflection, and moral living.
  - An effective communicator who speaks, writes, and listens honestly and sensitively, responding critically in light of Gospel values.
  - A reflective, creative, and holistic thinker who solves problems and makes responsible decisions with an informed moral conscience for the common good.
  - A self-directed, responsible, lifelong learner who develops and demonstrates their God-given potential.
  - A collaborative contributor who finds meaning, dignity and vocation in work, which respects the rights of all and contributes to the common good.
  - A caring family member who attends to family, school, parish, and the wider community.
  - A responsible citizen who gives witness to Catholic social teaching by promoting peace, justice, and the sacredness of human life.

#### **6.0 SAFE AND ACCEPTING SCHOOLS**

##### **6.1 District and School Level Safe and Accepting Schools Teams**

- 6.1.1** It is a policy of the Board to establish a District Safe and Accepting Schools Team (DSAST) that shall develop, implement, and regularly review the Board's Catholic Code of Conduct and the annual District Safe and Accepting Schools Plan.
- 6.1.2** It is a policy of the Board that each school must have a Safe and Accepting Schools Team (SSAST) that shall develop, implement, and regularly review their Catholic School Code of Conduct, annual School Safe and Accepting Schools Plan and Bullying





Prevention and Intervention Plan. Board and School plans will be consistent with Board Policies.

- 6.2** The DSAST supports all school in promoting and maintains safe, inclusive, and accepting environments by:
- creating, implementing, and monitoring the Board's Catholic Code of Conduct
  - providing early and ongoing identification and intervention strategies
  - establishing and implementing strategies, education, programs, interventions, supports, and training specifically addressing bullying prevention and equity and inclusive education
  - administrating fair and consistent progressive disciplinary action in keeping with the Education Act, Board policy and other relevant legislation
  - training for all staff in the knowledge, skills, and attitudes necessary to develop and maintain safe, fostering inclusive and accepting learning and teaching environments.
  - providing necessary accommodation under the Ontario Human Rights Code to support special education and other needs
  - exercising wise stewardship and conservation of resources within the community
  - inviting and include Indigenous voice and perspective into school learning spaces
  - implementing and administer technology policy and use of student personal electronic devices in a responsible and respectful manner
- 6.3** The SSAST will promote and maintain a safe, inclusive, and accepting school community by providing its members with the necessary information, skills, and disciplinary protocols for consistent and conscientious enforcement of the Standards of Behaviour from a trauma-informed, bias-aware, and culturally responsive stance. Schools will enforce the Standards of Acceptable Behaviour using:
- proactive programs and strategies that prevent unwelcome behaviours
  - equitable and just processes
  - due regard for mitigating and other factors
  - consistency in process while affording a differentiated response to suit the individuals and circumstances of the incident.
  - a process that involves consultation with parents/guardians

## **7.0 BULLYING PREVENTION AND INTERVENTION**

- 7.1** The Board will regularly review and revise its District Bullying Prevention and Intervention Plan (Appendix B) and require all its schools to annually review and revise their school plans.
- 7.2** The Board's Plan sets out the district response to bullying behaviours. It is intended to facilitate the school's implementation of the Board's Bullying Prevention and Intervention Plan within the Safe and Accepting School Plan, with a view to promote a school-wide approach to ensuring a safe, inclusive, and accepting school environment free of bullying, harassment, discrimination, and other inappropriate behaviour. Each school will align their school plan with the Board's plan and the Provincial framework.
- 7.3** Bullying is defined as aggressive and typically repeated behaviour by a pupil where, the behaviour is intended by the pupil to have the effect of, or the pupil ought to know that the behaviour would be likely to have the effect of:
- 7.3.1** causing harm, fear, or distress to another individual, including physical, psychological, social, or academic harm, harm to the individual's reputation or harm to the individual's property; or
  - 7.3.2** creating a negative environment at a school for another individual; or
  - 7.3.3** the behaviour occurs in a context where there is a real or perceived power imbalance between the pupil and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender identity, gender expression, race, disability, or the receipt of special education.
- 7.4** For the purposes of the definition of "bullying" above, behaviour includes the use of any physical, verbal, electronic, written, or other means.
- 7.5** For the purposes of the definition of "bullying" above, cyber-bullying includes bullying by electronic



means (commonly known as cyber-bullying), including:

- 7.5.1 creating a web page or a blog in which the creator assumes the identity of another person;
  - 7.5.2 impersonating another person as the author of content or messages posted on the internet; and
  - 7.5.3 communicating material electronically to more than one individual or posting material on a website that may be accessed by one or more individuals.
- 7.6 In the case of bullying, principals must suspend a student in (Grade 4-12) for bullying and consider referring that student for expulsion if:
- 7.6.1 the student has previously been suspended for bullying; and,
  - 7.6.2 the student's continuing presence in the school creates, in the principal's opinion, an unacceptable risk to the safety of another person.
- 7.7 A whole school approach engages all key learning areas, all grades, and the wider community. All aspects of school life are considered, such as policies and procedures, curriculum, school climate, teaching and assessment practices, co-curricular and leadership opportunities.
- 7.8 The use of data is also a key factor. Data will be used to inform the development of bullying prevention and intervention plans, including the selection of evidence-informed programs and practices.
- 7.9 Principals will seek input from students, teachers and other staff, parents, guardians, volunteers working in the schools, school councils and the public when developing the bullying prevention and intervention plan.
- 7.10 The Board and school plans will communicate information regarding:
- 7.10.1 the different types of bullying, including cyber-bullying
  - 7.10.2 the myths and realities of bullying behaviour
  - 7.10.3 the difference between bullying, conflict, aggression, and teasing
  - 7.10.4 power and peer dynamics
  - 7.10.5 how biases, prejudice, and hate can lead to bullying
  - 7.10.6 identifying different manifestations and underlying factors of bullying, such as body image, racism, sexism, homophobia, disability.
- 7.11 The Board and its schools will provide learning and training opportunities for staff and students.
- 7.12 All BHNCDSB schools are required to participate in Bullying Prevention Week each year.
- 7.13 The Board will ensure that schools communicate a clear reporting process. Each school website will host an anonymous online reporting tool that is confidential, and accessible for students who are bullied, or witness bullying or witness other unsafe behaviours at school.

## **8.0 ENFORCEMENT OF RESTRICTIONS TO STUDENT PERSONAL MOBILE DEVICE USE AND ACCESS TO SOCIAL MEDIA ON BOARD NETWORKS AND DEVICES**

*"God does not want us to feel chained to our devices."*

- 8.1 Aligned with obligations under the Education Act and other relevant provincial policy and legislation, the Board aims to balance the benefits of technology with the need to maintain an environment conducive to learning and that limits classroom distractions. It is crucial that schools create a balanced approach to the use of personal mobile devices, ensuring that the educational environment remains focused and respectful for all students and staff.
- 8.2 All community members can be affected by the use of social media and can be impacted by the role it plays in the spread of misinformation, the coarsening of civil discourse, the radicalization of political systems, and the mental health crisis that is especially prevalent among our youth.

### ***Student Use of Personal Mobile Devices***

- 8.3 Restrictions to student personal mobile device use applies to all students enrolled in schools under the Ontario School Board jurisdiction, including during school hours, on school property, during school-related activities, and on school-provided transportation. All members of the school community must not use personal mobile devices during instructional time except under the



following circumstances:

- For educational purposes, as directed by an educator.
- To support special education needs (*parent(s)/guardian(s) must notify the school administration using the approved accommodation process and provide appropriate documentation for such exemptions*).
- For health and medical purposes (*parent(s)/guardian(s) must use the board-approved process to request any exemption*).

**8.4 Activities That Are Prohibited During All School Related Activities:**

- 8.4.1** Appendix C provides a partial list of examples (which is not exhaustive) of activities that are unacceptable and/or illegal.

**8.5 Enforcement of Student Use of Personal Mobile Devices**

- 8.5.1** Students are expected to comply with this policy and adhere to all standards of behaviour within the Catholic Code of Conduct. Any student who repeatedly fails to store personal mobile devices out of view and powered off (or set to silent mode) during instructional time and/or uses a mobile device in a prohibited area or inappropriately, as determined by the educator, are subject to progressive discipline.

- 8.6** Students are encouraged to leave their personal devices at home. In the event of an emergency, communication to a student, or from a student, can be achieved in the main office. The Board is not responsible for lost, stolen or damaged student personal devices.

**Students in Grade 9 to 12**

- 8.7** Grade 9 to 12 students' personal mobile devices must be stored out of view and powered off (or set to silent mode) during all instructional time as determined by the educator. Mobile devices may be used before and after school hours, and during designated times such as lunch breaks, unless otherwise specified by school administration. Mobile devices must not be used in specific spaces designated by the principal (e.g. bathrooms, offices, chapel).
- 8.8** Mobile devices may be used for educational purposes with the explicit permission of staff.
- 8.9** Where an educator notices a personal mobile device that is not stored out of view or not on silent, in the classroom, the staff member must require the device be handed in for the instructional period and the device must be placed, by the student, in the designated storage area in the classroom and progressive discipline will apply.
- 8.10** Where a staff member notices a personal mobile device being used inappropriately outside of the classroom, and/or in a restricted area progressive discipline will apply.
- 8.11** Where the student refuses to hand in their personal mobile device when required, they must be sent to the principal's office. Principals will consider a range of progressive discipline responses to address the student's behaviour.

**Students in Kindergarten to Grade 8**

- 8.12** Kindergarten to Grade 8 students' personal mobile devices must be stored out of view and powered off (or set to silent mode) throughout the full instructional day. For clarity, full instructional day means the time between the first bell to signal the start of the school day and the final bell to signal the end of the school day.
- 8.13** Where a staff member notices a personal mobile device that is not stored out of view or not on silent, they must be directed to the office where the student will be required to hand in the device for the instructional day and the device must be placed, by the student, in a storage area in a location designated by the principal. Subsequent infractions will be subject to progressive discipline.
- 8.14** Students are responsible for their personal mobile device, how they use it and the consequences of not following the Board's policy on student personal mobile device use.
- 8.15** Where the student refuses to hand in their personal mobile device when required, they must be sent to the principal's office. Principals will consider a range of progressive discipline responses to address the student's behaviour.



