

YORK CATHOLIC DISTRICT SCHOOL BOARD



BOARD POLICY	
<i>Policy Section</i> Students	<i>Policy Number</i> 202
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POLICY TITLE: SAFE SCHOOLS – STUDENT DISCIPLINE

SECTION A

1. PURPOSE

It is the Mission of the York Catholic District School Board to educate and inspire all students to reach their full potential in a safe and caring environment. Safe, caring and inclusive Catholic schools and school communities are fundamental for creating and maintaining healthy learning and working environments. While all stakeholders share the responsibility to support such environments, it is the duty of the school Principal to maintain proper order and discipline in the school, as outlined in the *Education Act* and related legislation. In carrying out his/her duties, the Principal may delegate some disciplinary responsibilities to a Vice Principal or teacher of the school.

The purpose of this policy is to endorse Ministry direction with respect to safe schools and to provide direction and guidance to those responsible for implementing the procedures contained herein.

2. POLICY STATEMENT

It is the policy of the York Catholic District School Board to comply with Ministry of Education expectations and direction with respect to student discipline while affirming its commitment to the three pillars of appropriate discipline within the schools of the Board – the use of proactive strategies, progressive discipline, and redemptive practice.

3. PARAMETERS

3.1 As a Catholic Learning Community, the Board recognizes the importance of ensuring the redemptive and forgiving aspect of discipline, as articulated in the teachings of Jesus and the Board’s Core Values. The implementation of this policy will reflect these core belief.

- 3.2 This policy authorizes the creation of procedures for implementing a safe school environment, which may include requirements from the *Education Act*, Policy Program Memoranda, and/or related Ministry of Education directives/resources, all of which will be sufficient for the purposes of implementing the requirements of Ministry of Education Policy Program Memoranda with respect to student discipline.
- 3.3 Discipline measures that are purely punitive, or the use of exclusion as a disciplinary measure, will not be supported.
- 3.4 Homophobia, gender based violence, inappropriate sexual behaviour, and harassment on the basis of sex, gender identity, sexual orientation, race, colour, ethnicity, culture, citizenship, ancestry, origin, religion, creed, family status, socioeconomic status, disability and/or any other immutable characteristic or ground protected by the *Human Rights Code* are unacceptable behaviours.
- 3.5 Where positive practices fail to prevent/deter inappropriate behaviour with respect to 3.4 above, Principals or their delegates may impose consequences up to and including a recommendation for expulsion to the Student Suspension and Expulsion Committee.
- 3.6 Proper order and discipline in schools of the Board embrace the use of positive practices, progressive discipline, and redemptive practices. However, Principals may employ consequences for inappropriate behaviour, including suspension and expulsion, where necessary.
- 3.7 The Principal and Student Suspension and Expulsion Committee shall consider the discriminatory impact(s) of disciplinary decisions on students protected by the *Human Rights Code*, including but not limited to, race and/or disability, and whether or not an accommodation is required.
- 3.8 Where a Principal has delegated authority to a Vice Principal or teacher of the school, the delegation of authority and the scope of the authority will be clearly identified by Board procedures, as will the supports available to individuals in receipt of the delegated authority.
- 3.9 The *Human Rights Code* of Ontario has primacy over Provincial legislation and School policies and procedures, such that the *Education Act*, associated regulations, Ministry of Education Program Policy Memoranda, and Board policies and procedures are subject to, and shall be interpreted and applied in accordance with the *Human Rights Code* of Ontario.

4. RESPONSIBILITIES

4.1 Board of Trustees

- 4.1.1 To approve a student discipline policy and related guidelines and/or procedures that comply with expectations of the Ministry of Education and the *Human Rights Code* of Ontario.
- 4.1.2 To authorize a Board level Safe Schools Committee (Student Suspension and Expulsion Committee) of no fewer than three (3) Trustees to rule on appeals of Principal suspensions and/or recommendations for expulsion.

