



Office of the Director

Jim McCuaig Education Centre  
2135 Sills Street Thunder Bay ON P7E 5T2  
Telephone (807) 625-5131 Fax (807) 622-0961

**STANDING COMMITTEE**  
**Tuesday, November 13, 2018**  
**Jim McCuaig Education Centre**

Ian MacRae  
Director of Education

Marg Arnone  
Chair

**AGENDA**

**PUBLIC SESSION**  
**7:30 p.m. – in the Board Room**

	<u>Resource Person</u>	<u>Pages</u>
1. Call to Order		
2. Disclosure of Conflict of Interest		
3. Approval of the Agenda		
4. Resolve into Committee of the Whole – Closed Session		
5. <b>COMMITTEE OF THE WHOLE - Closed Session – 6:45 p.m. (SEE ATTACHED AGENDA)</b>		
6. Delegations/Presentations		
7. Approval of Minutes		
7.1 Standing Committee Meeting - October 9, 2018	M. Arnone	1-7
8. Business Arising from the Minutes		

Trustees (Chair and Vice-Chair) and presenters of reports will be available  
for comment after the Board Meeting.

**MATTERS NOT REQUIRING A DECISION:**

9.	Information Reports		
9.1	Legal Representation for 2017-2018 (082-18)	I. MacRae	8-11
9.2	Aboriginal Education Advisory Committee Meeting Minutes – September 20, 2018	S. Pharand	12-17
10.	First Reports		

**MATTERS FOR DECISION:**

11.	Postponed Reports		
12.	Ad Hoc and Special Committee Reports		
13.	New Reports		
13.1	Policy Review – 6040 Reporting of Children in Need of Protection (093-18)	C. Kappel	18-34
	<i>It is recommended that Lakehead District School Board approve 6040 Reporting of Children in Need of Protection Policy, Appendix A to Report No. 093-18.</i>		
13.2	Policy Review – 8061 Aboriginal Education Advisory Committee (091-18)	S. Pharand	35-39
	<i>It is recommended that Lakehead District School Board approve 8061 Aboriginal Education Advisory Committee, Appendix A to Report No. 091-18.</i>		
13.3	Policy Review – 8070 Safe Schools - System Expectations – Update (092-18)	C. Kappel	40-104
	<i>It is recommended that Lakehead District School Board approve 8070 Safe Schools - System Expectations Policy, as updated, Appendix A to Report No. 092-18.</i>		
13.4	Naming of the New School Report (066-18)	S. Pharand	Handout
14.	New Business		

Trustees (Chair and Vice-Chair) and presenters of reports will be available for comment after the Board Meeting.

Resource  
Person

Pages

- 15. Notices of Motion
- 16. Information and Inquiries
- 17. Adjournment

Trustees (Chair and Vice-Chair) and presenters of reports will be available  
for comment after the Board Meeting.

**LAKEHEAD DISTRICT SCHOOL BOARD**



**Office of the Director**

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**STANDING COMMITTEE**  
**Tuesday, November 13, 2018**  
**Jim McCuaig Education Centre**

Ian MacRae  
Director of Education

Marg Arnone  
Chair

**AGENDA**

**COMMITTEE OF THE WHOLE – Closed Session**  
**6:45 p.m. – in the Sibley Room**

	<u>Resource Person</u>	<u>Pages</u>
5.1 Approval of Committee of the Whole - Closed Session Minutes		
5.1.1 Standing Committee Meeting - October 9, 2018	M. Arnone	1-2
5.2 Business Arising from the Minutes		
5.3 Consideration of Reports		
5.3.1 Legal Matter	I. MacRae	Verbal
5.3.2. Property Matter	I. MacRae	Verbal
5.3.3 Legal Matter	I. MacRae	Verbal
5.4 Information and Inquiries		
5.5 Rise and Ask Leave to Sit in Public Session		

Trustees (Chair and Vice-Chair) and presenters of reports will be available  
for comment after the Board Meeting.

**LAKEHEAD DISTRICT SCHOOL BOARD**

LAKEHEAD DISTRICT SCHOOL BOARD

**MINUTES OF STANDING COMMITTEE**

Board Room  
Jim McCuaig Education Centre

2018 OCT 09  
7:30 p.m.

**TRUSTEES PRESENT:**

Marg Arnone (Chair)	Jack Playford
Ellen Chambers	George Saarinen
Deborah Massaro (via teleconference)	Trudy Tuchenhagen
Ron Oikonen	Karen Wilson
	Jaimi Plater (Student Trustee)

**SENIOR ADMINISTRATION:**

Ian MacRae, Director of Education  
Colleen Kappel, Superintendent of Education  
Sherril-Lynne Pharand, Superintendent of Education  
David Wright, Superintendent of Business

**FEDERATION/UNION REPRESENTATIVES:**

Jim Desaulniers, Managers

**PUBLIC SESSION:**

1. Approval of Agenda

Moved by Trustee Chambers

Seconded by Trustee Tuchenhagen

*"THAT the Agenda for Standing Committee Meeting, October 9, 2018 be approved."*

**CARRIED**

2. Resolve into Committee of the Whole – Closed Session

Moved by Trustee Wilson

Seconded by Trustee Saarinen

*“THAT we resolve into Committee of the Whole – Closed Session with Trustee Arnone in the chair to consider the following:*

- *Confirmation of Committee of the Whole – Closed Session Minutes*
  - *September 11, 2018*
- *Finance Matter*
- *Property Matter*

*and that this meeting shall not be open to the public pursuant to Section 207 (2) of the Education Act as amended.”*

CARRIED

COMMITTEE OF THE WHOLE – CLOSED SESSION:

3. Committee of the Whole – Closed Session items were dealt with in their entirety.

PUBLIC SESSION:

4. Trustee Recognition Award – Ashley Nurmela, First Nation, Metis and Inuit Community Liaison Officer, Lakehead Public School Board

This item was deferred to a future meeting.

5. Confirmation of Minutes

Moved by Trustee Saarinen

Seconded by Trustee Oikonen

*“THAT the Standing Committee approve the Minutes of the Standing Committee Meeting, September 11, 2018.”*

CARRIED

MATTERS NOT REQUIRING A DECISION:

6. Draft - Revisions to the 2014 Procedural By-Law (070-18)

Karen Wilson, Chair of the Procedural By-Law Ad Hoc Committee, presented the report outlining the proposed amendments to the 2014 Procedural By-Law.

7. Environment: Multi-Year Capital Forecast (077-18)

David Wright, Superintendent of Business, introduced Jim Desaulniers, Manager of Property Services, who presented the report. All trustees' questions were addressed.

8. Student Achievement (076-18)

Sherri-Lynne Pharand, Superintendent of Education, introduced Fred Van Elburg, Program Coordinator, Donica LeBlanc, Supervising Principal – Early Learning Lead and Jane Lower, Student Success Lead/MISA Board Lead, who provided and presented a revised report. The revised report is attached to the minutes. All trustees' questions were addressed.

9. Special Education Advisory Committee Meeting Minutes – June 20, 2018

Colleen Kappel, Superintendent of Education, presented the June 20, 2018 minutes for information.

10. Aboriginal Education Advisory Committee Meeting Minutes – June 14, 2018

Sherri-Lynne Pharand, Superintendent of Education, presented the June 14, 2018 minutes for information.

11. Parent Involvement Committee Meeting Minutes - September 10, 2018

Ian MacRae, Director of Education, presented the September 10, 2018 minutes for information.

MATTERS FOR DECISION:

12. Appointments to the 2018-2019 Parent Involvement Committee (074-18)

Moved by Trustee Saarinen

Seconded by Trustee Oikonen

*“THAT Lakehead District School Board:*

*1. Approve the following appointments to the 2018-2019 Parent Involvement Committee effective November 15, 2018 to November 14, 2019:*

- Sharon Kanutski, Aboriginal Education Advisory Committee representative;*
- Serena Essex, Aboriginal Education Advisory Committee alternate representative;*
- Laura Sylvestre, Special Education Advisory Committee representative;*
- Michael Otway, Special Education Advisory Committee alternate representative;*
- Robert Eady, alternate parent member;*
- Ruth Vannieuwenhuizen, school council representative;*
- Shannon Jessiman-MacArthur, principal representative;*
- Donica LeBlanc, alternate principal representative;*
- Laura Prodanyk, community representative;*
- Robin Cawlishaw, community representative;*
- Chitra Jacob, community representative;*
- Fred Van Elburg, teacher representative; and*
- Kathleen Andrews, alternate teacher representative.*

2. *Approve the appointment of Laura Walker, parent member, to the 2018-2019 and 2019-2020 Parent Involvement Committee effective November 15, 2018 to November 14, 2020.*
3. *Approve the appointment of Shaun Peirce, school council representative, to the 2018-2019 and 2019-2020 Parent Involvement Committee effective November 15, 2018 to November 14, 2020.”*

CARRIED

13. Information and Inquiries

- 13.1 Trustee Saarinen reported that he and Trustee Tuchenhagen attended McKellar Park Central Public School’s Open House on September 26, 2018.
- 13.2 Trustee Chambers reported that she attended the Fall Harvest at Fort William Historical Park and the McKellar Park Central Public School’s Open House on September 26, 2018.
- 13.3 Trustee Tuchenhagen reported that she attended Crestview Public School’s Open House and Family Barbeque on September 27, 2018.
- 13.4 Vice Chair Arnone reported that she attended the 10<sup>th</sup> Annual First Nations Women’s Day – Strength Working Together Celebration, at the Airline Hotel, on October 4, 2018. Dolores Wawia, Co-chair, Aboriginal Education Advisory Committee, was honoured.