## **Access to Social Media on Board Networks and Devices**

*“The Christian commitment to truth implies not only that we pursue what is real, but also that we look at the vastness of reality from a wealth of angles. The danger of “fake news” on social media exists alongside the danger of echo chambers in which we read only from a narrow set of sources and engage with a narrow set of like-minded voices that reconfirm what we already believe rather than broadening our understanding of reality.”*

- 8.16** Pope Francis reminds us that we must be true to one another online. Considering the way that social media conversations, even among Christians, can too often unfold, he notes, “A fulsome commitment to truth always implies a concern for the Personhood of the other.”
- 8.17** Pope Francis also notes that, “Social media platforms benefit financially from keeping people online as long as possible; these platforms have learned that one way of doing so is to continue to feed us information and perspectives that we already agree with”.
- 8.18** Time spent online not only negatively impacts deepening relations with close family and friends, but also cuts into the time we spend in prayer, exercise, civic activity, nature, sleep, and the other goods of life. Over a decade ago, Benedict XVI noted that “If the desire for virtual connectedness becomes obsessive, it may in fact function to isolate individuals from real social interaction while also disrupting the patterns of rest, silence and reflection that are necessary for healthy human development.”
- 8.19** All social media platforms are restricted on all Board/school networks and devices. Social media platforms can only be used by students at school for educational purposes, directed by an educator. BYOD and guest networks also comply with the requirements of PPM 128, including restrictions on social media.
- 8.20** Social media in this context is generally defined as interactive technologies including websites, platforms and applications that facilitate and enable users to create, share, and interact with content, and to connect and communicate with other users or publicly. Examples of social media platforms and apps include Snapchat, Instagram, TikTok, Facebook, X (formerly Twitter), Discord, and similar services that facilitate social interaction and content creation and sharing.
- 8.21** With technology constantly evolving and the differences in definition for social media across the industry and amongst providers of network and security technologies, the Board will continually manage the “restriction list”. The Board’s restriction list primarily considers the platforms and apps that are impacting student participation the most, and of greatest concern as it pertains to student well-being.
- 8.22** In general, blogs are different from social media and are not included in the restrictions. However, the Board will monitor the status of all platforms on its school networks and devices and make appropriate and informed decisions on restrictions.
- 8.23** The Board understands that some social media platforms may be used by staff in a targeted way for specific learning, pedagogy, and operational purposes.
- 8.24** Specific social media platforms remain an important communication tool for schools and the Board to communicate timely information to parents, guardians, and the public.
- 8.25** Board and school staff using apps and technology are to be trained on privacy, cyber security, and online safety best practices as well as any related school or board policies (e.g., Acceptable use of IT Policy).
- 8.26** Where an exemption to the restriction exists, the educator would oversee the use of the platform in the classroom/school, providing the necessary oversight, guidance, and direction for how the platform would be used for educational purposes.
- 8.27** Users of personally owned devices shall make no attempts to circumvent the board/school’s network security and/or filtering policies. This includes setting up proxies and downloading programs to bypass security. Students in contravention of the Catholic Code of Conduct in this regard will be subject to discipline.



## **Elementary and Secondary Provincial Report Cards**

**8.28** Beginning in the 2024-25 school year, Elementary and Secondary Provincial Report Cards will include information regarding classroom distractions. Consistent with all progress reporting, comments are supportive of students' ongoing development of learning skills and work habits as outlined in Growing Success (2010) and assessment, evaluation and reporting practices and procedures are fair, transparent, and equitable for all students.

**8.28.1 Elementary:** Where applicable, information on how classroom distractions, including those related to the use of personal mobile devices, are impacting a student's progress will be captured within the section of the report card reserved for comments on learning skills and work habits.

**8.28.2 Secondary:** Where applicable, information on how classroom distractions, including those related to the use of personal mobile devices are impacting a student's progress, will be captured within the comment box reserved for course comments.

## **9.0 ENFORCEMENT RELATING TO ALCOHOL, TOBACCO, ELECTRONIC CIGARETTES, RECREATIONAL CANNABIS AND RELATED PRODUCTS AND ILLEGAL DRUGS**

- 9.1** The Smoke-Free Ontario Act, 2017 prohibits smoking (tobacco and cannabis) and the use of electronic cigarettes (vaping) at schools, on school grounds, and all public areas within 20 metres of these grounds. Anyone smoking or vaping on school property is guilty of an offence and if convicted may result in a fine under the Smoke-Free Ontario Act, 2017.
- 9.2** The Smoke-Free Ontario Act, 2017 also prohibits the sale and supply of tobacco or e-cigarettes to anyone under 19 years of age. Anyone who sells or supplies tobacco or an e-cigarette to a student under 19 years of age is guilty of an offence and if convicted may result in a fine under the Smoke-Free Ontario Act, 2017.
- 9.3** The Board will adhere to its obligation under Board Policy and the Provincial and Local Police/School Board Protocols in providing the required notification to a School Public Health Nurse (PHN), Tobacco Enforcement Officers and/or to local Police Services.
- 9.4** In accordance with the Smoke-Free Ontario Act, 2017, Board Policy 400.25 Smoke and Vape Free Environment declares all prohibitions and establishes policy and procedures for maintaining a smoke-free, tobacco free and cannabis-free learning, playing, and working environment for students, employees, visitors, and those who use Board facilities.
- 9.5** Smoking and/or holding lit tobacco, cannabis, tobacco-like, cannabis-like (alternative) products, consuming or using any other tobacco, cannabis, tobacco-like, cannabis-like (alternative) product, e-cigarette, or related product, is strictly prohibited on all Board properties, during educational excursions, in Board vehicles or in personal vehicles parked on Board property.
- 9.6** Failure of students, employees, visitors, and those who use BHN facilities to comply with the requirements of the Smoke-Free Ontario Act, 2017, may result in legal action (i.e., being charged and/or fined). For infractions beyond the scope of the Smoke-Free Ontario Act, 2017, the Catholic Code of Conduct will apply.
- 9.7** Electronic products such as electronic cigarettes, cigars, and pipes, as well as cartridges of nicotine solutions and related products, are prohibited in a school or on any and all BHN CDSB properties or during school or Board sanctioned activities or events. If vaping materials/paraphernalia are confiscated, they will not be returned to any students under the age of 19.
- 9.8** In the case of these substances and related products being found in the possession of students, parents **must** be notified, and the student **must** surrender the item(s) to the educator or administrator and will be subject to progressive discipline. In some cases, students involved in these incidents will receive support to learn from inappropriate behaviours and make choices that support continuing their learning.
- 9.9** Exposure of students to media that depicts smoking or the use of tobacco, cannabis, tobacco-like or cannabis-like (alternative) products is also prohibited with the exception of media that includes smoking, tobacco or cannabis imagery as a necessary component of historical depictions and/or media that depicts the dangers of smoking, exposure to secondhand smoke or cannabis.





- 9.10** In accordance with the Smoke Free Ontario Act, exceptions are made for the traditional use of tobacco. Therefore, if an Indigenous person makes a request to use tobacco for traditional Indigenous cultural or spiritual purposes, every effort will be made to accommodate the individual in an appropriately designated space.

## **10.0 PROGRESSIVE DISCIPLINE**

- 10.1** In order to promote positive student behaviours that contribute to safe learning environments, the Board supports the use of positive practices for prevention and behaviour management.
- 10.2** Progressive Discipline is a whole-school approach that utilizes a continuum of interventions, supports, and consequences to address inappropriate student behaviour and to build upon strategies that promote positive behaviours. Everything we do in the Board, is founded in our Faith and a conscious effort to model the Beatitudes while responding as a caring Catholic community.
- 10.3** This approach includes a range of proactive strategies.
- 10.4** At the school level, progressive discipline includes positive classroom management strategies, bullying prevention and intervention supports, and school-wide programs that teach pro-social skills, provide support for all students, promote virtue formation, and foster Catholic values.
- 10.5** Progressive discipline is based on a belief that there are numerous strategies for learning. This belief is rooted in Jesus' model of discipleship and His code of "beatitude living" that guides the practice of progressive discipline in BHNCDSB school communities.
- 10.6** The interventions, supports, and consequences used are framed within a restorative approach and are cognitively, developmentally, and socio-emotionally appropriate. These interventions, supports, and consequences include learning opportunities for reinforcing positive behaviour while helping students make better choices and fully understanding the impact of their decision on others.
- 10.7** Progressive discipline applies corrective, supportive interventions and consequences to address inappropriate behaviour. When addressing inappropriate behaviour, school staff should consider the particular student and the circumstances, including mitigating and other factors. Suspensions and expulsions may be considered.

## **11.0 PROGRESSIVE DISCIPLINE STRATEGIES**

- 11.1** Progressive Discipline exists at all times for all students.
- 11.2** The application of progressive discipline ensures consistency in process while affording a differentiated response to suit the individual and circumstance of the incident. The appropriate response to challenging behaviours may take the form of an intervention, a support, a consequence, or all three.
- 11.3** In some circumstances, positive practices and progressive discipline might not be effective or sufficient in addressing inappropriate student behaviour. In such circumstances, the Board supports the use of progressive discipline consequences up to and including suspension, or expulsion from all schools of the Board (as per the Education Act sections 306 and 310 and reflective of Ontario Regulation 440/20 regarding the Suspension of Elementary School Pupils).
- 11.4** For students with special education and/or disability related needs, interventions, supports and consequences will be consistent with the expectations in the students' individual education plan (IEP) and /or his/her demonstrated abilities.
- 11.5** Some examples of consequences consistent with progressive discipline (not including suspension or expulsion) include:
- verbal/non-verbal messages from teacher or adult in authority
  - review of expectations
  - contact with the student's parent(s)/guardian(s)
  - written work assignments with a learning component;
  - assigning the student to volunteer services to the community
  - conflict mediation and resolution
  - peer mentoring
  - referral to counseling
  - consultation meeting(s) with the student's parent(s)/guardian(s), the student and the





Principal/Vice Principal

- referral of student to a community agency for support
- detentions
- withdrawal of privileges
- temporary withdrawal from class
- restitution for damages; and/or
- restorative practices, circles, and dialogues
- re-location within the classroom or learning environment
- reflective conversations with student, to help student develop alternative behaviours
- collaboration with other school personnel (school SERT, support agencies)
- peer mediation
- support from local Police

## **12.0 ENFORCING THE CATHOLIC CODE OF CONDUCT**

- 12.1** The Board is committed to a responsive, progressive, and restorative approach to conflict resolution, discipline, and inappropriate student attitudes and behaviours. This approach reflects our belief that we are all created in the image and likeness of God and that everything we do is guided by our Gospel values.
- 12.2** When a challenging behaviour occurs, the principal ensures due process and equitable and just treatment for all involved in the incident. This treatment is predicated on the understanding that equitable and just processes consider mitigating and other factors as required by the Education Act.
- 12.3** Before applying any progressive discipline consequence, including suspension and/or expulsion, the Principal/Vice-Principal shall consider whether or not the progressive discipline consequence might have a disproportionate impact on a student protected by the Human Rights Code, including but not limited to race and disability, and/or exacerbate the student's disadvantaged position in society, and whether or not accommodation to the point of undue hardship is required. (Where the Principal deems that a student's continuing presence in the school creates an unacceptable risk to the safety of others in the school, then a progressive discipline approach may not be appropriate).
- 12.4** 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 student, where appropriate, and the student's parent(s)/guardian(s) (if the student is not an adult) to identify whether any mitigating and/or other factors set out in section 15.0 below might apply in the circumstance.
- 12.5** When enforcing the Catholic Code of Conduct at the classroom, school, and board level, staff will undertake a broadly collaborative process in determining the most appropriate response to address a challenging behaviour. This process involves consultation with parents/guardians. However, the final decision rests with the principal and/or designate.
- 12.6** Using collaborative and reflective practice when determining the response to inappropriate behaviour ensures that:
- schools promote the safety of all and emphasize the importance of promoting positive change for students who struggle with challenging behaviours;
  - schools support the classroom teacher or other staff in addressing minor or moderate incidents through progressive discipline; and,
  - the principal leads a consultative decision-making process for serious or severe incidents.