4.2 Safe Schools Committee (Student Suspension and Expulsion Committee)

4.2.1 To conduct suspension appeals and expulsion hearings in accordance with the Board's Student Code of Conduct, Suspension Appeal Guidelines, and Expulsion Hearing Guidelines and Rules.

4.3 Director of Education

4.3.1 To oversee compliance with the Safe Schools – Student Discipline policy, guidelines and procedures.

4.4 Superintendent of Education: Safe Schools

4.4.1 To assume responsibilities as assigned with respect to Safe Schools.

4.5 Superintendent of Education: School Leadership

4.5.1 To ensure that each school has implemented the Board's Code of Conduct.

4.5.2 To ensure that annually, each school develops a safe and caring school goal articulated in the School Improvement Plan for Student Achievement and Well-Being.

4.5.3 To ensure that each school has a Safe and Caring school team.

4.6 Principal

4.6.1 To demonstrate leadership in implementing and maintaining a safe, caring and inclusive school.

4.6.2 To maintain proper order and discipline in the school.

4.6.3 To follow the guidelines of the Board's *Student Discipline Resource* document when responding to incidents of inappropriate behaviour.

4.6.4 To inform the school community, on an annual basis, of the guidelines for Student Disciplinary Procedures.

4.6.5 To perform duties 'in accordance with Board procedures' when handling student discipline.

4.6.6 To delegate disciplinary responsibilities to a Vice Principal and/or teacher of the school, when required.

4.7 Staff

4.7.1 To assist with maintaining a safe, caring and inclusive school.

4.7.2 To hold all students to the highest standard of respectful and responsible conduct.

4.8 Students

4.8.1 To be responsible for their conduct at all times.

4.9 Parents/Guardians

4.9.1 To support the efforts of the School in maintaining a safe and respectful learning environment for all students.

5. DEFINITIONS

5.1 Adult Student

A student who is 18 years or older, or 16/17 years who has removed him/herself from parental control.

5.2 Board Level Student Suspension and Expulsion Committee

(Safe School Committee)

A committee of three (3) or more Trustees designated to determine suspension appeals and recommendations for expulsion.

5.3 Bullying

Bullying is a dynamic of unhealthy interaction that can take many forms. It can be physical (e.g. hitting, pushing, tripping), verbal (e.g. name calling, mocking, or making sexist, racist, or homophobic comments), or social (e.g. excluding others from a group, spreading gossip, or rumours). It may also occur through technology (e.g. spreading rumours, images, or hurtful comments through the use of e-mail, cell phones, text messaging, Internet website, or other technology).

Bullying consists of aggressive and typically repeated behavior that has the effect of:

- (i) Causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual's reputation or harm to the individual's property,
- (ii) Creating a negative environment at school for another individual, and 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 those listed above in 3(d). [*Education Act 1(1), and Bill 13, The Accepting Schools Act, 2012*]

5.4 Cyber-bullying

The use of information and communication technologies, such as e-mail, cell phones and pager text messages, instant messaging, personal websites and on-line personal polling websites, to support deliberate, repeated and hostile behaviour by an individual or group, that is intended to harm or threaten others, or where the individual should know that it could harm or threaten others.

"Bullying" by electronic means includes, but is not limited to:

- (a) Creating a web page or a blog in which the creator assumes the identity of another person;
- (b) Impersonating another person as the author of content or messages posted on the internet;
- (c) Communicating material electronically to more than one individual or posting material on a website that may be accessed by one or more individuals; [*Education Act 1(1), and Bill 13, The Accepting Schools Act, 2012*]; and/or,
- (d) Sending messages to or about another person that are hurtful or threatening through any means of social media (texting, e-mail, twitter, facebook, etc). Is typically a form of repeated, persistent, and aggressive behaviour directed at an individual or individuals that is intended to cause (or should be known to cause) fear and distress and/or harm to another person's body, feelings, self-esteem, or reputation. Bullying occurs in a context where there is a real or perceived power imbalance.