14. Adjournment

Moved by Trustee Saarinen

Seconded by Trustee Wilson

*“THAT we do now adjourn at 8:42 p.m.”*

CARRIED

LAKEHEAD PUBLIC SCHOOLS  
OFFICE OF THE DIRECTOR OF EDUCATION

2018 OCT 9  
Report No. 076-18

TO THE CHAIR AND MEMBERS OF  
THE STANDING COMMITTEE – Public Session

RE: STUDENT ACHIEVEMENT

1. Background

- 1.1 Lakehead District School Board's Strategic Plan place student achievement and well-being at the center of our ongoing pursuit of excellence and our commitment to every student.
- 1.2 The Education Quality and Accountability Office (EQAO) assesses students' skills in reading, writing and mathematics at key points in their education.
- 1.3 EQAO is one measure of student achievement and these results are considered in conjunction with school-based information in order to plan for continuous improvement.

2. Situation

This report summarizes student achievement on the Primary Assessment, Junior Assessment, Grade 9 Mathematics Assessment, and the Ontario Secondary School Literacy Test (OSSLT).

3. Primary & Junior Results – Summary and Analysis

- 3.1 This assessment is based on the overall and specific expectations in the Ontario Language and Mathematics curricula up to the end of Grades 3 and 6. The assessment is scored at four levels of achievement. The provincial standard is a target which establishes performance at level three or higher as a goal for all students.
- 3.2 The assessments are scored by groups of trained teachers at a central site over the summer. Results are published in the fall of the following school year.
- 3.3 A long term focus to committing resources and supports to ensure improved learning and teaching in primary and junior literacy, resulted in Grades 3 and 6 students continuing to approach the target of 75% of students to achieve or exceed the provincial standard in reading and writing:
  - 70% in Grade 3 reading and 66% in Grade 3 writing; and
  - 79% in Grade 6 reading and 75% in Grade 6 writing.

3.4 Board results in Grade 3 mathematics parallels provincial results with a five percent increase from last year. Grade 6 mathematics results dropped by one percent at the provincial level while Board results show a slight increase of one percent. It is expected that a long term, provincially supported focus and commitment to mathematics will result in ongoing improvement over time.

4. Grade 9 Mathematics Results – Summary & Analysis

4.1 The Grade 9 Assessment of Mathematics is based on overall and specific expectations in the Grades 1-9 mathematics curricula and is administered to Grade 9 applied and academic classes across the province twice each year, in January for semester one Grade 9 mathematics classes and in June for semester two.

4.2 The Grade 9 Assessment of Mathematics is not the same assessment for students in applied and academic classes, although some components are similar. Students in locally developed compulsory courses in mathematics are not required to participate in the assessment.

4.3 Board academic mathematics performance parallels provincial results. Eighty-three percent of students achieved at Level 3 and 4. Board results increased by two percent while the Province increase by one percent.

4.4 Board applied mathematics indicates that 35% of students achieved Level 3 or Level 4 which is a three percent decrease from the previous year.

5. Ontario Secondary School Literacy Test – Summary & Analysis

5.1 All students who entered secondary school after September 1, 1999 have had to successfully complete the Ontario Secondary School Literacy Test (OSSLT) or complete the Ontario Secondary School Literacy Course (OSSLC) in order to earn an Ontario Secondary School Diploma (OSSD).

5.2 The purpose of the OSSLT is to determine whether a student has the literacy (reading and writing) skills required to meet the standard for understanding reading selections and communicating in a variety of writing forms expected by the Ontario Curriculum across all subjects up to the end of Grade 9. Students are first eligible to write the test in their Grade 10 year (or second year of secondary school enrollment).

5.3 Board performance for first-time eligible OSSLT writers was 73% which is below the Board's five year average.

6. K-12 Next Steps

6.1 All schools, system wide, have a focus on improving mathematics learning and teaching for all students and on closing the gap for students not currently achieving at grade level.

- 6.2 Professional development will continue to be focused on improving student achievement through a variety of structures:
- targeting the specific needs in each division and transition;
  - developing more refined and systematic processes for early identification of gaps in math learning and teaching;
  - capitalizing on expertise within our system; and
  - engaging in a comprehensive investigation, jointly with EQAO staff and external experts, to identify more specific, local needs in mathematics over time.
  - grade specific training focused on numeracy strategies
- 6.3 Access to assistive technology and devices will continue to support the needs of all learners at all grade levels. Literacy and numeracy interventions and differentiated instruction will continue in all schools to support individual student learning needs and inform next steps.

7. Conclusion

Improving student learning and closing gaps in achievement will continue to be the focus at Lakehead District School Board. Through targeted professional learning, data analysis, at-the-elbow coaching, Ministry support and research-based instructional strategies, Lakehead District School Board will continue to support the learning of all students.

Respectfully submitted,

FRED VAN ELBURG  
Program Coordinator

JANE LOWER  
Student Success Lead/MISA Board Lead

LORI CARSON  
Special Education Officer

DONICA LEBLANC  
Supervising Principal – Early Learning Lead

SHERRI-LYNNE PHARAND  
Superintendent of Education

COLLEEN KAPPEL  
Superintendent of Education

IAN MACRAE  
Director of Education

LAKEHEAD PUBLIC SCHOOLS  
OFFICE OF THE DIRECTOR OF EDUCATION

2018 NOV 13  
Report No. 082-18

TO THE CHAIR AND MEMBERS OF  
THE STANDING COMMITTEE – Public Session

RE: LEGAL REPRESENTATION FOR 2017-2018

1. Background

Lakehead District School Board's 3020 Legal Representation Policy and Procedures, (herewith attached), are designed to assist in the resolution of complex and technical legal matters. This report does not include legal expenses incurred which are to be recovered in the future.

2. Situation

The 2017-2018 legal costs paid from the director's legal/audit account are as follows:

Description	Cost
<b>Cheadles</b> Expenses for personnel and general matters	\$257,147.01
<b>Third Party Costs</b> Expenses for third party matters	\$ 14,270.07
<b>TOTAL</b>	<b>\$271,417.08</b>

3. Conclusion

Total legal expenses vary annually as indicated in the chart below.

<b>Year</b>	<b>Total Legal Expenses</b>
2017-2018	\$271,417.08
2016-2017	\$306,835.90
2015-2016	\$179,790.03
2014-2015	\$227,001.86
2013-2014	\$176,583.40
2012-2013	\$215,943.06
2011-2012	\$277,790.18
2010-2011	\$389,611.72
2009-2010	\$263,803.83

Respectfully submitted,

IAN MACRAE  
Director of Education

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**BUSINESS AND BOARD ADMINISTRATION****3000**

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**LEGAL REPRESENTATION POLICY****3020**

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1. Rationale

There are occasions when legal advice is necessary to assist in resolving very complex and technical problems.

2. The Policy

It is the policy of Lakehead District School Board that all matters requiring professional legal assistance must be approved by the director of education or designate, before referral is sought.

3. Guidelines

3.1 That any solicitor or firm of solicitors so engaged will be recompensed on a fee-for-service basis.

3.2 For specific details concerning this policy, refer to 3020 Legal Representation Procedures. Any questions related thereto may be directed to the superintendent responsible.

4. Review

This policy shall be reviewed in accordance with 2010 Policy Development and Review Policy.

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**Cross Reference**

\_\_\_\_\_

\_\_\_\_\_

**Date Approved****February, 1979****Date Revised****June 22, 2010****May 23, 2017****Legal Reference**

\_\_\_\_\_

\_\_\_\_\_

**LEGAL REPRESENTATION PROCEDURES**

1. The Policy

It is the policy of Lakehead District School Board that all matters requiring professional legal assistance must be approved by the director of education or designate, before referral is sought.

2. Implementation Procedures

2.1 If legal representation is deemed necessary, by an employee, they should contact their superintendent or, if their superintendent is not available, the director or any other superintendent.

2.2 Briefly outline the matter to the superintendent.

2.3 The superintendent will decide if the matter requires legal representation. If the matter does not require legal representation, the superintendent will provide the necessary information to allow the matter to be resolved.

2.4 If the matter is deemed to require legal representation, the superintendent, in consultation with the director, will engage a solicitor to contact the employee directly and continue until the matter is resolved. All engagements must be confirmed in writing (this does not preclude a verbal engagement, but any verbal engagement must be followed by a written confirmation).

2.5 A copy of each referral will be forwarded to the director, who will keep a record of each legal engagement. Such a record will include: the date of engagement, authorizing official, brief description of the matter, the date of completion, and the cost.

2.6 The director files a report annually on the year's activities with respect to use of legal firms.

3. Review

These procedures shall be reviewed in accordance with 2010 Policy Development and Review Policy.