## **13.0 DEFINING THE INCIDENT UNDER THE EDUCATION ACT**

- 13.1** When a serious student incident is reported, the principal will consider what type of intervention and/or progressive discipline is warranted, if any, to help ensure a positive school climate.
- 13.2** When a principal contemplates progressive discipline including possible suspension and/or expulsion, the principal will start by defining the infraction under the Education Act. The table below lists infractions according to whether they fall under Section 306 or 310 of the Education Act.
- 13.3** Section 306 of the Education Act mandates when the principal **SHALL CONSIDER** issuing a suspension.



- 13.4** Section 310 of the Education Act mandates when the principal **SHALL ISSUE** a 20-day suspension pending investigation into expulsion. All final decisions shall be made in consultation with the Superintendent (or designate).

Section 306 – <b>Shall Consider</b> Suspension (Grade 4-12 students only)		Section 310 – <b>Shall Suspend</b> pending possible Expulsion (All students)	
Code	Infraction	Code	Infraction
306-1	Uttering a threat to inflict serious bodily harm on another person	310-1	Possessing a weapon, including possessing a firearm
306-2	Possessing alcohol, illegal drugs or, unless the pupil is a medical cannabis user, cannabis	310-2	Using a weapon to cause or to threaten bodily harm to another person
306-3	Being under the influence of alcohol or, unless the pupil is a medical cannabis user, cannabis	310-3	Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner
306-4	Swearing at a teacher or at another person in a position of authority	310-4	Committing sexual assault
306-5	Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school	310-5	Trafficking in weapons or in illegal drugs
306-6	Bullying	310-6	Committing robbery
306.7	Any other activity that is an activity for which a principal may suspend a pupil under a policy of the board.	310.7	Giving alcohol or cannabis to a minor
306-7.1	Breach of Code of Conduct, BHNCDSD & School Policy	310-7.1	Bullying, if (i) the pupil has previously been suspended for engaging in bullying <sup>1</sup> , <u>and</u> (ii) the pupil's continuing presence in the school creates an unacceptable risk to the safety of another person
306-7.2	Being under the influence illegal or restricted drugs, BHNCDSD and School Policy	310-7.2	Any activity listed in subsection 306 (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
306-7.3	Habitual neglect of duty, BHNCDSD and School Policy	310.8	Any other activity that, under a policy of a board, is an activity for which a principal must suspend a pupil and, therefore in accordance with this Part, conduct an investigation to determine whether to recommend to the board that the pupil be expelled
306-7.4	Opposition to Authority, BHNCDSD and School Policy	310-8.1	Any act considered by the principal to be a serious violation of the BHNCDSD or School Code of Conduct



306-7.5	Profanity/swearing, intimidation, BHNCDSB and School Policy	310-8.2	Activities engaged in by the pupil on or off school property that have caused extensive damage to the property of the BHNCDSB or to goods that are/were on BHNCDSB property
306-7.6	Possessing restricted drugs	310-8.3	A pattern of behaviour that is so inappropriate that the pupil's continuing presence in the school creates an unacceptable safety risk to other person(s) is injurious to the effective learning and/or working environment of others
306-7.7	Fighting/Violence, BHNCDSB and School Policy	310-8.4	Trafficking in restricted drugs
306-7.8	Inciting Violence and/or Hate, BHNCDSB and School Policy	310-8.5	Extortion

**13.5 Education Act, Section 306: Suspensions (Students in Grade 4-12 only)**

- 13.5.1 A principal shall consider whether to suspend a student if they believe that the student has engaged in any of the activities listed in section 306 while at school, at a school-related activity, or in other circumstances (including off school property) where engaging in the activity may have a negative impact on the school climate.
- 13.5.2 A student in Grade 4 -12 may be suspended only once for an infraction, in any one incident, and may be suspended for a minimum of one (1) school day and a maximum of twenty (20) school days.
- 13.5.3 As per Ontario Regulation 440/20, a "...pupil in junior kindergarten, kindergarten or grade 1, 2 or 3 shall not be suspended under section 306 of the Act for engaging in an activity described in subsection 306 (1) of the Act."
- 13.5.4 Although Ontario Regulation 440/20, states that a pupil in junior kindergarten, kindergarten, or grade 1, 2 or 3 shall not be suspended under section 306 of the Act, the offence must still be reported to the principal and the principal must determine and put in place appropriate alternatives to discipline.

**13.6 Education Act, Section 310: Suspension, Investigation, Possible Expulsion (Students in Grades 4-12 only)**

- 13.6.1 Subject to Ontario Regulation 440/20, and as detailed below, a principal shall suspend and may consider recommending an expulsion of a pupil if they believe that the pupil has engaged in any of the activities listed in Section 310 while at school, at a school-related activity, or in other circumstances (including off school property) where engaging in the activity will have a negative impact on the school climate.
- 13.6.2 For infractions listed in Section 310 of the Education Act, if the principal believes that the student committed one of the infractions, the student shall be automatically suspended for 20 days pending expulsion and the school investigation commences.
- 13.6.3 In circumstances involving police, the principal may be required to halt their investigation pending approval by the police to resume.
- 13.6.4 There are five possible outcomes following the completion of the school investigation. All final decisions shall be made in consultation with the appropriate Superintendent.
  1. The principal determines that the student is NOT responsible for the infraction. The student would return to school and the principal would withdraw the Suspension Pending Expulsion and expunge the student record of Suspension Pending Expulsion, even if the suspension has been served. A determination letter reflecting this outcome is issued.
  2. The principal determines that the infraction did occur, but there are mitigating factors relevant to the circumstances which lead to the principal's decision to



shorten the suspension to between 1 and 19 days, even if the suspension has already been served. A determination letter reflecting this outcome is issued.

3. The principal determines that the infraction did occur, and the student receives a confirmed suspension of 20 days. However, there are mitigating factors relevant to the circumstances which lead to the principal's decision not to recommend the student for expulsion. A determination letter reflecting this outcome is issued.
4. The principal determines that the infraction did occur, and the principal is recommending expulsion from the student's current school only. A determination letter reflecting this outcome is issued.
5. The principal determines that the infraction did occur, and the principal is recommending expulsion from all BHNCDSB schools. A determination letter reflecting this outcome is issued.

### **13.7 Education Act, Section 310: Suspension, Investigation, And Possible Expulsion (Students in JK-Grade 3)**

- 13.7.1 Section 310 of the Education Act mandates when the principal shall issue a 20-day suspension pending expulsion.
- 13.7.2 Subject to Ontario Regulation 440/20, and as detailed below, a principal shall suspend and may consider recommending an expulsion of a student if they believe that the student has engaged in any of the activities listed in Section 310 while at school, at a school-related activity, or in other circumstances (including off school property) where engaging in the activity will have a negative impact on the school climate.
- 13.7.3 As per Ontario Regulation 440/20, a student in junior kindergarten, kindergarten, or grade 1, 2 or 3 shall not be suspended under section 310 of the Act for engaging in an activity described in subsection 310 (1) of the Act unless the principal has conducted an investigation respecting the allegations. This regulation means that prior to issuing a suspension pending possible expulsion under Section 310 for this age group, the principal must first conduct an initial investigation to determine if a Section 310 suspension is warranted.
- 13.7.4 Once the principal has determined a Section 310 offence has been committed, the student is suspended for 20 Days pending possible expulsion. In such cases, the principal shall further investigate to determine if there are mitigating or other factors to be considered in determining the length and type of discipline as required by the Education Act.
- 13.7.5 If the principal determines a Section 310 offence has been committed, the student is then suspended pending possible expulsion. In such cases, the principal shall continue with the steps as noted below (i.e., further investigation to determine if there are mitigating or other factors to be considered in determining the length and type of discipline as required by the Education Act; principal chooses 1 of 5 possible discipline outcomes).

## **14.0 SUSPENSIONS AND EXPULSIONS FOR BULLYING**

### **14.1 Suspension of Students in Junior Kindergarten to Grade 3**

- 14.1.1 As Per Ontario Regulation 440/20, discretionary (306) suspensions for students in junior kindergarten to grade 3 have been eliminated. Incidents of bullying involving students from junior kindergarten to grade 3 should be addressed with the appropriate positive behaviour supports in the school setting.
- 14.1.2 However, principals must suspend students in junior kindergarten to grade 3 for incidents of bullying if:
  - their continuing presence in the school creates an unacceptable risk to the safety of another person;



- the bullying 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 (for example, socio- economic status, appearance).
- 14.1.3 The principal may only suspend a student in junior kindergarten to grade 3 under section 310 of the Education Act for engaging in bullying if they have conducted an investigation respecting the allegations.

## **14.2 Suspension of Students in Grades 4 to 12**

- 14.2.1 Under the Education Act, principals must suspend a student between grades 4 to 12 for bullying and, after an investigation, consider referring that student for expulsion if:
- the student has previously been suspended for bullying; and the student's continuing presence in the school creates an unacceptable risk to the safety of another person;
  - the bullying 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.

## **15.0 THE THREE FACTOR ANALYSIS**

- 15.1** Before determining the discipline, if any, the principal is required by the *Education Act and Ontario Regulation 472/07*, to consider any mitigating and other factors and whether the discipline will have a disproportionate impact on a student's rights under the protected grounds of the *Ontario Human Rights Code* and/or exacerbate any disadvantage the student may experience in society.
- 15.2** Where a principal does not suspend a student, a record of the incident believed to have occurred shall be properly documented and retained. If the student poses an unacceptable risk to the safety of themselves and/or to others in the school, the principal shall consult with their superintendent regarding appropriate accommodations and/or strategies that might be instituted to ensure safety and well-being of students, staff, and others in the school.
- 15.3** Once the offense has been defined under either Section 306 or 310 of the *Education Act*, three factors are used when considering the most appropriate response to address inappropriate behavior.
- Factor 1:** Consider the individual student and the circumstances including mitigating and other factors as outlined in the Education Act.

**a. Mitigating Factors:**

1. The pupil does not have the ability to control their behaviour.
2. The pupil does not have the ability to understand the foreseeable consequences of their behaviour.
3. The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.

If a student does not have the ability to control their behaviour or does not understand the foreseeable consequences of their behaviour, the principal will not suspend the student. Alternative discipline and/or other interventions may be considered by the principal in such circumstances.

**b. Other Factors:** the following additional factors shall be considered:

1. the pupil's history
2. whether a progressive discipline approach has been used with the pupil;
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 their race, ethnic origin, religion, disability, gender identity, gender expression, or sexual orientation, or to any other harassment;
4. how the suspension or expulsion would affect the pupil's ongoing education;



5. the age of the pupil;
6. in the case of a pupil with a disability and/or for whom an IEP has been developed:
  - whether the behaviour was a manifestation of a disability which may or may not be identified in the pupil's IEP
  - whether appropriate individualized accommodation has been provided;
  - whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.

