

## What happens at the Suspension Appeal?

The Superintendent of Education: Safe Schools or designate will introduce everyone and outline the process to be followed during the appeal.

- copies of the Principal's Report and any other documents will be distributed
- the parent(s)/guardian(s) will be invited to make an oral presentation
- the pupil, if present, will be invited to make a statement
- the Administrator (the Principal and/or Superintendent of Education) will make a presentation and provide any response to previous comments
- both parties will be provided an opportunity to make summary statements before the Board's Safe Schools Committee deliberates and makes their decision.

## Who will communicate the decision of the Board's Safe Schools Committee?

The Superintendent of Education: Safe Schools or designate will contact the parties involved by phone the next day with the decision of the Board's Safe Schools Committee; followed by a written notice to the adult pupil or the pupil(s) guardian(s).

## What can parents do if they disagree with the decision of the Board's Safe Schools Committee?

Regulation 309/11 states that the decision of the Board's Safe Schools Committee is final.

## SAFE SCHOOL LEGISLATION

All Boards in Ontario are subject to the Education Amendment Act 2007 (Progressive Discipline and School Safety). Any suspension appeal shall be held in accordance with this legislation and the Board's Safe Schools (Student Discipline, Policy 202).

## PURPOSE OF THIS GUIDE

This guide is to assist students and their parent (s)/guardian(s) to understand their rights in a suspension appeal. This guide is a simplified summary of the law, Board Policy and the Board's Rules of Procedure. For further information and more detail, please contact your Superintendent of Education: School Leadership or the Superintendent of Education: Safe Schools.

## CONTACT INFORMATION:

**Superintendent of Education: School Leadership or  
Superintendent of Education: Safe Schools**

320 Bloomington Road West  
Aurora, Ontario L4G 0M1

Phone: (905) 713-1211  
(416) 221-5051

Fax: (905) 713-1288

For further information, visit:  
<http://www.ycdsb.ca/Schools/SafeSchools.htm>



## The Procedure and Suspension Appeal Guidelines

**York Catholic District School Board  
Shared Vision**

*We are a Catholic Learning Community of collaborative partners, called to serve one another by being committed to and accountable for quality learning by all with Jesus as our inspiration.*

**Safe Schools (Student Discipline)  
Policy 202  
September 2011**

## Who may Appeal a Suspension?

Suspensions may be appealed by:

- an adult\* pupil
- the pupil's parent(s)/guardian(s)

*\*an "adult pupil" is at least 18 years old; or the pupil is 16 or 17 years old and has withdrawn from parental control*

## How is a Suspension Appeal Requested?

A person who is entitled to appeal a suspension must give written notice of his/her intention to appeal to the Superintendent of Education: Safe Schools within 10 school days of the commencement of the suspension.

A person who has given notice of intention to appeal may contact the Superintendent of Education: Safe Schools to discuss any matter respecting the appeal of the suspension.

## Who may attend?

Regulation 309/8 outlines the parties to the appeal as follows:

- the Principal who suspended the student
- the adult pupil;
- the pupil and his/her parent(s) or guardian(s);
- legal counsel may represent the pupil/parent(s)/guardian(s)\*.

*\*Note: prior notice and name of legal counsel attendance at the Appeal must be provided to the Superintendent of Education: Safe Schools. If prior notice is not provided, the Suspension Appeal may be rescheduled.*

## Who hears the Appeal?

The Board's Safe Schools Committee will hear the appeal. This committee is composed of three (3) trustees appointed by the board:

- the appointed trustees must have no previous knowledge of the incident, and must have had no contact with the family.
- one trustee will be elected Chair of the Board's Safe Schools Committee.
- appeals will be scheduled by the Superintendent of Education: Safe Schools.
- the Board's Safe Schools Committee shall hear and determine the appeal within 15 school days of receiving notice of intent to appeal, unless the parties agree on a later deadline.

## What Information will parents receive prior to the Appeal?

Parent(s)/Guardian(s) will receive a Principal's Report summarizing the incident, evidence, rationale for discipline.

This will include:

- the pupil's disciplinary and academic history,
- progressive discipline interventions, and
- any mitigating and other factors that may be applicable.

## What are the possible outcomes from the Appeal?

According to the legislation, the Board's Safe Schools Committee shall:

- confirm the suspension and the duration of the suspension;  
OR
- 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
- 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.