<u>Cross Reference</u>	<u>Date Approved</u>	<u>Legal Reference</u>
_____	<b>February, 1979</b>	_____
_____	<u>Date Revised</u>	_____
	<b>June 22, 2010</b> <b>May 23, 2017</b>	



**ABORIGINAL EDUCATION ADVISORY COMMITTEE MINUTES**

**DATE:** Thursday, Sept. 20, 2018, Board Room, Education Centre

**MEMBERS PRESENT:** Sharon Kanutski, Sherri-Lynne Pharand, Dolores Wawia, Brandon Moonias, Skylene Metatawabin, Brittany Collins, Ashley Nurmela, Jasmine Sgambelluri, Trustee Marg Arnone, Donna Flaszka, Selena Baxter, Trustee Ellen Chambers, Anna Fern Kakegamic, Kathleen Andrews, Donica LeBlanc, Cheryl Zewiec, Elliott Cromarty, Kathy Beardy, Mike Judge, Leslie Hynnes, Jane Lower, Fred Val Elburg

**ABSENT WITH REGRET:** Pauline Fontaine, Chris Larocque, Elder Gerry Martin, Serena Essex, Lawrence Baxter, Elder Isabelle Mercier

**GUESTS:** Kieren McMonagle, Anika Guthrie, Bruce Nugent

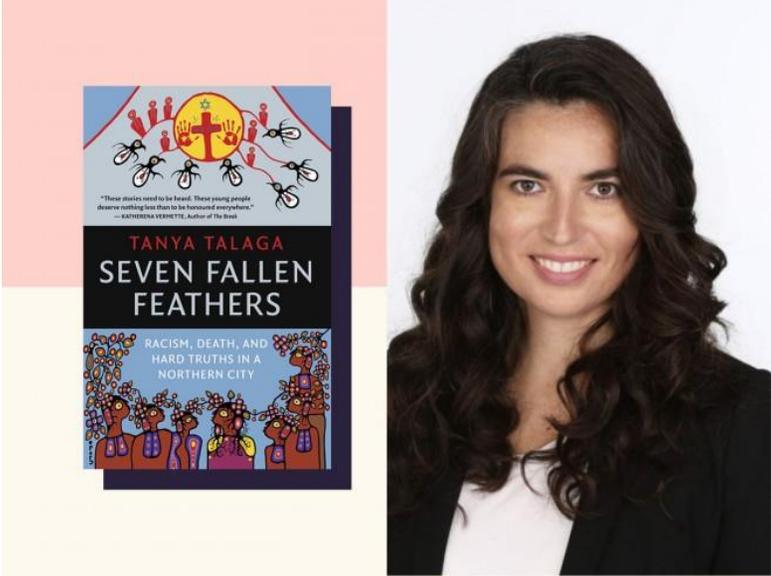
	<b>AGENDA ITEM</b>	<b>DISCUSSION</b>	<b>ACTION</b>
1.	Opening Ceremonies	Sherri-Lynne Pharand called the meeting to order at 9:30 a.m. and asked Dolores Wawia to conduct the opening.	
2.	Welcome and Introductions	2.1 Sherri-Lynne Pharand thanked Dolores Wawia for the opening.  She welcomed everyone, including our guests and introductions were made. Regrets and substitutions were noted and the attendance sheet was circulated.	
3.	Agenda / Minutes		
	3.1 Approval of Agenda – Sept. 20, 2018	Moved by Marg Arnone and seconded by Sharon Kanutski that the agenda for the Sept. 20 <sup>th</sup> meeting be approved with the addition of item # 9.3 Ontario Human Rights Commission (Kathy Beardy).  <b>Carried.</b>	
	3.2 Approval of Minutes – June 14, 2018	Moved by Donna Flaszka and seconded by Selena Baxter that the minutes for the June 14 <sup>th</sup> , 2018 AEAC meeting be approved as written.  <b>Carried.</b>	

	<b>AGENDA ITEM</b>	<b>DISCUSSION</b>	<b>ACTION</b>
4.	Correspondence	The correspondence file was circulated.	
5.	Presentations		
	5.1 Anika Guthrie – Birch Bark Baskets	<p>Video Presentation – Making Birch Bark Baskets at McKellar School was a project honouring Indigenous approaches to learning math. The project was conducted by Ruth Beatty, Project Lead from LU, Danielle Blair, Project Lead from CODE and Anika Guthrie from LDSB, with the help of instructors from Fort William Historical Park.</p> <p>This was a truly holistic experience for the students and an excellent way of learning math that children will never forget.</p> <p>All questions were answered.</p>	Anika Guthrie
	5.2 Mino Bimaadiziwin and Summer Camps	<p>a) Mino Bimaadiziwin (Live the Good Life) – video presentation This summer camp was held at Fort William Historical Park from Aug. 19 – 24 with twenty-nine (29) students participating.</p> <p>It was a complete success, thanks to the dedication of the LDSB staff as well as our partners: Thunder Bay Indigenous Friendship Centre Thunder Bay Police Services Christina Ruddy – Pikwakanagan FN</p>	Anika Guthrie
		<p>b) Summer Camps – video presentation Donica shared a video and an informative presentation outlining all the summer opportunities that were offered this year, including: Elementary Summer Programs Kindergarten Oral Language Gearing Up for Kindergarten Gr. 5/6 Experiential Math Program (at the Carpenters Union) Robotics English Language Learner Gr. 8 to 9 Reach Ahead Summer co-Op</p>	Donica LeBlanc

	AGENDA ITEM	DISCUSSION	ACTION
		<p>Focus on Youth Mino Bimaadiziwin Secondary Credit Recovery / Dual Credit</p> <p>These programs offered class instruction time as well as field trips.</p> <p>SLP thanked Donica LeBlanc , Jane Lower and their staff for providing these excellent opportunities for students this summer!</p> <p>All questions were answered.</p>	
6.	Business Arising from the Minutes		
	6.1 PIC Funding for 2017 – 2018	<p>PIC Funding \$1,125.00</p> <p>On October 5<sup>th</sup> from 4:00 p.m. – 6:00 p.m. a Pow Wow will be held on Board property to welcome students and families to the 2018 – 2019 school It will provide an opportunity to share culture and tradition..</p> <p>Moved by Sharon Kanutski and seconded by Selena Baxter that AEAC approve the use of the PIC funding to host a Pow Wow on the Board property.</p> <p><b>Carried</b></p>	<p>Sherri-Lynne Pharand Ashley Nurmela</p> <p>- An extension was granted for PIC Report</p>
	6.2 Anti-Racism / Inclusion	<p>Safety and Equity Revision</p> <p>Ashley Nurmela and Bruce Nugent gave an update on the Anti-Racism / Inclusion Campaign. A video will be produced by Generator and will be brought back to AEAC at the November meeting for comments and further input. This video will incorporate what the students suggested as this is the foundation of the whole initiative. Ashley will provide training to all staff.</p>	<p>Ashley Nurmela Bruce Nugent</p>
	6.3 Work Plan	- Deferred to special October meeting	Ashley Nurmela

	AGENDA ITEM	DISCUSSION	ACTION
		Moved by Donna Flasz and seconded by Selena Baxter that we have an October AEAC meeting on <b>October 18, 2018</b> – to focus on only the work plan.  <b>Carried</b>	
7.	New Business		
	7.1 Native Studies/Native Language Program for 2018-2019	SLP gave an update on the secondary Native Studies and Native Language Programs for 2018 – 2019  It was noted that Elmer Baxter and Felicia Waboose are the elders who test prospective Native Language teachers for their fluency proficiency.  All questions were answered.	Sherri-Lynne Pharand
	7.2 Policy Review	Ashley to be reviewing / revising 8061 Aboriginal Education Advisory Committee Policy and Procedure. This policy has gone out to constituents for their input and comments. Closing date for constituent comments is October 24.  Ashley will share the proposed revisions at the October meeting.	Sherri-Lynne Pharand
	7.3 Meeting Date Change	Moved by Sharon Kanutski and seconded by Kathy Beardy that the March AEAC meeting be changed from March 28, 2019 to <b>March 21, 2019</b> .  <b>Carried.</b>	Sherri-Lynne Pharand
	7.4 PIC Members	PIC member and alternate for 2018 – 2019 school year - Present member is Serena Essex and alternate is Sharon Kanutski  Sharon explained that they alternate positions and this year she will be the member with Serena Essex as the alternate. This will be approved at the next meeting as Serena was not in attendance today.	Sherri-Lynne Pharand  Defer to next meeting to approve.
	7.5 Cultural Sensitivity Training for 2017-2018	- please see # 6.2	Ashley Nurmela Sherri-Lynne Pharand

	<b>AGENDA ITEM</b>	<b>DISCUSSION</b>	<b>ACTION</b>
8.	Updates		
		<p>8.1 Fall Harvest at FWHP</p> <p>8.2 Nibii-Mamowechitiwin – Youth Water Gathering 2018</p> <p>8.3 NAD – name change</p> <p>8.4 NAN Orientation</p>	Ashley Nurmela – a written account of the updates is included in the minutes.
9.	Information and Inquiries		
	9.1 Treaty Week	<p>Date – week before November 11</p> <p>We were the only board in the north west to target so many schools and we will do it again this year. More info to come.</p>	Ashley Nurmela
	9.2 First Nations Women’s Day	<p>We received an Invitation to Beendigen’s 10<sup>th</sup> Annual First Nations Women’s Day Celebration which will be held on Oct. 4, 2018 from 5:30 – 10:30 at the Airline Hotel.</p> <p>We can nominate an indigenous woman who has made a significant impact AEAC nominated Dolores Wawia to receive recognition at this event.</p>	Sherri-Lynne Pharand
	9.3 Ontario Human Rights Commission	<p>Kathy Beardy shared a request from the Ontario Human Rights commission, through the Chiefs of Ontario.</p> <p>They want to conduct a focus group with students on how they can support human rights needs. It will be a teleconference on Oct. 22 from 9:30 – 12:00 and students could receive volunteer hours for attending. The grad coaches will be sent the information and make the arrangements.</p> <p>Sherri-Lynne extended thanks to NAN for the opportunity to participate.</p>	Kathy Beardy
	9.4 Tanya Talaga – CBC Massey Lectures	<p>Tanya Talaga – author of Seven Fallen Feathers will be hosting a book talk with students at Hammarskjold on Oct. 16 from 1:00 – 2:30. She will also be delivering a Massey Lecture entitled ‘All Our Relations – Finding the</p>	Sherri-Lynne Pharand

	AGENDA ITEM	DISCUSSION	ACTION
		<p>Path Forward' on October 16 – 7 pm at the Thunder Bay Community Auditorium. We have some VIP passes for special seating and a reception following the lecture at the Chanterelle. AEAC members are invited to attend.</p> 	
10.	Closing	Dolores Wawia closed the meeting with a prayer.	
11.	Next Meeting	**Special Meeting ** Thursday, October 18, 2018	
12.	Adjournment	12:00 noon	

LAKEHEAD PUBLIC SCHOOLS  
OFFICE OF THE DIRECTOR OF EDUCATION

2018 Nov 13  
Report No. 093-18

TO THE CHAIR AND MEMBERS OF  
THE STANDING COMMITTEE – Public Session

RE: POLICY REVIEW – 6040 REPORTING OF CHILDREN IN NEED OF PROTECTION

1. Background

- 1.1 The 6040 Reporting of Children in Need of Protection Policy was last revised on November 23, 2010.
- 1.2 At the May 24, 2016 Regular Board Meeting, the 6040 Reporting of Children in Need of Protection Policy was approved for review during the 2017-2018 school year as part of the policy development and review cycle.
- 1.3 At the May 22, 2018 Board meeting 6040 Reporting of Children in Need of Protection Policy was deferred to the 2018-2019 school year due to legislative changes that impacted the policy.
- 1.4 On September 19, 2018 the draft policy and procedures were posted on the Board's website and distributed to constituent groups for review and comment with input to be received by October 24, 2018.