**Factor 2:** the nature and severity of the behaviour.

**Factor 3:** the impact of the behaviour on the school climate (i.e., the relationships within the school community).

## **16.0 PROGRAMMING FOR SUSPENDED OR EXPELLED STUDENTS**

- 16.1** 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.

## **17.0 RESPONDING AND REPORTING**

### **Responding**

- 17.1** Provided there is no immediate risk of physical harm to any individual, all staff members shall respond to any inappropriate student behaviour and/or behaviour that impacts negatively on school climate or for which a suspension and/or referral for expulsion may be warranted. This includes behaviour at any time at school and at any school-related event.
- 17.2** Appropriate action must consistently be taken by school staff to address behaviours that are contrary to Provincial, Board and School Codes of Conduct, which includes, but is not limited to, harassment and discrimination, bullying, swearing, malicious gossip, name-calling, sexist, homophobic or racial slurs, comments, jokes or teasing and defamatory or discriminatory electronic communication and postings, graffiti, vandalism and other behaviour that might cause a negative school climate.
- 17.3** Responses shall be timely, supportive, and sensitive, and made in an effort to stop and correct the behaviour in a manner that is developmentally appropriate and takes into consideration any special and/or disability related needs that the student might exhibit or about which the employee might be aware. Responses may include one or more of:
- asking the student 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 student for a correction of their behaviour by restating or rephrasing their comments;
  - asking the student to apologize for his/her behaviour or how he/she can correct/restore the situation (e.g., 'make it right');
  - asking the student to promise not to repeat their behaviour;
  - asking the student what they will do instead of repeating the behaviour;
  - asking the student 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.
- 17.4** Unless the behaviour is such that it must be considered for suspension or expulsion, an appropriate response by staff is sufficient, and it is not required that these incidents be reported to the principal.





## **Reporting**

- 17.5** An employee of the Board that becomes aware that a student at a school of the board may have engaged in a serious student incident shall report the matter to the principal as soon as reasonably possible and no later than the end of the school day. Any incident that could warrant suspension or referral to expulsion must be reported to the principal or designate.
- 17.6** The purpose of reporting serious student incidents is to ensure that the principal is aware of any activities taking place in the school for which suspension or expulsion must be considered and to help ensure a positive school climate.
- 17.7** All employee reports of serious student incidents must be confirmed in writing, using the Online Reporting Tool - Safe Schools Incident Reporting Form – Part I (Form I). The employee who made the report will receive a response via the Safe Schools Incident Reporting Form – Part II (Form 2). The principal must not disclose more personal information than is reasonably necessary for the purpose of communicating the results of the investigation.
- 17.8** Principals are responsible for maintaining proper order and discipline in schools. Students 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.
- 17.9** 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.

## **18.0 VIOLENCE THREAT RISK ASSESSMENT PROTOCOL**

- 18.1** Under certain conditions, students may need to undergo a Violence Threat Risk Assessment (VTRA) when their behaviours or other information confidently suggest they may be at risk of harming themselves or others.
- 18.2** Threat assessment is the process of determining if a threat-maker (someone who utters, writes, emails, and/or gestures a threat to harm a target or targets) does indeed pose a risk to the target or targets they have threatened.
- 18.3** All threat-making behaviours must be reported to administration. Administration, in consultation with the school team, will discern whether to activate the VTRA protocol.
- 18.4** During the VTRA process, information is obtained from multiple sources to develop an intervention plan to reduce the risk of violence.
- 18.5** The BHNCD SB VTRA Protocol is led by the school principals with the direct support of the school Social Worker.

## **19.0 SCHOOL TRANSFERS RELATED TO SCHOOL SAFETY**

- 19.1** In the case where a student is being transferred to another school in order to preserve school safety the receiving school is required to coordinate a “transfer meeting” between the school from which the student is being transferred and the receiving school.
- 19.2** The purpose of the meeting is to put in place a transition strategy to identify any additional supports and resources the student may require.
- 19.3** The transfer meeting will include the school administrator, teachers and other support staff that will have regular direct contact with the student that is being moved, the student and the student’s parent(s)/guardian(s).
- 19.4** The meeting must occur prior to the student being transferred or on the day the student is being transferred and must occur before the student attends class.



- 19.5** The receiving school must be in possession of the student's Ontario Student Record prior to the transfer meeting and will be used as part of the transfer meeting.
- 19.6** All participants in the transfer process will treat all information included within the transfer process as confidential.

## **20.0 RESPONSIBILITIES**

### **20.1 *The Board of Trustees and Senior Administration will:***

- provide leadership to all members of the school community to ensure equitable opportunity to a safe, caring, inclusive, and healthy learning and work environment by developing policies that set out how Board facilities will implement and enforce the Catholic Code of Conduct and all other rules that promote and support respect, civility, Catholic service, responsible citizenship, safety, and the conditions necessary for an optimal learning and work environment for all;
- develop, implement, and monitor the Catholic Code of Conduct;
- seek input from the Parent Involvement Committee (RCPIC), the Special Education Advisory Committee (SEAC), Indigenous Education Council (IEC); parents/guardians/caregivers, students, staff members, and the community;
- promote the knowledge, skills, and attitudes necessary to ensure successful implementation of the Catholic Code of Conduct;
- provide professional development for system leaders to assist them in ensuring compliance with and enforcement of the Catholic Code of Conduct at the local school level;
- provide guidelines to assist principals in developing, implementing, and monitoring their local Catholic School Code of Conduct to address specific local school-related needs;
- provide system-wide direction to embed Catholic moral imperatives, virtues and Gospel values while cultivating strong partnerships with parish and community partners;
- ensure that the Standards of Acceptable Behaviours the Catholic Code of Conduct are enforced in the schools;
- develop, implement and enforce procedures that address unacceptable behaviour of other persons, such as, volunteers and visitors;
- ensure a well communicated process for online reporting and documenting of a violent incident involving a student, as defined in PPM 120;
- annually communicate policies and procedures related to the Catholic Code of Conduct to all parents, students, staff, and other members of the school community;
- have procedures and protocols in place to meet the obligation to report concerning conduct to the relevant regulatory colleges (e.g., the Ontario College of Teachers, the College of Early Childhood Educators, etc.) under applicable legislation.

### **20.2 *School Administration will:***

- model servant leadership, cultivating an authentic safe, caring, and inclusive Catholic culture;
- model the standards of safety, respect, civility, and responsible citizenship;
- support the mission and spiritual theme of the Brant Haldimand Norfolk Catholic District School Board;
- promote the highest possible standards of conduct and special care for the most vulnerable;
- develop, implement and review the local Catholic School Code of Conduct and the Safe and Accepting Schools/Bullying Prevention and Intervention Plan in collaboration with all stakeholders;
- demonstrate care for the school community and a commitment to student achievement and well-being in a safe, inclusive, and accepting learning environment;
- hold everyone under their authority accountable for their behaviour and actions;
- communicate regularly and meaningfully with all members of their school community;
- prepare students for the full responsibilities of citizenship as outlined in the Ontario Catholic



School Graduate Expectations.

- ensure consistent enforcement of school expectations using progressive discipline and other Board procedures;
- empower students to be positive leaders in their school and community and enable opportunities for student engagement and student voice;
- train school staff and monitor the implementation of progressive discipline;
- implement the BHNCD SB process for the reporting and monitoring of violent incidents and/or incidents that may lead to suspension and/or expulsion;
- cultivate and maintaining strong partnerships with parents/guardians, the local parish, and community partners.
- post Ministry of Education approved signage in school entrances and other visible places.

**20.3 Teachers and School staff will:**

- support the mission and spiritual theme of the Brant Haldimand Norfolk Catholic District School Board;
- model the standards of safety, respect, civility, and responsible citizenship including the appropriate use of personal mobile devices for work-related purposes;
- empower students to be positive leaders and help students work to their full potential;
- communicate regularly and meaningfully with parents;
- maintain consistent and fair standards of behaviour for all students;
- insist all students are held to the same standards and are expected to reach the same high expectations of civility and academics;
- use Gospel values as their guide in assisting the principal in maintaining order in the school;
- prepare students for the full responsibilities of citizenship as outlined in the Ontario Catholic School Graduate Expectations;
- help students to develop a sense of self-worth, work to their God-given potential, and to be positive leaders in the classroom, school, parish, and community;
- provide students with opportunities to exercise Catholic service and wise stewardship;
- assist students in the exercise of personal conscience in discerning right choices;
- collaborate with colleagues in exercising preventative and proactive strategies to maintain high standards of behaviour, and consistently utilizing progressive discipline.

**20.4 Students will:**

- demonstrate respect for themselves and for others, and especially for those in positions of authority;
- strive for excellence in personal conduct and academic performance;
- fulfill the Ontario Catholic School Graduate Expectations and live the Gospel message;
- come to school prepared, on time, and ready to learn;
- come to school dressed appropriately for a Catholic school learning environment;
- respect school property and the property of others
- comply with the school's dress code/uniform policy;
- follow the established rules, take responsibility for their actions, and strive to repair harm where applicable;
- contribute to a safe and inclusive school culture by advocating for those in need;
- participate respectfully in the faith life and liturgical practices of the school community (e.g., sacraments, retreats, religion courses);
- accept school discipline as necessary for personal growth, and as an extension of the responsibilities that would be exercised by a kind, firm, and judicious parent/guardian;
- refrain from bringing anything to school that may compromise the safety of others;



- use electronic devices in a responsible and respectful manner and only as directed by an educator during instructional time.

**20.5 Parent(s)/ Guardian(s)/Caregivers(s) will:**

- embrace their role as the primary educator of their child(ren);
- support the efforts of school staff in maintaining a safe, inclusive, accepting, and respectful learning environment for all students;
- support the mission of the Brant Haldimand Norfolk Catholic District School Board and reinforce the importance of Catholic faith being embedded in every part of the school curriculum and ethos;
- take an active interest in their child's schoolwork and progress and communicate regularly with the school;
- help their child be appropriately dressed and prepared to attend school regularly and on time;
- promptly report to the school their child's absence or late arrival;
- become familiar with the Provincial, Board and School Codes of Conduct;
- insist their child follows the rules of behaviour and support them in doing so;
- assist school staff in dealing with disciplinary issues involving their child.

**20.6 Volunteers/Visitors/Community Partners will:**

- be expected to uphold the Catholic Code of Conduct within the facilities and during events with the Board.
- ensure their work within the Board respects the unique Catholic nature of our schools and our identity.

**20.7 Police Services will:**

- work in partnership with schools in a variety of ways;
- provide guidance and support to students, parents/guardians/caregivers, and staff;
- participate in school activities and provide educational and mentorship programming for students;
- play an essential role in making our schools and communities safer and may be called upon to investigate incidents in accordance with the School Board/Police Protocol.