5.5 Daily Care Guardian

A person with daily care responsibilities is an adult person (18 years or older) who is not the custodial parent /legal guardian of a student who is less than 18 years old, but is a person who cares for the student on a daily basis and is known by the school to provide daily care, for example a grandparent, aunt, uncle, older brother or sister.

5.6 Exclusion

The refusal to admit to the school or classroom a student whose presence in the school or classroom would in the Principal's judgment be detrimental to the physical or mental well-being of the student, other students or staff. An example of exclusion could be around mental health issues where safety is a concern or where a Principal has no legal right to deny admission i.e. through suspension, but nevertheless admission should be denied.

5.7 Expulsion

Is a removal from a school of the Board or all schools of the Board that the student was attending at the time of the incident.

5.8 Harassment

Words, conduct or action that is directed at an individual and serves no legitimate purpose and which annoys, alarms or causes that individual emotional distress.

5.9 Impact on School Climate

An incident or activity which has a negative effect on the school community, school environment and/or school-affiliated parish.

5.10 Parent/Guardian

Where there is a reference to involving or informing a parent/legal guardian it means the custodial parent or legal guardian of a minor child who is not an adult student.

5.11 Progressive Discipline

An approach that makes use of a continuum of prevention programs, preventative actions, interventions, supports and/or consequences building upon strategies that promote positive behaviours.

5.12 School Climate

The sum total of all of the personal relationships within a school. A positive climate exists when all members of the school community feel safe, comfortable and accepted.

5.13 School Community

The school community is composed of staff, students, parents, parish and volunteers of the school and feeder schools/family of schools, as well as the community of people and businesses that are served by or located in the greater neighbourhood of the school.

5.14 Suspension

An order that prohibits access to a school for a defined period of time (1-20 days), usually as the consequence of an infraction outlined in the Code of Conduct.

5.15 Weapon

Is any object or thing used to threaten or inflict harm on another person and includes, but is not limited to, knives, guns, replica guns and animals.

6. CROSS REFERENCES

YCDSB Policy 218 Code of Conduct
YCDSB Policy 223 Bullying Prevention and Intervention
YCDSB Policy 701 Access to School and Board Premises
YCDSB Safe School Student Discipline Resource Document

Education Act

Human Rights Code

Ontario Regulation 472/07

Ontario Ministry of Education

Policy/Program Memorandum No. 119:
Equity and Inclusive Education in Ontario schools

Policy/Program Memorandum No. 128:
The Provincial Code of Conduct and School Board Codes of Conduct

Policy/Program Memorandum No. 141:
Programs for Long Term Suspensions

Policy/Program Memorandum No. 142:
School Board Programs for Expelled Students

Policy/Program Memorandum No. 144:
Bullying & Prevention Intervention

Policy/Program Memorandum No. 145:
Progressive Discipline and Promoting Positive Student Behaviour

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SECTION B: GUIDELINES

The *Board's procedures*, an addendum to Policy 202: Safe Schools – Student Discipline contain information related to the following components:

1. Positive Practices

- 1.1 Preventative Practices
- 1.2 Positive Behaviour Management Practices

2. Progressive Discipline Approaches

- 2.1 Early/Ongoing Intervention Strategies and Progressive Discipline Consequences

3. Suspension and Expulsion

- 3.1 Infractions for the imposition of a suspension
- 3.2 Mitigating and other factors leading to a suspension
- 3.3 Infractions for the imposition of an expulsion
- 3.4 Mitigating and other factors leading to an expulsion

4. Principal Investigation

- 4.1 Expectations and procedures

5. Appeal

- 5.1 Suspension appeal procedures
- 5.2 Role of the Superintendent responsible for Safe Schools
- 5.3 Role of the Board Level Safe Schools Committee (Suspension and Expulsion Committee)

6. Supports for Victims of Serious Student Incidents