2. Situation

- 2.1 Administration presented the policy to the following groups and organizations and feedback was incorporated as appropriate:
  - Special Education Advisory Committee;
  - Success Advisory Committee;
  - Parent Involvement Committee;
  - Crown Ward Education Championship Team (with representatives from Thunder Bay Children's Aid Society and Dilico Anishinabek Family Care);
  - Lakehead Public Schools Principal/Vice Principals; and
  - The Protocol for the Investigation of Child Abuse and Neglect Community Partners.
- 2.2 Recent changes to the Ontario Provincial legislation and the enactment of portions of the Child, Youth and Family Services Act, 2017 were taken into consideration as part of this review. This new Act is the guiding resource behind the 6040 Reporting of Children in Need of Protection Policy.
- 2.3 The Protocol for the Investigation of Child Abuse and Neglect between the Children's Aid Society of the District of Thunder Bay, Dilico Anishinabek Family Care and community partners is also a guiding resource behind the 6040 Reporting of Children in Need of Protection Policy.

RECOMMENDATION

It is recommended that Lakehead District School Board approve 6040 Reporting of Children in Need of Protection Policy, Appendix A to Report No. 093-18.

Respectfully submitted,

JEFF UPTON  
Education Officer

COLLEEN KAPPEL  
Superintendent of Education

IAN MACRAE  
Director of Education

<p><b>SCHOOL SERVICES</b></p> <p><b>DRAFT – November 13, 2018</b></p> <p><b>REPORTING OF CHILDREN IN NEED OF PROTECTION POLICY</b></p>	<p><b>6000</b></p> <p><b>6040</b></p>
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1. Rationale

***School staff work closely with children and have a special awareness of the signs of child abuse and neglect, and an obligation to report their suspicions to the Children's Aid Society of the District of Thunder Bay (CAS) or Dilico Anishinabek Family Care (Dilico).***

The Ministry of Education has directed that school board policies and procedures on reporting suspected cases of children in need of protection conform to the provisions of the Child, Youth and Family Services Act, **2017**.

2. Policy

It is the policy of Lakehead District School Board that ~~every employee and any person~~ **if a person** (including **all employees and** those performing professional or official duties with respect to children), ~~who~~ has reasonable grounds to suspect that a child is, or may be, in need of protection ~~must~~ **they shall immediately** report this information without delay to a children's aid society.

3. Guidelines: **Guiding Principles**

3.1 ~~Reporting Children in Need of Protection~~ **Duty to Report and Legal Responsibility**

- 3.1.1 If an employee or person, including a person who performs professional or official duties with respect to children, has reasonable grounds to suspect that a child is, or may be, in need of protection **then they** must report this information without delay to a children's aid society.
- 3.1.2 A person who has a duty to report a matter shall make the report directly to a children's aid society and shall not rely on any other person to report on ~~his or her~~ **their** behalf.
- 3.1.3 A person who has additional reasonable grounds to suspect that child abuse or neglect may have occurred, or is likely to occur, shall make a further report even if ~~he/she has~~ **they have** made previous reports with respect to the same child.
- 3.1.4 ***A duty to report does not apply in respect of a child who is 16 or 17 years old, but a person may make a report in respect of a child who is 16 or 17 years old if reasonable grounds to suspect that a child is, or may be, in need of protection.***

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**3.1.5 Every person in the educational system has a legal responsibility to report suspected child abuse/neglect to a children's aid society when they have reasonable grounds to suspect that a child is or may become in need of protection.**

3.2 Privacy and Confidentiality

3.2.1 The duty of an employee or a person, including those performing professional or official duties with respect to children, to make a report overrides the provisions of any other provincial statute that would otherwise prohibit the professional or official from disclosing confidential or privileged information.

3.2.2 In all cases of suspected child abuse or neglect, employees or persons, including those performing professional or official duties with respect to children, shall respect the privacy of all individuals involved and the confidentiality of all discussions and reports.

3.2.3 Nothing ~~overrides~~ **abrogates** any privilege that may exist between a ~~solicitor and client~~ **lawyer and the lawyer's client**.

3.3 Liability

3.3.1 No action for making a report shall be instituted against a person who acts in accordance with the duty to report unless the person acts maliciously or without reasonable grounds for the suspicion.

3.3.2 A person performing professional or official duties with respect to children, who does not report the suspicion that a child is in need, or may be in need of protection based on information obtained in the course of ~~his/her~~ **their** professional /official duties, and is convicted of the offence, is liable to a fine.

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4. Review

The policy shall be reviewed in accordance with 2010 Policy Development and Review Policy.

<u>Cross Reference</u>	<u>Date Approved</u>	<u>Legal Reference</u>
Procedures 6040	June 23, 1987	Child and Family Services Act (Section 72), March 31, 2000
Ministry of Education Policy/Program Memorandum No. 9, August 10, 2001, "Reporting of Children in Need of Protection"	<u>Date Revised</u>  April 22, 2003 November 23, 2010	<b>Child, Youth and Family Services Act, 2017</b>
The Protocol for the Investigation of Child Abuse and Neglect – a Coordinated Response in the District of Thunder Bay, <del>October 2007</del> <b>April 2015</b>		Student Protection Act, 2002  Teacher Profession Act, 1990 Regulation <b>Education Act, R.S.O. 1990, c. E.2</b>  <b>Ontario College of Teachers Act, 1996, S.O. 1996, c. 12</b>

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1. Policy

It is the policy of Lakehead District School Board that ~~every employee and any person~~ **if a person** (including **all employees and** those who perform professional or official duties with respect to children), ~~who~~ has reasonable grounds to suspect that a child is, or may be, in need of protection, ~~must~~ **they shall immediately** report this information, without delay, to a children's aid society.

2. Definitions

2.1 Employee

Any adult employed by Lakehead District School Board.

2.2 Person

Any adult working or placed at a school in an official capacity; such as, but not limited to health professional, student teacher, student social worker.

2.3 Child

~~Refers to a person under the age of 16 years. This is extended to 18 years of age when the person is a ward of a children's aid society.~~ **Means a person younger than 18 years of age.**

2.4 Child in Need of Protection

Section ~~3774~~(2) of the Child, **Youth and** Family Services Act **2017**:

A child is in need of protection where:

- 2.4.1 The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person's failure to adequately care for, provide for, supervise or protect the child, or pattern of neglect in caring for, providing for, supervising or protecting the child.
- 2.4.2 There is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person's failure to adequately care for, provide for, supervise or protect the child, or pattern of neglect in caring for, providing for, supervising or protecting the child.

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- 2.4.3 The child has been sexually ~~molested~~ **abused** or sexually exploited, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual ~~molestation~~ **abused** or sexual exploitation and fails to protect the child.
- 2.4.4 There is a risk that the child is likely to be sexually ~~molested~~ **abused** or sexually exploited as described in 2.4.3.
- 2.4.5 The child requires ~~medical~~ treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment.
- 2.4.6 The child has suffered emotional harm, demonstrated by serious anxiety, depression, withdrawal, self-destructive or aggressive behaviour, or delayed development and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act, or pattern of neglect on the part of the child's parent or the person having charge of the child.
- 2.4.7 The child has suffered emotional harm of the kind described in 2.4.6 and the child's parent or the person having charge of the child does not provide, or refuses, or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm.
- 2.4.8 There is a risk that the child is likely to suffer emotional harm of the kind described in 2.4.6 resulting from the actions, failure to act, or pattern of neglect on the part of the child's parent or the person having charge of the child.
- 2.4.9 There is a risk that the child is likely to suffer emotional harm of the kind described in 2.4.6 and that the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm.
- 2.4.10 The child suffers from a mental, emotional or developmental condition and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, treatment that, if not remedied, could seriously impair the child's development to remedy or alleviate the condition.
- 2.4.11 The child has been abandoned, the child's parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child's care and custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody.

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2.4.12 The child is ~~less~~ **younger** than 12 years old and has killed or seriously injured another person or caused serious damage to another person's property, services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide, or refuses to provide, or is unavailable or unable to consent to, those services or treatment.

2.4.13 The child is ~~less~~ **younger** than 12 years old and has on more than one occasion injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child or because of that person's failure or inability to supervise the child adequately.

**2.4.14 *The child's parent is unable to care for the child and the child is brought before the court with the parent's consent and where the child is 12 years old or older, with the child's consent, for the matter to be dealt with under this part.***

**2.4.15 *The child is 16 or 17 years old and a prescribed circumstance or condition exists.***

2.5 Neglect

Failure of a caregiver to provide basic needs such as adequate food, sleep, safety, supervision, clothing, or medical treatment.