**21.0 DELEGATION OF AUTHORITY**

**21.1** Whenever possible, the Board will attempt to have an administrator present on school property. A Principal may delegate their authority to a Vice-Principal or in some cases a teacher-in-charge in accordance with the Board's procedures. Vice-Principals may be delegated authority by the Principal to:

- conduct an investigation and/or inquiry when an infraction has occurred;
- consider and implement progressive discipline measures following the investigation of an incident;
- impose a suspension of five (5) or fewer days in accordance with these procedures;
- create and facilitate all aspects of the Student Action Plan process when a student has been suspended for five (5) or more days or when student is referred to the Student Discipline Committee of the Board for expulsion;
- notify a parent/guardian of a student who has been the victim of an incident, including an incident that might lead to a suspension or recommendation for expulsion;
- develop a Safety Plan for an individual;
- coordinate a transition meeting for a student where a decision has been made by the Superintendent in consultation with the Principal that the student must be transferred to another school;
- contact police in accordance with the School Board/Police Protocol and the Board's Emergency Response Protocols.

# Code of Conduct

## **Members of the school community will:**

- Treat each other with kindness and respect
- Support learning and keep distractions out of class
- Help others when they are in need

## **Members of the school community will not:**

- Bully, cyberbully, or encourage others to do so
- Harm others, including harm with the motivation of hate or discrimination
- Use a personal mobile device during class unless permitted by an educator
- Use, share or sell vape, nicotine and/or tobacco products on school property

**Speak with a staff member if you or someone else needs help.**

Visit [ontario.ca/SchoolRules](https://ontario.ca/SchoolRules) to learn more about the Provincial Code of Conduct



[ontario.ca/SchoolRules](https://ontario.ca/SchoolRules)

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## BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD BULLYING PREVENTION AND INTERVENTION PLAN

The *Education Act* requires school boards to develop a Bullying Prevention and Intervention Plan and to require all its schools to implement the plan. This Board's Bullying Prevention and Intervention Plan is created with a view to promote a district-wide and school-wide approach to ensuring a safe, inclusive and accepting school environment free of bullying, harassment, discrimination, and other inappropriate behaviours. The Board's Bullying Prevention and Intervention Plan is based upon the Ministry of Education's Model Bullying Prevention and Intervention Plan (the "Model Plan")<sup>1</sup> released January 29, 2013, and the requirements set out in this document have been taken directly from the Model Plan and P/PM 144 Bullying Prevention and Intervention (November 25, 2021).

### POLICY STATEMENT

The Brant Haldimand Norfolk Catholic District School Board (the "Board") believes that all schools should be safe, inclusive, accepting, and respectful environments for all students, staff, parents, and visitors. As a district, we will work together to promote positive attitudes and behaviour towards each other that respect the accepted *Standards of Acceptable Behaviour*.

The Board recognizes that all people are created equal, in the image of God, each with unique characteristics deserving of dignity (Genesis: 1:27). In accordance with the Church's teachings, our schools provide, in all its operations, an educational environment which supports and celebrates the strength of diversity within our inclusive Catholic community.

School communities are well positioned to educate students on bullying prevention, promote healthy relationships, notice troubling changes in behaviour, respond to all forms of bullying, address instances of bullying, and connect with students. The Board understands:

- bullying adversely affects a student's well-being and ability to learn;
- bullying adversely affects the school climate, including healthy relationships; and,
- bullying, including cyber-bullying, is a serious issue and is not acceptable in the school environment (including virtual), in a school-related activity, or in any other circumstances that will have an impact on the school climate.

### POLICY AND PROCEDURES: Engaging Parents and Families

The Board recognizes that a whole school approach and a strong policy and legislative framework are important for bringing widespread change. The Board also recognizes that the goals of policy initiatives must address the areas of challenge identified in *School Climate Surveys* and other relevant data.

The Board will continue to actively communicate its policies, procedures, and guidelines to the community (including involving the school community in the review and/or development of policies, procedures and guidelines relating to bullying, discrimination, and harassment) through the following.

- Social media platforms.
- Board website.
- Regional Catholic Parent Involvement Committee.
- Signage and posters.

<sup>1</sup> Ministry of Education, "*Working Draft: Safe and Accepting Schools Model Bullying Prevention & Intervention Plan*" January 2013, Queen's Printer for Ontario, 2013, available online at: <http://www.edu.gov.on.ca/eng/document/curricul/BullyingPreventPlan.pdf>





- District Safe and Accepting Schools Team.
- Professional Activity Days.
- On-going professional learning (staff meetings, PD days).
- Ad-hoc focus groups.
- Staff training opportunities.
- Recurring activities and events (i.e., Bullying Prevention Week).
- Home-school communication (i.e., parents' nights, newsletters, school messenger)

All those in our community (students, staff, parents, and community members) are expected to:

- demonstrate respect and model pro-social behaviours;
- raise awareness of bullying behaviour and its effects;
- resolve bullying issues in a timely and appropriate manner; and
- be party to progressive discipline and restorative practices.

The Board will ensure schools make available helpful school processes for students and families such as:

- How students and/or parents can report bullying and other unsafe behaviours;
- Procedures to address incidents of discrimination;
- Information on the school's progressive discipline approach and Code of Conduct.
- Current prevention and intervention plans and strategies;
- How parents can access more information about bullying prevention and intervention; and,
- The steps taken following a report made by a parent.

## DEFINITION OF BULLYING

For the purposes of Board policies related to bullying prevention and intervention, the BHNCDSD uses the definition of bullying given in subsection 1(1) of the Education Act. The definition of bullying includes cyber-bullying, as such, all requirements identified under the *Education Act* and under this policy/program memorandum related to bullying also apply to cyber-bullying.

**Bullying:** aggressive and typically repeated behaviour by a pupil where the behaviour is intended by the pupil to have the effect of, or the pupil ought to know that the behaviour would be likely to have the effect of:

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

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

For the purposes of the definition of "bullying" above, cyber-bullying includes bullying by electronic means (commonly known as cyber-bullying), including:

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

Bullying is behaviour that can be repeated or occur one time and can be carried out by an individual or group of individuals. Bullying can occur in situations where there are real or perceived power imbalances between individuals or groups, and may be a symptom of racism, classism, homophobia, sexism, religious



discrimination, ethnic discrimination or other forms of bias and discrimination. Bullying can also be based on, but not limited to, body size, appearance, abilities, or other real or perceived factors. Perceptions about differences are often based on stereotypes perpetuated in broader society.

Bullying, including cyber-bullying, may be intentional or unintentional, direct, or indirect. It can take many forms including physical (for example, pushing, tripping), verbal (for example, name calling, insults, threats, sexist/racist/transphobic comments), social, also known as relational (for example, spreading rumours, intentionally excluding others, humiliating others with public gestures) and causing harm to one's property.

Bullying has the potential to:

- negatively affect students' learning, attendance, safety/sense of safety, sense of self-worth and overall mental health and well-being
- create a negative environment at school or school-related activities for an individual, group, or the whole school

Proactive intervention coupled with coaching and support can help all students develop the skills and understanding needed to build and maintain positive relationships.

Bullying impedes the development of a positive school climate. A whole-school approach involving all education and community members is required to prevent bullying.

## TYPES OF BULLYING BEHAVIOUR

Types of Bullying Behaviour may include, but are not limited to the following:

**Ability:** Repeatedly excluding a person or persons or treating them badly because of an ability or need for special education; repeatedly making comments or jokes to hurt a person or persons with a disability.

**Cyber:** The repeated use of email, cell phones, text, internet, and web sites to threaten, harass, embarrass, socially exclude, or damage reputations or friendships. Increasing the use of digital platforms enhances the threat of cyber-bullying as well as other safety risks.

**Examples of cyber-bullying may include:**

- sending or sharing hateful, insulting, offensive, and/or intimidating electronic communication or images via text messages, emails, direct messages;
- revealing information considered to be personal, private, and sensitive without consent;
- making and/or engaging, and/or participating in fake accounts on social networking sites to impersonate, humiliate and/or exclude others; and,
- excluding or disrupting access to a student on purpose from online chat groups, access to accounts and during digital gaming sessions;

**Homophobic:** The repeated ill treatment of another individual based on his/her sexual orientation or perceived sexual orientation, including disclosure of someone else's sexual orientation. Ill treatment may include gossiping, physical or verbal aggression, physical or mental violence, obscene or sexualized gestures, or cyber harassment.

**Physical:** Repeated hitting, kicking, shoving, or beating up another person.

**Property:** Repeated stealing or damaging another person's property.



**Racial:** Repeated aggression directed to a person or persons because of their religious beliefs or background; repeatedly saying negative things about a religious background or belief; repeatedly calling a person names or making fun of his/her religious beliefs or background.

**Sexual:** Repeatedly leaving a person or persons out or treating them badly because of their gender; repeatedly making crude comments about a person or persons' sexual behaviour; repeatedly making sexist comments or jokes, touching, or grabbing someone in a sexual way; repeatedly spreading sexual rumours about a person or persons; repeatedly calling a person or persons gay, fag, lesbian, or other inappropriate names.

**Social:** Repeated rolling of the eyes, excluding others from the group, gossiping, spreading rumours, making another person or persons look foolish, and damaging another person's friendships.

**Verbal:** Repeated name-calling, mocking, humiliating, teasing, threatening, racist comments, and sexual harassment.

Bullying, including cyber-bullying, may intersect with other forms of sexual exploitation including, but not limited to, sextortion and the non-consensual sharing of intimate images. Traffickers and other sexual predators are increasingly using fake accounts to pose as acquaintances or friends of children and youth to lure, groom and recruit them into engaging in sexual acts or services. Children and youth who experience bullying are at increased risk for being sex trafficked.

## NOTIFYING PARENTS

Following a serious incident, the principal will notify parents of the involved students, except in certain circumstances, and will invite the parents to discuss supports for their child.

## DEVELOPMENT BULLYING PREVENTION AND INTERVENTION PLAN

In developing Bullying Prevention and Intervention Plan, the District Safe and Accepting Schools Team will ensure the plan is consistent with the requirements of:

- PPM 119 Developing and implementing equity and inclusive education policies in Ontario schools
- PPM 120 Reporting violent incidents to the Ministry of Education”
- PPM 128 The provincial code of conduct and school board codes of conduct
- PPM 144 Bullying prevention and intervention
- PPM 145 Progressive discipline and promoting positive student behaviour.
- Ontario Curriculum Policies
- Legislation including the Municipal Freedom of Information and Protection of Privacy Act, Ontario Human Rights Code, Accessibility for Ontarians with Disabilities Act, Education Act, and regulations made under the Education Act.