2.6 Abuse or Risk of Abuse**2.6.1 Child Abuse**

- ***Includes physical, sexual and emotional abuse and/or neglect.***
- ***It also addresses a pattern of abuse and risks of harm.***

2.6.42 Physical Abuse

~~The deliberate application of force to any part of the child's body, which results or may result in a non-accidental injury. It may involve hitting a child a single time, or it may involve a pattern of incidents. Physical abuse also includes behaviours such as shaking, choking, biting, kicking, burning or poisoning a child, holding a child under water, or any other harmful or dangerous use of force or restraint. Child abuse is usually connected to physical punishment or is confused with child discipline. Other examples: continual or lengthy beating, slapping, or kicking; hitting with fist; twisting; dropping; bludgeoning; scalding; suffocating; using weapons, etc.~~

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- *The use or threat of deliberate physical force that results in pain or injury or creates a genuine risk of harm to the child, which can occur as an isolated incident or over a period of time.*
- *Possible behaviors may include actions such as punching, slapping, shaking, burning, biting, throwing, hair pulling, beating, kicking, cutting and throwing objects.*
- *Signs or indicators may include such things as bruising, burns, bites and cuts.*
- *Consistent and intentional neglect and failure to supervise or protect a child adequately.*

**2.6.23 Sexual Abuse**

~~Occurs when an adult or youth uses a child for sexual purpose. Sexual abuse includes fondling a child's genitals, intercourse, incest, rape, sodomy, exhibitionism, and commercial exploitation through prostitution or the production of pornographic materials. It also includes sexual harassment. Furthermore, the Criminal Code identifies forms of sexual abuse that also include: sexual interference; invitation to sexual touching; parent or guardian procuring sexual activity from a child; householder permitting sexual activity; exposing genitals to a child with sexual intent; and sexual assault.~~

- *Sexual touching/activity, exposure, sexual suggestiveness, harassment, underage pregnancy, or observation of sexual behavior.*
- *Grooming for sexual abuse, sexual exploitation, incest, interference or molestation, including child pornography.*

**2.6.4 Emotional Abuse**

- *Repeated treatment that negatively affects the child's sense of self-worth or self-esteem and impairs the child's growth, development and psychological functioning.*
- *Yelling, ignoring, rejecting, demeaning, isolating or exposing the child to domestic violence.*

**2.6.5 Domestic Violence**

- *Violent or abusive behavior occurring within the child's home, usually involving the abuse of a partner or spouse.*
- *All acts that eliminate a nurturing environment for the child.*

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Occurs when a child's parents or other caregivers are not providing the necessities of a child's emotional, psychological, and physical development. Physical neglect occurs when a child's needs for food, clothing, shelter, cleanliness, medical care and protection from harm are not adequately met.

- ***Failure of a parent or caregiver to provide the child with basic needs such as adequate food, sleep, safety, supervision, clothing or medical treatment.***
- ***Failure to provide, support or consent to treatment where a child has a medical, mental, emotional or developmental condition requiring treatment.***

**2.6.7 Caregiver Death/Absence/Separation**

- ***Failure to provide adequate care and custody of the child when the child's parent or caregiver has died or is absent.***
- ***Failure of a residential care facility to resume custody, care and supervision of the child when the parent or caregiver refuses to.***

**2.6.8 Caregiver Incapacity**

- ***Substance abuse or mental health concerns that have an impact on a child's safety or well-being.***

**3. Determination Procedures**

- 3.1 In determining if there are reasonable grounds to suspect a child is, or may be, in need of protection, an employee may consult with:
- 3.1.1 the principal or designate;
  - 3.1.2 other personnel such as guidance counsellor, attendance counsellor, social worker and colleagues associated with the student;
  - 3.1.3 an employee of a children's aid society; and
  - 3.1.4 consultation shall not delay the referral to a children's aid society.
- 3.2 An employee or person who reports suspected child abuse or neglect to a children's aid society regarding a student shall inform the on-site principal or designate. The on-site principal/designate shall inform the home school principal.

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- 3.3 ~~When there is suspicion that a child has marks on his/her body resulting from physical force or use of a weapon, and the marks are not visible, it may be appropriate for the principal or designate, guidance counsellor, social worker, using their discretion, to observe the injury to the child, with the child's consent, in order to request an immediate response from a children's aid society. Any observation shall be done by a person of the same sex, and always with an adult witness present. Underclothes will not be removed under any circumstances.~~

***Documentation and assessment of physical injuries are the responsibility of the police and children's aid society. Staff shall not undertake observation of non-visible marks.***

Whether marks are observed or not, the staff member shall report to the children's aid society if there are reasonable grounds to suspect that the child is, or likely will be, in need of protection.

- 3.4 Where a young person, over 16 years old, and not a ward of a children's aid society, reports abuse or neglect, the young person should be encouraged to report the abuse/neglect directly to the police. This applies even if the abuse occurred when the young person was under the age of 16, but no longer is under 16. The young person should also be encouraged to take advantage of whatever victim assistance, therapy and legal assistance resources exist in the community.

***Though a duty to report does not apply to a child who is 16 or 17 years old, a person may make a report if a circumstance or condition exists.***

#### 4. Reporting Procedures

- 4.1 The individual who suspects that a child is in need of protection has a personal and/or professional duty to report the suspicion directly to a children's aid society. The individual may request the presence of a principal, professional support staff or senior administrator while making the report to the society.
- 4.2 If an employee or person has reasonable grounds to suspect that child abuse or neglect may have occurred or is likely to occur, ~~he/she~~ **they** shall report the suspicion and the information upon which it is based to a children's aid society without delay.
- 4.3 An employee or person who has additional reasonable grounds to suspect that child abuse or neglect may have occurred, or is likely to occur, shall make a further report even if ~~he/she has~~ **they have** made previous reports with respect to the same child.
- 4.4 The person who makes the report shall document the referral using "Record of Referral for Children in Need of Protection" (Appendix A).
- 4.5 Refer to "Checklist for Referral of Children in Need of Protection" (Appendix B).

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- 5.1** *An agreement has been made between a children’s aid society, police and school board via the ‘Protocol for the Investigation of Child Abuse and Neglect – a Coordinated Response in the District of Thunder Bay’ to allow a children’s aid society worker/police access to the child when abuse/neglect is suspected without the formal process of securing custody (i.e. warrant) to apprehend the child.*
- 5.2** *Legal access to children is conferred to a children’s aid society only when a child is taken into custody. The Board is under no legal obligation to give a children’s aid society staff access to children during school hours. However, access will be permitted to ensure the safety and protection of the child; to ensure the child is not influenced by the alleged offender/caregiver responsible for the maltreatment/non-offending parent; to protect the child from witnessing conflict that could occur between the caregivers and officials.*
- 5.3** *The Board has the right to require that a children’s aid society apprehend the child with or without warrant in order that they may talk to the child. However, the Board in the spirit of protecting children, allows interviews of children in schools when a children’s aid society/police have determined it is necessary and in the child’s best interests.*
- 5.4** ~~5.1~~ *If an interview is requested of a child at school as part of an abuse/neglect investigation, the principal/designate shall confirm the identity of the individual(s) requesting the interview as police or an employee(s) of a children’s aid society.*
- 5.5** ~~5.2~~ *The principal shall permit the interview after consultation with a children’s aid society representative to determine who will be present during the interview.*
- 5.6** ~~5.3~~ *To reduce the trauma that a student may experience, and with the student’s consent, the principal or designate shall ensure that a supportive adult from the school is present whenever possible during a children’s aid society/police interview with the child.*
- 5.7** *To safe guard the privacy of the child, the investigative team should exercise extreme sensitivity in meeting with the child at school. The school principal/designate will provide reassurance for the child while waiting for children’s aid society/police to arrive. Whenever possible, a children’s aid society will notify the parents/caregivers of the child of the interview of the child before the child leaves school for the day.*

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**5.8** 5.4 Once a report is received by a children’s aid society, the intake worker and the reporting person will develop a strategy for informing the parents. School or Board personnel will not inform parents that a report has been made without consultation with the society.

**5.9** *As part of the investigative process, a children’s aid society will attempt to obtain releases of information from the parent/caregiver and the child, if 12 years of age and over, to allow for communication with the school.*

**5.10** *Upon attendance to the school, a children’s aid society worker shall report to the office with authorized children’s aid society identification.*

6. Students with Special Needs

6.1 The school board recognizes the particular vulnerability of children with special needs. Procedures after the report of a suspicion of abuse/neglect or a disclosure will be followed with consideration of additional and appropriate assistance to a child whose disability affects the ability to understand and communicate.

6.2 The reporting person and/or the principal will ensure that the investigating agency or police are aware of the needs and accommodations necessary for the child. Such accommodations may include the presence of supportive adults from the school with whom the child is familiar during the interview.

**6.3** *When a child protection concern is suspected for a child with special needs, a children’s aid society worker/police may need to “customize” the approach taken with the investigation, and may require assistance from school personnel familiar with the child’s special needs, when planning or conducting an interview of a child with special needs.*

7. Procedures Regarding Board Employees

7.1 In situations where a teacher, support staff or other Board employee is suspected of conduct which places a child in need of protection, the principal or designate will be notified when a report to a society is being made, and the principal or supervisor will notify the appropriate superintendent of education and the superintendent responsible for Human Resources.

7.2 A staff person or volunteer who has made a report to the principal or designate regarding a specific situation and is not satisfied with the response may contact the designated superintendent directly.