The District Safe and Accepting Schools Team will consult with groups such as:

- Students and Families
- Focus Groups
- Faith Advisory Committee
- Special Education Services
  
- Student Support Services
- Mental Health Lead
- Indigenous Education Services



- Equity and Inclusive Education Steering Committee
- The Student Achievement Team
- Catholic Parent Involvement Committees

In its education and communication efforts, the Board and its schools will:

- Identify the different types of bullying, including cyber-bullying and the myths and realities of bullying behaviour.
- Differentiate between bullying and conflict, aggression, and teasing.
- Define power and peer dynamics.
- Identify how biases, prejudice and hate can lead to bullying.
- Identify different manifestations and underlying factors of bullying, such as body image, racism, sexism, homophobia, disability, etc.
- Communicate a whole school approach and the essential importance of a positive school climate for student achievement and well-being.
- Develop awareness and understanding of the factors that contribute to a safe, inclusive, caring and accepting school climate.
- Identify ways to make students aware of how they can help identify, prevent, and address bullying.
- Identify strategies to engage parents in conversations about bullying prevention and how to promote a positive school climate.
- Reach out to parents and the broader school community for input.
- Reflect on relationships and interactions and focus on promoting healthy relationships using a variety of strategies.
- Become knowledgeable about community partners and resources available in the community.”<sup>2</sup>

## EVALUATION OF EVIDENCE

The Board recognizes that effective anti-bullying strategies must be evidence-based. Bullying interventions, strategies, practices, and programs are based on evidence from the school climate surveys, demographic data collection and other relevant information. The school will take the following steps to assess anti-bullying initiatives and strategies.

1. Evaluate the evidence to determine the main areas of concern, and identify issues in the physical environment, determine current procedures, and assess the strategies in place based on results of the school climate surveys and other relevant information.
2. Identify children and youth involved in bullying (including the bully, the person being bullied, and those who may have witnessed or been affected by the bullying). School will consider using a risk assessment approach in some cases.
3. Review and update the school’s strategies as a result of gathering new information.

## PRE-EVALUATION STRATEGY

**A. The Board’s main issues of concern raised by students, staff and parents in the school climate surveys and based on other relevant information are the following:**

- District wide the respondents of the School Climate Survey reported the top two concerns pertaining to bullying as **verbal bullying** at 9.9% (Elementary 11.7 and Secondary 10%)

and **social bullying** at 8.4% district wide (7.9% Elementary and 6.6% Secondary), The frequency of these incidents has been “many times” per week.

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<sup>2</sup> *Supra* note 1, pgs. 2-3.



- The district wide results indicate that 15.4% of students reported being victimized by one or more types of bullying (18.5% in Elementary panel and 11.8% in the Secondary panel).
- The school climate survey revealed that students typically turn to family members (59.2%) and friends (56.3%) if they are feeling sad, stressed, or worried.
- 38% gave a low rating to the quality of relationships children have with adults they interact with at school. Friendship Intimacy was rated high for students' district wide, with a rating of 74.6%.
- In rating the overall tone of school environment; includes way teachers and students interact and treat each other 36.2% rated this as high. 44.6% rated the degree to which children feel connected and valued at school as high.
- Within the well-being index, made up of scores on optimism, self-esteem, happiness, absence of sadness, general health 50.3% of the students provided a low rating in this area, however self-esteem results indicate a high rating at 61.6%.

#### **B. After reviewing the data and consulting with the school community**

Although incidents of bullying are not seen to be a high percentage for students in the district, an area of concern is the frequency of bullying matched with the indication that students being victimized may experience more than one type of bullying.

Students do not indicate that they use relationships with adults at the school as frequently as alternative relationships; they are more likely to talk to family members and friends, therefore incorporating these members of our community in our intervention and prevention planning will be key.

44.6% of connection at school would be a key area to support strategies for greater connections for students. The student well-being index is low, and this will be another area to give attention to support strategies for increasing students' optimism, self-esteem, happiness, absence of sadness and general health.

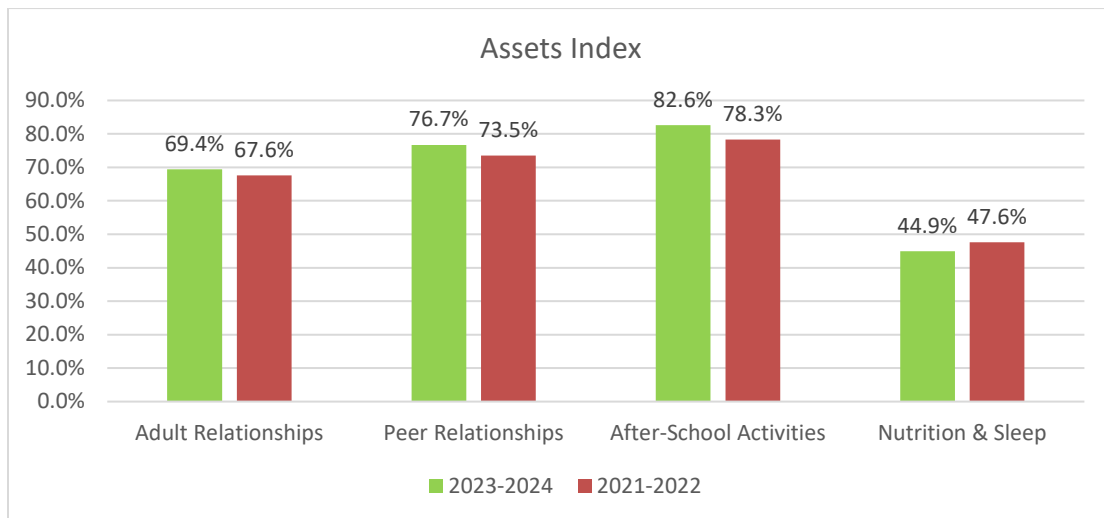
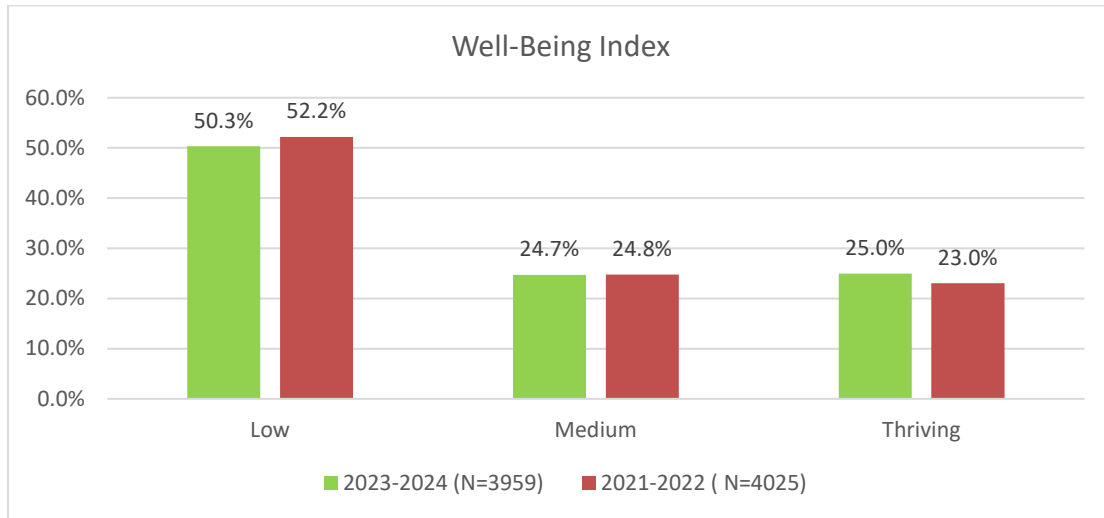
#### **C. The school's current processes for reporting, response, support and following up on issues are as follows:**

Administrators are well versed in progressive discipline and promoting positive behaviours in our schools. Schools will ensure parents/caregivers will have an understanding of progressive discipline and have direct access to information about these measures through our Board and school communications. The following information is available on the Board website:

- How students and/or parents can report bullying and other unsafe behaviours.
- Procedures to address incidents of discrimination.
- Information on the school's progressive discipline approach and Code of Conduct.
- Current prevention and intervention plans and strategies.
- How parents can access more information about bullying prevention and intervention.
- The steps will be taken following a report made by a parent.

The Board has recently implemented an anonymous reporting tool (Speak Up), this is one of the aspects to consider people who may be worried about repercussions associated with reporting incidents of bullying or any areas that may threaten the wellbeing of students.

#### **D. Based on a review of the climate surveys results and other relevant information, the following areas have shown success/ improvement:**



**E. Based on the school climate surveys and other relevant information, areas requiring improvement are as follows:**

- *Wellbeing Index (20.5%)*
  - feeling of optimism (41.9%)
  - prosocial behaviour (45.6%)
  - general health (31.3%).
- Help Seeking - seeking the support of adults at school (19.4% rated this as high)
- School Climate- overall tone and interaction, as well as treatment of one another (36.2% rate this as high)

Based on the above, the Board proposes the following action plan to address the areas of concern:

**Engaging Parents/Caregivers and Families:** We believe schools and families working together keep students safe. By encouraging a collective responsibility to end bullying in schools' students are better able to reach their full potential. School's will engage families by sharing information via social media and other notifications to ensure parents and families are engaged.





**Prevention and Awareness Raising:** School communities will engage in daily prayers, reflections and other activities during Bullying Awareness and Prevention Week each school year. Bullying awareness and prevention strategies and resources will be available to all schools throughout the school year. These resources include teaching guides to support students in positive relationship development, highlighting equity and inclusive education in daily classroom instruction and school activities. On a bi-annual basis the School Climate Survey is offered to students, this survey provides definitions and information to support student learning in the areas of bullying behaviours and victimization.

**Professional Development Opportunities for Staff:** The Board is committed to supporting schools in the implementation of required Ontario curriculum-linked culturally responsive and relevant pedagogy training strategies on bullying prevention and intervention to provide administrators, teachers, and other school staff the resources and support they need to disrupt and dismantle systemic barriers and to address all forms of bullying. Through the Student Support Services personnel, the Board makes a variety of resources available to all staff who have significant contact with students and provide ongoing support to students and staff in the schools.

## POST-EVALUATION STRATEGY

The Board will reassess the results of subsequent school climate surveys to verify the efficacy of the anti-bullying initiatives implemented. The “post-evaluation phase gathers evidence to test the efficacy of the prevention, responses, interventions or supports provided in order for changes to be made, where necessary.”<sup>3</sup> Upon re-evaluation, the Board will update the information in this Template to reflect the effectiveness of its anti-bullying initiatives.

## PREVENTION

The Board recognizes that fostering a positive learning environment will help to reduce possible bullying, harassment, and discrimination incidents. The Board committed to taking steps to strengthen prevention measures.<sup>4</sup> Based on its evidence-based analysis, the Safe and Accepting Schools Team has identified the

following district-wide practices and initiatives for bullying prevention (as divided by categories set out in the Model Plan). All BHNCDSB schools will:

- include teaching strategies that support the school-wide bullying prevention policies and specifically assist in developing skills for healthy relationships and highlighting equity and inclusive education principles in daily classroom instruction and school activities;
- will make opportunities available for students and staff to learn to recognize the various forms of bullying (such as, racial bullying, or bullying based on religion) and understand the actions that can be taken by those witnessing the behaviour; and,
- provide opportunities for students and staff to participate in equity and inclusive education, bullying prevention, and leadership initiatives within their own school.

Bullying prevention and intervention programs and activities that are evidence-informed and that address the needs identified by the Board or the School<sup>5</sup> will include at least the following.

1. Available resources for schools to assist in continued learning about the various types of bullying.
2. Coordination with the Provincial campaign on Bullying Awareness and Prevention Week.
3. Recognition and public awareness campaigns in November of each year.

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<sup>3</sup> *Supra* note 1, p. 3.

<sup>4</sup> *Supra* note 1, p. 4.

<sup>5</sup> *Supra* note 1, p. 4.



4. Acknowledgement of Pink Shirt Day annually in February.
5. Relationship building and community building programs that are present in the school, classroom and in the larger community<sup>6</sup> which may include various Prevention and Awareness Strategies, including:
  - daily prayers, reflections and other activities during Bullying Awareness and Prevention Week and throughout each school year;
  - teaching guides to support students in positive relationship development, highlighting equity and inclusive education in daily classroom instruction and school activities;
6. On a bi-annual basis, the School Climate Survey is offered to students. This survey provides definitions and information to support student learning in the areas of bullying behaviours and victimization.

Awareness raising strategies for students:

- School communities will engage in daily prayers, reflections and other activities during Bullying Awareness and Prevention Week each school year. Bullying awareness and prevention prayers, liturgies, strategies, and resources will be available to all schools throughout the school year.
- In alignment with the Mental Health strategic planning there will be a continuation of social emotional learning, empathy practices and self-regulation skills.
- Awareness raising strategies to engage community partners and parents in early and ongoing dialogue<sup>7</sup>.
- BHNCDSB will communicate the policies and guidelines on bullying prevention and intervention to principals, teachers, and other school staff, students, parents, their Special Education Advisory Committee, their Indigenous Education Council, school councils and school bus operators and drivers, RCMP, Catholic Equity Leads to ensure the roles and responsibilities are clearly articulated and understood.

Bullying policies and procedures will be posted on:

- Board website;
- social media platforms;
- signage and posters; and,
- home-school communication (i.e. parents' nights, newsletters, synervice).

Ways to link curriculum and daily learning:

- The Board is committed to supporting schools in the implementation of required Ontario curriculum-linked culturally responsive and relevant pedagogy training strategies on bullying prevention and intervention to provide administrators, teachers, and other school staff the resources and support they need to disrupt and dismantle systemic barriers and to address all forms of bullying.

Ways to support and encourage role modeling by caring adults and student leaders within the school and school community:

- **Safe and Accepting Schools Teams:** Each school will have a Safe and Accepting Schools Team responsible for fostering a safe, inclusive and accepting school climate that must be chaired by a staff member and include the Administrator, at least one parent, teacher, non-teaching staff member or community partner. It should also include at least one student.

BHNCDSB schools will also:

- provide opportunities for regular check-ins with students at risk or affected by bullying;

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<sup>6</sup> *Supra* note 1, p. 4.

<sup>7</sup> *Supra* note 1, p. 4.



- provide opportunities for teachers to development effective classroom management strategies using progressive discipline;
- establish and maintain respectful and caring classrooms; and,
- align supervision plan to address where and when bullying happens, as identified through climate surveys.<sup>8</sup>

## INTERVENTION AND SUPPORT STRATEGIES

The Board recognizes the importance of using timely interventions and supports with a school-wide approach.<sup>9</sup> To this end, the Board will support schools in:

- using teachable moments within a progressive discipline approach to address inappropriate behaviour, and consider mitigating and other factors;
- enhancing processes and strategies to identify and respond to bullying when it happens;
- identifying strategies for supporting all students involved in bullying; and,
- communicating the progressive discipline approach to the school community and the procedures in place to support the student.

The Board supports the use of the following evidence-informed interventions and support strategies in a timely manner and using a whole school approach:

- Progressive discipline and restorative practices
- Safety plans and/or behaviour support plans
- Referral to Child and Youth Work and Social Work
- Peer Mediation and Mentoring Programs
- Curriculum embedded relationship building/social skill building programming
- Community partnerships
- Expert guest speakers and learning activity in the area of Self Reg, Equity, Indigenous Education, Human Rights etc.
- Opportunities for family engagement (parent-teacher conferences, meetings, School Council, volunteering and on-going communication)
- School Administration that is visible and accessible
- Incorporation of evidence-informed principles of Anti-Opressive approach to education and Equity and Inclusive Education.
- Student groups including ACE, JACK, GSA etc.
- Social justice outreach, community volunteering, participation in the Church
- Community building programs, school spirit events and a variety of cultural activities
- reinforcement of positive behaviours through means like “good news postcards, “VP recognition certificates,”
- Social Emotional/Empathy/Self Regulation-based curriculum (i.e., Self Reg, Mind-Up, SMHO Modules)
- Consistent, fair, and bias-aware implementation of progressive discipline and the Catholic Code of Conduct
- Incorporation of culturally diverse course content
- Living out the Board Pastoral Plan for inclusion, equity, love, and support

Activities that promote a positive school climate<sup>10</sup>

- Programs, interventions, and other supports

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<sup>8</sup> *Supra* note 1, p. 4.

<sup>9</sup> *Supra* note 1, p. 4.

<sup>10</sup> *Supra* note 1, p. 4.



- All Board staff are expected to respond to situations of bullying unless it is unsafe to do so. At minimum, staff will report bullying behaviours to the school administration.
- School administrators will share the policy and instructions associated with reporting with all school staff. Staff will understand their role in keeping the school safe.
- Staff will have access to the Safe Schools Incident Reporting Form and understand their responsibility to report serious incidents. Administrators are required to investigate all serious incident reports.
- Staff understand the importance of interventions for both the student being victimized and the person committing the bullying behaviour.

## REPORTING TO THE PRINCIPAL

Serious student incidents must be reported by staff to the principal so that appropriate actions to address the incident and protect the student may be taken. If an incident is violent, boards must follow the direction in the Provincial Model for a Local Police/School Board Protocol regarding notification of the police.

The Board and its schools will ensure:

- a clearly defined, communicated, and enforced Code of Conduct
- monitoring of the online anonymous reporting mechanism on the school's website
- proper documentation of incidents (i.e., "Safe Schools Incident Reporting Forms")
- modelling of positive attributes and behaviours
- progressive discipline and restorative practices
- effective supervision schedules
- collaboration with community partners (i.e., Police, GECAS)

## SUSPENSIONS AND EXPULSIONS FOR BULLYING

### ***Suspension of Elementary School Pupils Junior Kindergarten to Grade 3***

A regulation came into effect in 2020 to eliminate discretionary suspensions for students in junior kindergarten to grade 3. Incidents of bullying involving students from junior kindergarten to grade 3 should be addressed with the appropriate positive behaviour supports in the school setting. However, Principals must suspend students in junior kindergarten to grade 3 for incidents of bullying if:

- their continuing presence in the school creates an unacceptable risk to the safety of another person; or,
- the bullying 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 (for example, socio- economic status, appearance).

The principal may only suspend a student in junior kindergarten to grade 3 under section 310 of the Education Act for engaging in bullying if they have conducted an investigation respecting the allegations.

### ***Suspension of School Pupils Grades 4 to 12***

Under the Education Act, principals must suspend a student between grades 4 to 12 for bullying and, after an investigation, consider referring that student for expulsion if:

- the student has previously been suspended for bullying; and the student's continuing presence in the school creates an unacceptable risk to the safety of another person; or
- the bullying 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.



## PROFESSIONAL DEVELOPMENT STRATEGIES FOR STAFF

The BHNCD SB provides annual professional development programs for all school staff about bullying prevention and strategies for promoting a positive school climate. The Board is also committed to supporting schools in the implementation of required Ontario curriculum-linked culturally responsive and relevant pedagogy training strategies on bullying prevention and intervention to provide administrators, teachers, and other school staff the resources and support they need to disrupt and dismantle systemic barriers and to address all forms of bullying.

The Board has identified the following learning and training opportunities for school staff and the school community that are needed<sup>11</sup>:

- Implementation of required Ontario curriculum-linked culturally responsive and relevant pedagogy training strategies on bullying prevention and intervention
- Asist Training
- Safe Talk Training
- Self Reg Certification
- Suicide Intervention and Prevention
- Trauma Informed Practices training
- Monthly Anti-Oppressive Education session for Administrators and staff
- Monthly Indigenous Education and Decolonization workshops for Administrators

## COMMUNICATIONS AND OUTREACH STRATEGIES

School board policies related to bullying prevention and intervention are available on the board website.

## MONITORING AND REVIEW

The BHNCD SB Bullying Prevention and Intervention Plan is reviewed, evaluated, and revised following the review and analysis of each School Climate Survey in consultation with all staff, students, parents, school councils and other priority groups. In accordance with *P/PM 120 Reporting Violent Incidents to the Ministry of Education* the Board also collect and analyzes data on the nature of violent incidents to support the development of board policies and to inform board and school improvement plans.

## DISTRICT AND SCHOOL LEVEL SAFE AND ACCEPTING SCHOOLS TEAMS

- The Board has in place a District Safe and Accepting Schools Team made up of staff representatives that is responsible for supporting schools in implementing the Catholic Code of Conduct, Bullying Prevention and Intervention Plan, and other safe school procedures while assisting schools in fostering a safe, inclusive, and accepting school climates.
- Each school has in place a local Safe and Accepting Schools Team made up of staff representatives including staff and student representation. The Safe and Accepting Schools Team is responsible for fostering a safe, inclusive, and accepting school climates and taking steps in response to the school climate surveys and other school community information.

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<sup>11</sup> *Supra* note 1, p. 3.

## Examples of Unacceptable and/or Illegal Use of Personal Mobile Devices and School Board Electronic Communications and Social Media

<b>Bullying</b>	An attempt to intimidate an individual through cruel and humiliating behaviour including cyber-bullying which is used to send threatening, obscene, sexually explicit, and violent messages that threaten the safety of recipient(s) and/or sending humiliating/bullying texts to other students/group chats that the victim is not the recipient.
<b>Child pornography</b>	Accessing, downloading, storing, sharing and distributing any child pornography.
<b>Copyright or trademark infringement</b>	Infringing on another person's copyright, trademark, patent, trade secret, without lawful permission.
<b>Defamatory libel</b>	A defamatory libel is matter published, without lawful justification or excuse, that is likely to injure the reputation of any person by exposing him/her to hatred, contempt or ridicule, or that is designed to insult the person of or concerning whom it is published ( <i>Libel and Slander Act</i> ).
<b>Disclosing or gathering personal Information</b>	Disclosing or gathering personal information in a manner inconsistent with the <i>Municipal Freedom of Information and Protection of Privacy Act</i> .
<b>Gambling and lotteries</b>	Uploading funds to online gambling or lottery sites, making bets, or playing the games that they offer, which can include cashing out any winnings.
<b>Hacking and other unauthorized access</b>	Includes but not limited to using the computer to carry out sabotage, gain illegal entry into encrypted sites, acquiring and disseminating private information, creating, and disseminating computer viruses, stealing information and trade secrets, intentionally breaching protected internet sites that compromises the safety of others.
<b>Harassment</b>	The sending of electronic messages and information that causes the recipient(s) to fear for personal safety and that of others.
<b>Hate propaganda</b>	Communicating messages that promote or incite hatred against an identifiable group that is likely to lead to a breach of the peace (e.g., homophobic messages, racist comments and jokes, violent gender-specific messages).
<b>Expectation of Privacy</b>	Using mobile devices in prohibited areas where privacy is expected, such as restrooms and locker rooms. Recording, photographing as a video or photo or other of any individual without their consent is prohibited.
<b>Inappropriate communication with minors</b>	Communicating, soliciting, or sending sexually suggestive, emotionally laden, and intrusive personal messages to minors for any reason.
<b>Intellectual property</b>	Infringing on another person's property without lawful permission.
<b>Interception of private communication or electronic mail</b>	Unauthorized entry into the password protected email and/or the interception of private electronic communication intended for someone else
<b>System Security/ Account Security</b>	Users are responsible for the use of their individual account and should take reasonable precautions to prevent others from being able to use their account. Under no conditions should a user provide their password to another person.
<b>Obscenity</b>	Creating, acquiring, sharing, publishing, and distributing any obscene material including but not limited to pornography. Accessing or sharing content that is offensive and/or inappropriate for a Catholic school environment.
<b>On-line Video Gaming/Gambling</b>	Participating in on-line "video gaming," which is not associated to classroom learning is prohibited as is all on-line gambling, while using information technology.
<b>Personal financial gains</b>	Any use of Board information technology for commercial transactions, advertising, solicitation, and financial gain.