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- 7.3 Under no circumstances should the implicated staff member be contacted regarding an allegation or disclosure until consultation with the investigating police or society is made. Notwithstanding Section ~~12 48 (1)(b)~~ of the Teaching Profession Act Regulation a teacher shall **need** NOT report to a fellow teacher that an allegation of sexual abuse of a student or disclosure has occurred. This procedure is designed to secure the safety of the student, to ensure that the rights of the victim and the accused person are protected, and to prevent possible destruction of evidence.
- 7.4 In situations where a principal is suspected of conduct which places a child in need of protection, the appropriate superintendent of education will be directly notified by the reporting person.
- 7.5 School Board staff will protect confidentiality of students and staff within the legal confines of the Board.
- 7.6 The Board will fully cooperate with the children's aid society and the police in any investigation and provide access to any relevant information within legal confines.
- 7.7 In instances involving school personnel, it must be remembered that the Board has two key areas of responsibility:
- i) acting in "loco parentis" for the children registered within their school system; and
  - ii) serving as the employer of the alleged abuser. It is the employer's determination whether the accused employee will be relieved of duties or reassigned during an investigation.
- 7.8 Where a situation involving a staff person is reported to a society or the police, and they decide not to pursue the matter, the matter shall be reviewed by the appropriate superintendent to determine if further action is warranted.

**8. Responsibilities**

- 8.1 *It is the responsibility of the principal to ensure that all staff members are aware of, understand and comply with the relevant sections of the Child, Youth and Family Services Act.***
- 8.2 *A children's aid society has the legal mandate to conduct a complete investigation and take appropriate action to ensure the safety of the child, and will receive full cooperation from the Board during its investigation.***
- 8.3 *It is the responsibility of a children's aid society to notify the parents/guardians of the child when there is suspicion that a child is in need of protection and a referral has been made. Notification should occur as soon as it is reasonably possible given the circumstances.***

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**REPORTING OF CHILDREN IN  
NEED OF PROTECTION PROCEDURES****6040**9.8 Review

These procedures shall be reviewed in accordance with 2010 Policy Development and Review Policy.

<u>Cross Reference</u>	<u>Date Received</u>	<u>Legal Reference</u>
<p>Policy 6040</p> <p>Ministry of Education Policy/Program Memorandum No. 9, August 10, 2001, “Reporting of Children in Need of Protection”</p> <p>The Protocol for the Investigation of Child Abuse and Neglect – a Coordinated Response in the District of Thunder Bay, <del>October 2007</del> <b>April 2015</b></p> <p><b>Ontario College of Teachers Professional Advisory: Duty to Report June 2018</b></p>	<p>June 23, 1987</p> <p><u>Date Revised</u></p> <p>April 22, 2003 November 23, 2010</p>	<p><del>Child and Family Services Act (Section 72), March 31, 2000</del></p> <p><b>Child, Youth and Family Services Act 2017</b></p> <p><b>Education Act, R.S.O. 1990, c.E.2</b></p> <p><b>Ontario College of Teachers Act 1996</b></p> <p>Student Protection Act, 2002</p> <p>Teacher Profession Act, <b>1990</b> Regulation</p>

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LAKEHEAD DISTRICT SCHOOL BOARD

**RECORD OF REFERRAL FOR  
CHILDREN IN NEED OF PROTECTION**

Date of Report: \_\_\_\_\_  
Y/M/D

Child's Name: \_\_\_\_\_  
Last Name Given Name(s)

Date of Birth: \_\_\_\_\_  
Y/M/D

Address: \_\_\_\_\_  
Apt./Street No. City Postal Code

Telephone: \_\_\_\_\_

Sibling(s) Under 16 Years:  Yes  No

Mother's **Parent/Guardian** Full Name: \_\_\_\_\_  
Last Name Given Name(s)

Business Phone: ( ) \_\_\_\_\_

Father's **Parent/Guardian** Full Name: \_\_\_\_\_  
Last Name Given Name(s)

Business Phone: ( ) \_\_\_\_\_

School Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Grade: \_\_\_\_\_

Agency Contacted: \_\_\_\_\_

Intake Worker: \_\_\_\_\_

Date and Time of Referral: \_\_\_\_\_

Briefly state details of Abuse/Neglect: *(If additional space is required, please use back of this form)*

1. What the child said and to whom and when.
2. When and where the incident(s) occurred.
3. Brief description of easily visible marks or injuries or evidence of neglect.
4. The alleged offender(s) and relationship to the child.
5. Names of any other children who might be involved.

Any **special needs** (*i.e.* learning disability, exceptionality, or language difficulty) which may impede the student in expressing or understanding written/oral communication \_\_\_\_\_

Report made by: \_\_\_\_\_  
Name (please print) Position Signature

Principal: \_\_\_\_\_  
Name (please print) Signature

*Principal retains original form*



**RECOMMENDED CHECKLIST  
FOR REFERRAL  
FOR CHILDREN IN NEED OF PROTECTION**

- ❑ Informed school principal or designate of your suspicion(s).
  - ❑ Informed student services or social worker assigned to the school.
  - ❑ Obtained consultation from appropriate resource (i.e., social worker/student services worker, child abuse resource person, children's aid society worker).
  - ❑ Documented details of disclosure, completed "Record of Referral for Children in Need of Protection" form.
  - ❑ Reported suspected abuse/neglect to the appropriate children's aid society.
    - ***Children's Aid Society of the District of Thunder Bay – 343-6100***
    - ***Dilico Anishinabek Family Care – 623-8511***
  - ❑ Ensured that the student is prepared and supported for possible outcomes which will follow.
  - ❑ Sought support for oneself or others involved.
- \* **At any time, help is available from your school *principal/vice principal*, social worker or **Guidance student services** department.**

LAKEHEAD PUBLIC SCHOOLS  
OFFICE OF THE DIRECTOR OF EDUCATION

2018 NOV 13  
Report No. 091-18

TO THE CHAIR AND MEMBERS OF  
THE STANDING COMMITTEE - Public Session

RE: POLICY REVIEW – 8061 ABORIGINAL EDUCATION ADVISORY COMMITTEE

1. Background

- 1.1 It is the policy of Lakehead District School Board that policies will be developed/reviewed in accordance with 2010 Policy Development and Review Policy.
- 1.2 At the May 8, 2018 Regular Board Meeting, the 8061 Aboriginal Education Advisory Committee was approved for review during the 2018-2019 school year as part of the policy development and review cycle.
- 1.3 On September 19, 2018, the draft policy and procedures were posted on the Board website and distributed to constituent groups for review and comment with input to be received by October 24, 2018.

2. Situation

- 2.1 There was no constituent input received.
- 2.2 The policy is attached as Appendix A and the revised procedures as Appendix B.
- 2.3 Upon final approval, the policy will be distributed according to Board procedures.

RECOMMENDATION

It is recommended that Lakehead District School Board approve 8061 Aboriginal Education Advisory Committee, Appendix A to Report No. 091-18.

Respectfully submitted,

DONICA LEBLANC  
Supervising Principal - Early Learning Lead

SHERRI-LYNNE PHARAND  
Superintendent of Education

IAN MACRAE  
Director of Education

**SCHOOL COMMUNITY RELATIONS****8000****DRAFT – November 13, 2018****ABORIGINAL EDUCATION ADVISORY  
COMMITTEE POLICY****8061**1. Rationale

At Lakehead District School Board the student as a person and a learner is our first priority. Lakehead District School Board is committed to meeting the unique needs of all students. Lakehead District School Board serves a growing population of Aboriginal students.

2. Policy

Lakehead District School Board is committed to deliver programs and services that meet the needs of all students. It is the policy of Lakehead District School Board to seek advice on meeting students' unique needs. Lakehead District School Board will seek the advice of the Aboriginal community through the establishment of the Aboriginal Education Advisory Committee.

3. Guiding Principles

Lakehead District School Board is committed to high student achievement for all students.

Lakehead District School Board will facilitate strong learning partnerships with Aboriginal students and their families to ensure academic success.

Lakehead District School Board accepts the Aboriginal culture and history and will seek partnerships with the broader Aboriginal community.

Lakehead District School Board is committed to an inclusive educational environment that promotes equity of opportunity. All schools will be reflective and responsive to the diverse and unique cultures and communities they serve.

4. Review

This policy shall be reviewed in accordance with 2010 Policy Development and Review Policy.

<u>Cross Reference</u>	<u>Date Approved</u>	<u>Legal Reference</u>
_____	<b>June 22, 2004</b>	_____
_____	<u>Date Revised</u>	_____
	<b>June 28, 2011</b>	

<p><b>SCHOOL COMMUNITY RELATIONS</b></p> <p><b>DRAFT – November 13, 2018</b></p> <p><b>ABORIGINAL EDUCATION ADVISORY COMMITTEE PROCEDURES</b></p>	<p><b>8000</b></p> <p><b>8061</b></p>
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1. Policy

Lakehead District School Board is committed to deliver programs and services that meet the needs of all students. It is the policy of Lakehead District School Board to seek advice on meeting students' unique needs. Lakehead District School Board will seek the advice of the Aboriginal community through the establishment of the Aboriginal Education Advisory Committee.

2. Committee Membership

2.1 The Aboriginal Education Advisory Committee is established by resolution of Lakehead District School Board.

2.2 The committee shall be composed of the following:

2.2.1 Six parents/guardians who are public school supporters and have children of Aboriginal ancestry enrolled in Lakehead District School Board.

2.2.2 ~~Three (3)~~ **Five** community members appointed by the Board.

Preference will be given to candidates who:

- i) are of Aboriginal ancestry and have demonstrated interest in the education of Aboriginal students.
- ii) are members of agencies or groups that provide services to Aboriginal people.

2.2.3 A youth of Aboriginal ancestry presently enrolled in a secondary school program.

2.2.4 A trustee and two alternate trustees appointed by the Board.

2.2.5 The director or designate.

2.2.6 A principal or vice principal.

**2.2.7 A community elder.**

2.3 The Board shall provide personnel resources to support the work of the Aboriginal Education Advisory Committee.

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3. Mandate

- 3.1 The mandate of the Aboriginal Education Advisory Committee is to advise the Board on matters relating to the education of Aboriginal students.