<b>Threat</b>	Communication through the use of mail, email, telephone, telegram, or other instrument of commerce; the willful making of any threat; or the malicious conveyance of false information knowing the same to be false which concerns an attempt being made, or to be made; to kill, injure, intimidate any individual; or unlawfully to damage or destroy any building, vehicle, or other real or personal property by means of an explosive.
<b>Non-consensual distribution of intimate images</b>	One who knowingly publishes, distributes, transmits, sells, makes available or advertises an intimate image of a person knowing that the person depicted in the image did not give their consent to that conduct, or being reckless as to whether or not that person gave their consent to that conduct, is guilty of an indictable offence. During a relationship, partners may exchange or take intimate photos of themselves for their personal use. Although there was consent to share these images with each other at the time of the recording, there was also an understanding and reasonable expectation of privacy. When the relationship breaks down, one of the former partners may provide/ distribute the intimate images to other people or may post such images on the Internet. The effect of this distribution is a violation of the depicted person's privacy in relation to images, the distribution of which is likely to be embarrassing, humiliating, harassing, and degrading or to otherwise harm that person. Offences relating to distribution of intimate images are found in Part V of the <i>Criminal Code</i> relating to "Sexual Offences, Public Morals and Disorderly Conduct".
<b>Vandalism</b>	Deliberately damaging or causing to be damaged Board information technology, for example routers, modems, wireless, etc., including but not limited to physical technology equipment, internet /intranet resources, online traffic flow, internet filters and firewalls, websites etc.
<b>Technology/ Equipment</b>	Board Information Technology and/or Personal Electronic Devices used for anything outside of educational purposes is prohibited.

***\*The above list is a partial list of examples which is not exhaustive of all activities that are unacceptable and/or illegal.***

# Suspension Appeal Guidelines

1. A person who intends to appeal a suspension must provide written notice to the Director of Education of their intention to appeal the suspension within ten (10) school days of the commencement of the suspension.
2. Appeals of Suspension will be heard by a Student Discipline Committee of up to three (3) Trustees appointed by the Board. One of the appointed Trustees will be elected Chair of the Student Discipline Committee.
3. Appeals will be scheduled by the Superintendent of Education.
4. A suspension may be appealed by an “adult pupil” or the pupil’s parent(s)/guardian(s). 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.
5. The suspension must continue to be served even when an appeal is submitted.
6. 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).
7. Parties to a Suspension Appeal shall include the adult pupil or the pupil’s parent(s)/guardian(s) and the principal.
8. The pupil may also attend the Suspension Appeal.
9. Reasonable prior notice must be provided to the Superintendent of Education where the student/parent(s)/guardian(s) wish to have legal counsel, or an advocate/agent represent them at the Appeal. If prior notice is not provided, the Suspension Appeal may be rescheduled.
10. The Student Discipline Committee or the principal may also exercise their right to legal counsel.
11. 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.
12. The Student Discipline Committee will receive a copy at the beginning of the Appeal.
13. Documents, reports and/or submissions prepared by the parent(s)/guardian(s) are to be provided to the Superintendent at the earliest opportunity and to the Student Discipline Committee at the beginning of the Appeal.
14. The Student Discipline Committee of the Board may decide that:
  - a. confirm the suspension and the duration of the suspension;
  - b. confirm the suspension, but shorten its duration, even if the suspension that is under appeal has already been served, and order that the record of the suspension be amended accordingly; or,
  - c. quash the suspension and order that the record of the suspension be expunged, even if the suspension that is under appeal has already been served.
15. When making their determination, the Student Discipline Committee shall consider the:
  - a. principal’s report and submission;
  - b. submissions and any other information provided by the parent(s)/guardian(s); and,
  - c. analysis and application of the mitigating and other factors, which may or may not be applicable.
16. The Student Discipline Committee may give such direction 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.
17. 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.

20. The Superintendent of Education will act as Secretary to the Student Discipline Committee to facilitate the Appeal.
21. The Superintendent of Education will welcome the participants, introduce the Student Discipline Committee, and will indicate that:
  - a. the committee been appointed by the Board to hear the matter;
  - b. they have had no prior involvement with the matter that has come before them;
  - c. this matter will be heard *In Camera*; and,
  - d. the decision of the Student Discipline Committee is final.
22. The Superintendent of Education will then:
  - call the Suspension Appeal meeting to order;
  - outline the process of Suspension Appeal and summarize the matter on appeal before the Student Discipline Committee, including the suspension that was imposed and the infraction for which the pupil was suspended; and,
  - 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 to read the reports and documents.
23. School Administration and the Superintendent will then be invited to review the report provided. Following the presentation the trustees may ask questions of clarification through the Chair. Then the parent(s)/guardian(s) may ask questions of clarification through the Chair.
24. The parent(s)/guardian(s) will then be invited to make an oral presentation. Following the presentation Trustees may ask questions of clarification through the Chair and School Board Administration may ask questions of clarification through the Chair.
25. The pupil will be invited to make a statement on his/her own behalf to the Student Discipline Committee. Following the statement the Trustees may ask questions of clarification through the Chair; and then School Board Administration may ask questions of clarification through the Chair.
26. Both parties will be provided an opportunity to make summary statements before the Student Discipline Committee deliberates to come to a decision.
27. Trustees may ask final questions of clarification.
28. All persons, except the Student Discipline Committee, will be asked to leave the room while the Committee deliberates and make their decision.
29. 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. Written notice shall also be provided.
30. The decision of the Student Discipline Committee is final.
31. Upon receipt of the decision, an individual who appeals a suspension may argue that his/her rights pursuant to the Ontario Human Rights Code have been infringed. 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.



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*Excellence in Learning ~ Living in Christ*

# Student Expulsion Guidelines

Expulsion Hearings shall be held in accordance with the *Education Act*, Board Policy/AP 200.09 Catholic Code of Conduct and related Policies and legislation.

1. A principal shall suspend 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 illegal drugs
  - Committing robbery
  - Giving alcohol or cannabis to a minor
  - Bullying, if (i) the pupil has previously been suspended for engaging in bullying, and (ii) the pupil's continuing presence in the school creates an unacceptable risk to the safety of another person
  - Any activity listed in subsection 306 (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
  - Any other activity that, under a policy of a board, is an activity for which a principal must suspend a pupil and, therefore in accordance with this Part, conduct an investigation to determine whether to recommend to the board that the pupil be expelled including:
    - Extortion
    - Trafficking in restricted drugs
    - Activities engaged in by the pupil on or off school property that have caused extensive damage to the property of the BHNCD SB or to goods that are/were on BHNCD SB property
    - A pattern of behaviour that is so inappropriate that the pupil's continuing presence in the school creates an unacceptable safety risk to other person(s) is injurious to the effective learning and/or working environment of others
2. The principal must consider the following mitigating and other factors prior to a decision to recommend expulsion to the Discipline Committee.  
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; and,
- The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.

Other Factors:

- 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,
    - whether the behaviour was a manifestation of a disability identified in the pupil's Individual Education Plan,
    - whether appropriate individualized accommodation has been provided, and
    - whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.
3. An Expulsion Hearing is attended by:
    - The Board's Student Discipline Committee.
    - The School Principal and Superintendent.
    - The adult pupil or the pupil and his/her parent(s) or guardian(s).
  4. Reasonable prior notice must be provided to the Superintendent of Education where the student/parent(s)/guardian(s) wish to have legal counsel, or an advocate/agent represent them at the Hearing. If prior notice is not provided, the Hearing may be rescheduled.
  5. The Student Discipline Committee will hear the expulsion recommendation within 20 school days from the initial suspension unless the parties agree on a later date.
  6. The committee is composed of up to three (3) 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.

7. The Superintendent of Education will provide a copy of the Principal's Expulsion Recommendation Report to the Pupil/Parent(s)/Guardian(s). The report includes:

- 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 all schools in the Board;
- recommendation regarding the type of school that would benefit the pupil if the pupil is subject to a school expulsion, or the type of program that might benefit the pupil if the pupil is subject to a Board expulsion.

8. At the expulsion hearing, the Superintendent of Education will introduce everyone, call the meeting to order 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.
- Following the presentation, Trustees may ask questions of clarification through the Chair; and Pupil/Parent(s)/Guardian(s); may ask questions of clarification through the Chair.
- The parent(s)/guardian(s) will be invited to make an oral presentation.
- Following the presentation, Trustees may ask questions of clarification through the Chair; and the School Board Administration may ask questions of clarification through the Chair.
- The pupil, if present, will be invited to make a statement.
- Following the statement, Trustees may ask questions of clarification through the Chair.
- Both parties will be provided an opportunity to make summary statements before the Board's Student Discipline Committee deliberates to come up with a decision.

9. The Student Discipline Committee's decision will be communicated at the hearing or shortly thereafter followed by a written notice to the adult pupil or the pupil's parent(s)/guardian(s).

10. The Student Discipline Committee will decide whether to expel the pupil, or not to expel the pupil and maintain the suspension, or not to expel the student and shorten the suspension, or not to expel the student and expunge 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. Students that are expelled from all schools within the Board will be assigned to a program for expelled students.

13. The Student Discipline Committee may give such direction or make such orders at an Expulsion Hearing as it considers necessary for the maintenance of order at the Hearing. 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.

14. The Student Discipline Committee will wait for thirty (30) minutes after the time communicated for the commencement of the Expulsion Hearing. 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 with the Hearing in their absence.

15. 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 the reasons for the appeal, and a copy of the expulsion decision by the Committee. The Child and Family Services Review Board will hear the expulsion appeal within thirty (30) days of receiving the notice to appeal the expulsion. The decision of the Child and Family Services Review Board is final.



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