The mandate specifically includes:

- Increasing the cultural awareness of all Board trustees and personnel through professional development and/or other related activities.
- Expanding the awareness of effective programs for the educational needs of Aboriginal students.
- Facilitating initiatives for all Aboriginal students.
- Providing advice on initiatives including but not limited to student programs, Aboriginal studies, student retention and alternative education programs.
- Developing and enhancing partnerships with community based agencies that support Aboriginal students and their families.
- Responding to the Board on requests for advice and recommendations on matters that the Board may direct to the committee.
- Advocating both provincially and locally for specific needs of Aboriginal students.
- Identifying community issues that impact education.
- Responding to other initiatives as they arise.

4. Guidelines

- 4.1 The Aboriginal Education Advisory Committee will hold a minimum of three meetings per year.
- 4.2 A committee member missing three consecutive meetings may be removed from term by the committee and a replacement would then be appointed for the remainder of the term.
- 4.3 Selection of the committee will be managed by the Director or designate with responsibilities for the Aboriginal Education Advisory Committee and will be approved by the Board.
- 4.4 There will be two co-chairs of the Aboriginal Education Advisory Committee – the director or designate and a committee member. The committee member co-chair will be selected by the committee.
- 4.5 Minutes of the meetings will be circulated to trustees and a report to the Board will be made at the Annual Meeting of Lakehead District School Board.



LAKEHEAD PUBLIC SCHOOLS  
OFFICE OF THE DIRECTOR OF EDUCATION

2018 NOV 13  
Report No. 092-18

TO THE CHAIR AND MEMBERS OF  
THE STANDING COMMITTEE - Public Session

RE: POLICY REVIEW – 8070 SAFE SCHOOLS - SYSTEM EXPECTATIONS - UPDATE

1. Background

- 1.1 On September 22, 2015, after following the approved Board process, 8070 Safe Schools - System Expectations Policy was approved by trustees.
- 1.2 At the May 24, 2016 Regular Board Meeting, the 8070 Safe Schools - System Expectations Policy was approved for review during the 2022-2023 school year as part of the policy development and review cycle.
- 1.3 Due to amendments to the Education Act enacted on October 17, 2018, 8070 Safe Schools - System Expectations Policy is being updated to align with the new legislative requirements.

2. Situation

- 2.1 This policy was not released for constituent input at this time and will be reviewed again during the 2022-2023 school year.
- 2.2 The updated policy is attached as Appendix A and the procedures & appendices as Appendix B.
- 2.3 Upon final approval, the policy will be distributed according to Board procedures.

RECOMMENDATION

It is recommended that Lakehead District School Board approve 8070 Safe Schools - System Expectations Policy, as updated, Appendix A to Report No. 092-18.

Respectfully submitted,

JEFF UPTON  
Education Officer

COLLEEN KAPPEL  
Superintendent of Education

IAN MACRAE  
Director of Education







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- 4.7 The fair treatment of others, regardless of their race, ancestry, place of origin, ethnicity, culture, colour, citizenship, religion, creed, gender, gender identity, sexual orientation, family or socio-economic status, age, ability, and/or any other immutable characteristic or ground protected by the Human Rights Code, is an expectation from all school members.
- 4.8 The Board recognizes that the Human Rights Code of Ontario has primacy over provincial legislation and Board policies and procedures, and understands that the Education Act, 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.

5. Review

This policy shall be reviewed in accordance with 2010 Policy Development and Review Policy.

<u>Cross Reference</u>	<u>Date Approved</u>	<u>Legal Reference</u>
	<u>September 5, 1995</u>	
Policy & Procedures:	<u>Date Revised</u>	Education Act s. Part XIII Behaviour, Discipline and Safety
1020 Equity and Inclusive Education	June 22, 1999	
7030 Harassment & Human Rights	December 11, 2001	
7040 Violence in the Workplace	March 5, 2002	
8040 Trespass to Schools	June 27, 2006	Refer to Appendix F of 8070 Safe Schools – System Expectations Procedures
8071 Bullying Prevention and Intervention	January 22, 2008	
8072 Sexual Orientation and Gender Identity	September 28, 2010	
8073 Dress Code	January 22, 2013	
	September 22, 2015	

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1. Policy

Lakehead District School Board is committed to supporting and maintaining a positive, safe, inclusive and secure environment, including bullying prevention, for its students, staff and community through the implementation of effective safe schools expectations and procedures.

2. Table of Contents

<u>Table of Contents</u>		
Section Number	Section Title	Sub-Sections
3	System Expectations	<ul style="list-style-type: none"> <li>• The School Environment</li> <li>• Violence Prevention in the Curriculum</li> <li>• Intervention Program</li> <li>• Code of Conduct</li> <li>• Bullying Prevention and Intervention</li> <li>• Staff Development</li> <li>• Roles and Responsibilities</li> </ul>
4	Procedure for Dealing with Critical Incidents	
5	Search and Seizure	
6	Procedure for Dealing with the Aftermath of an Incident	<ul style="list-style-type: none"> <li>• For Victim(s)</li> <li>• For Perpetrator(s)</li> </ul>
7	Procedure for Reporting Violent Incidents	<ul style="list-style-type: none"> <li>• Categories of Students by Age</li> <li>• Categories of Critical Incidents</li> <li>• Reported Incidents On and Off School Property</li> <li>• Parent/Guardian Involvement</li> <li>• Police Investigation at School and the Rights of Students</li> <li>• Insertion of Information in the OSR</li> <li>• Procedure for Reporting Critical Incidents to the Ministry</li> </ul>
8	Progressive Discipline and Promoting Positive Student Behaviour	<ul style="list-style-type: none"> <li>• Early and Ongoing Intervention Strategies</li> <li>• Addressing Inappropriate Behaviour</li> <li>• Responding to Incidents</li> </ul>

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9	Strategies for dealing with Bullying / Bullying Prevention and Intervention	<ul style="list-style-type: none"> <li>• Training Strategies for Members of the School Community</li> </ul>
10	Suspension of Students	<ul style="list-style-type: none"> <li>• Factors to Consider Before Deciding to Impose a Suspension</li> <li>• Consultation</li> <li>• Procedural Steps When Imposing a Suspension</li> <li>• Programs for Suspended Students</li> <li>• Alternate Suspension Program (ASP)</li> <li>• Planning Meeting</li> <li>• Student Action Plan (SAP)</li> <li>• Suspension Appeal Process</li> <li>• Suspension Appeal before the Suspension Appeals/Expulsion Hearing Committee of the Board</li> <li>• Re-Entry</li> <li>• Transfer to Another School</li> </ul>
11	Expulsion of Pupils	<ul style="list-style-type: none"> <li>• Mitigating Factors and Other Factors</li> <li>• Suspension Pending Recommendation for Expulsion</li> <li>• Procedural Steps When Imposing a Suspension</li> <li>• Alternate Suspension Program (ASP)</li> <li>• Planning Meeting</li> <li>• Student Action Plan (SAP)</li> <li>• Principal's Investigation</li> <li>• Decision Not to Recommend Expulsion</li> <li>• Recommendation to the Board for an Expulsion Hearing</li> <li>• Hearing before the Suspension Appeals / Expulsion Hearing Committee</li> <li>• No Expulsion</li> <li>• Expulsion</li> <li>• Re-Entry Requirements Following and Expulsion</li> <li>• Appeal of Board Decision to Expel</li> </ul>

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12	Exclusion	
13	Delegation of Authority	<ul style="list-style-type: none"> <li>• Delegation of Authority to a Vice Principal</li> <li>• Delegation of Authority to Teacher-in-Charge</li> </ul>
14	Review	

### 3. System Expectations

#### 3.1 The School Environment

The school environment must be safe so that learning can take place. It is the obligation of all members of the school community to establish a safe and secure school environment.

The school environment is both physical and social. It includes the school building, its surroundings, the people in it and the way they interact, the material resources, and the extensions of this environment that are necessary for the delivery of the program (e.g., field trips, school buses and extracurricular activities).

To establish and maintain a safe and secure school environment:

- the school staff will design activities to provide a positive, inviting school atmosphere and maintain a safe school culture for all people in Lakehead Public schools;
- discipline strategies will be fair and focus on teaching students about appropriate behaviours while maintaining their self-respect;
- guidelines for supervision will be developed by individual schools to ensure the safety of staff and students at school-sponsored activities; these guidelines will be consistent with the school's Code of Conduct;
- principals will deny entry to the school to a person found in possession of materials and/or substances deemed to be unsafe and/or inappropriate (e.g., hate literature, guns, knives, illegal drugs);
- principals may deny entry to school-sponsored activities to individuals whom they know have a record of violence or who have been found in possession of weapons;
- schools will establish procedures for dealing with visitors and/or strangers in the school consistent with the Board's appropriate policy and procedures;
- students with a record of violence or who have been found in possession of weapons and who request a transfer from one school to another will be identified by principals; this information will be communicated to the appropriate superintendent and to the students so identified;
- principals will cooperate with bus operators to ensure that school buses, as extensions of the school environment, are safe and secure;
- schools will operate Health and Safety Committees;



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3.3.2 Where appropriate, the Board will develop and implement programming to address the special needs of students as identified through the Individual Education Plan. Teachers, in consultation with parents/guardians, will be the primary resource for identifying these children and referring them to the appropriate person and/or agency.

3.3.3 The school will ensure that staff has the opportunity to consult with parents/guardians about the behaviour of their children.

3.3.4 The Board will continue to develop partnerships with community organizations and agencies that can provide support to students in need.

#### 3.4 Code of Conduct

3.4.1 Elementary and secondary schools within the Board shall develop a School Code of Conduct that clearly indicates the behaviour expectations of its school community and complies with the Board and the Provincial Code of Conduct.

3.4.2 The Code of Conduct should reflect a philosophy that for every inappropriate act the perpetrator will be given an appropriate consequence.

3.4.3 The purpose of a code of conduct governs the behaviour of all persons in the school. It will:

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

3.4.4 The School Code of Conduct will be:

- applicable to each and every member of its community - students, staff, parents/guardians, community partners, bus drivers and visitors;
- developed in collaboration with students, staff, parents/guardians and the community;
- reviewed annually in consultation with students, staff, parents/guardians and the community;
- available to members of the school community;

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- communicated to students, staff, parents/guardians and the school community at the beginning of the school year, and at other times when appropriate;
- founded on the principles of fairness, respect, civility, responsible citizenship, and focus on teaching appropriate behaviour while maintaining individual self-respect; and
- consistent with the requirements set out in the provincial and Board code of conducts.

### 3.5 Bullying Prevention and Intervention

- 3.5.1 Bullying 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.
- 3.5.2 Students may attain or maintain power over others in the school through real or perceived differences. Some areas of difference may be size, strength, age, intelligence, economic status, social status, solidarity of peer group, religion, ethnicity, ability, need for special education, sexual orientation, family circumstances, gender and race.
- 3.5.3 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 the use of technology (e.g. spreading rumours, images, or hurtful comments through the use of e-mail, cell phones, text messaging, internet websites, other technology).
- 3.5.4 Bullying adversely affects students' ability to learn, adversely affects healthy relationships and the school climate, and adversely affects a school's ability to educate its students. Bullying will not be accepted on school property, at school-related activities, on school buses, or in any other circumstances (e.g. online) where engaging in bullying will have a negative impact on the school climate.

### 3.6 Staff Development

- 3.6.1 Lakehead District School Board will provide opportunities for all staff to acquire the knowledge and skills necessary to develop and maintain a welcoming and safe school environment.
- 3.6.2 The staff will receive strong support, professional preparation and ongoing professional development focusing on the skills and knowledge that are required to teach appropriate conduct.

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- 3.6.3 Board support staff, school administrators, and staff groups representing all staff will provide awareness/information opportunities for the purpose of applying school board and school practices in a fair and consistent manner. Staff development topics may include information about, but are not limited to:
- school-based programs that address conflict resolution, mediation, self-esteem, decision-making;
  - medical conditions that may be associated with violent behaviour;
  - community services that provide counselling, anger management, parenting skills, management of disturbed behaviour, etc;
  - signs/profiles of physical/sexual/emotional abuse and appropriate interventions, such as reporting of an incident;
  - programs that focus upon identification and elimination of bias and discrimination on the basis of race, sex, colour, ethnicity, citizenship, ancestry, origin, culture, religion, creed, gender, gender identity, language, ability, sexual orientation, family or socio-economic status, and/or any other immutable characteristic or ground protected by the Ontario Human Rights Code;
  - programs supporting the safety and welfare of victims; and
  - programs and procedures for reintegrating perpetrators.

### 3.7 Roles and Responsibilities

3.7.1 The Board and its schools will involve its community in the development, implementation and maintenance of a safe environment.

3.7.2 The roles and responsibilities of all school members, students, staff, parents/guardians and members of school councils will be defined. Refer to:

- Education Act;
- Child and Family Services Act;
- Children's Law Reform Act;
- Divorce Act;
- Health Protection and Promotion Act;
- Immunization of School Pupils Act;
- Occupational Health and Safety Act;
- Sabrina's Law;
- Ryan's Law;
- Trespass to Property Act;
- Youth Criminal Justice Act;
- Municipal Freedom of Information and Protection of Privacy Act;
- Personal Health Information Protection Act;
- Ontario College of Teachers Act;
- Teaching Profession Act;
- Early Childhood Educators Act;
- Human Rights Code; and
- Canadian Charter.



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- 3.7.5 Students will:
- be represented in the development and review of the school's Code of Conduct;
  - have input in reviews of the school environment; and
  - be encouraged to assume leadership roles in the implementation of Safe Schools' practices (e.g., facilitate information sessions, peer mentoring, peer counseling, peer mediation).
- 3.7.6 Students are to be treated with respect and dignity. In return, students must demonstrate respect for themselves, for others, and for the responsibilities of citizenship through acceptable behaviour. Respect and responsibility are demonstrated when a student:
- comes to school prepared, on time, and ready to learn;
  - shows respect for himself or herself, for others, and for those in authority;
  - refrains from bringing anything to school that may compromise the safety of others; and
  - follows the established rules and takes responsibility for his or her own actions.
- 3.7.7 Staff members will:
- be represented in the development and review of the school's Code of Conduct;
  - be involved in dealing with all aspects of inappropriate behaviour;
  - report to the principal situations that compromise the safety of students and staff;
  - demonstrate appropriate role modeling;
  - have input in reviews of the school environment; and
  - be encouraged to assume leadership roles in the implementation of safe school practices.
- 3.7.8 Principals, under the direction of the school board, take a leadership role in the daily operation of a school. They provide this leadership by:
- demonstrating care for the school community and a commitment to academic excellence in a safe teaching and learning environment;
  - holding everyone under their authority accountable for their behaviour and actions;
  - empowering students to be positive leaders in their school and community; and
  - communicating regularly and meaningfully with all members of their school community.

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- 3.7.9 Teachers and school staff, under the leadership of the principal, maintain order in the school and are expected to hold everyone to the highest standard of respectful and responsible behaviour. As role models, staff upholds these high standards when they:
- help students work to their full potential and develop their sense of self-worth;
  - empower students to be positive leaders in their classroom, school, and community;
  - communicate regularly and meaningfully with parents/guardians;
  - maintain consistent standards of behaviour for all students;
  - demonstrate respect for all students, staff and parents/guardians, volunteers, and the members of the school community; and
  - prepare students for the full responsibilities of citizenship.
- 3.7.10 Parents/Guardians will:
- be encouraged to take responsibility for supporting the efforts of the school in maintaining a safe and respectful learning environment for all students; and
  - be represented in the development and annual review of the school's Code of Conduct.
- 3.7.11 Parents/Guardians fulfill their role when they:
- show an active interest in their child's school work and progress;
  - communicate regularly with the school;
  - help their child be neat, appropriately dressed, and prepared for school;
  - ensure that their child attends school regularly and on time;
  - promptly report to the school their child's absence or late arrival;
  - show that they are familiar with the provincial's and the board's and the school's Code of Conduct;
  - encourage and assist their child in following the rules of behaviour; and
  - assist school staff in dealing with disciplinary issues involving their child.
- 3.7.12 School Councils will:
- be represented in the development and annual review of the school's Code of Conduct; and
  - have input in reviews of the school environment.
- 3.7.13 Community members, including police, will:
- be included in the development and maintenance of partnerships with the school to implement the Safe Schools Policies.
- 3.7.14 Police and community members are essential partners in making our schools and communities safer. Community members need to support and respect the rules of their local schools. Police investigate incidents in accordance with the protocol developed with the local school board. These protocols are based on a provincial model developed by the Ministry of Community Safety and Correctional Services and the Ministry of Education.

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4. Procedure for Dealing with Critical Incidents

- 4.1 Under normal circumstances, the determination of whether a critical incident has occurred is based on the administrator's judgment.
- 4.2 In all cases of possession of a weapon, use of a weapon, physical assault, sexual assault, trafficking in weapons or in illegal drugs, robbery, giving alcohol to a minor, or bullying (as per Education Act Section 310) school administrators will report the incident to the local police. (See Appendix B - Violent Incident Report Form.)
- 4.3 In cases of critical incidences involving students younger than twelve years of age, similar actions may apply or the principal, in consultation with the parent/guardian and the appropriate superintendent, may select more suitable disciplinary action.

5. Search and Seizure

In order for the principal to fulfill their statutory duty to maintain proper order and discipline in the school, the following will take place:

- 5.1 A principal shall carry out an investigation to establish the nature and extent of an alleged offence. School administrators must react swiftly and effectively when faced with a situation that could unreasonably disrupt the school or jeopardize the safety of the students.
- 5.2 It is the responsibility of the principal to advise the students at the beginning of the school year, and, through the school's Code of Conduct, that desks and lockers are considered school property, and that a search of such property is permissible by school administration.
- 5.3 Any search conducted must be based on reasonable grounds. School administrators must have reasonable grounds to believe that there has been a breach of school regulations and that a search of a student's desk or locker, or person would reveal evidence of that breach.
- 5.4 Administrators may ask students to open up personal backpacks or handbags or to remove shoes and socks where there are reasonable grounds to believe that a student is carrying stolen property, a dangerous weapon, or an illegal substance. In any case where a more intensive search is required, school administrators must notify the police, parents/guardians and appropriate superintendent. The search will be conducted by the police. Efforts must be made to notify parents/guardians of any process involving their children and the police.

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6. Procedure for Dealing with the Aftermath of an Incident

Lakehead District School Board recognizes that community partnerships are necessary and that authentic partnerships with the community can facilitate and support shared obligations. Schools are encouraged to develop, maintain and strengthen their working relationships with various community organizations in an effort to establish and maintain a safe and supportive school environment.

To respond to violent incidents the following procedures will be followed:

6.1 For Victim(s)

- communicate with the student's parent/guardian, if the student is under eighteen years of age;
- when appropriate, contact community agencies to facilitate counselling and/or referral in consultation with parents/guardians and the victim;
- plan for re-entry of victim with staff, parents/guardians, agencies and, where appropriate, the perpetrator;
- monitor progress of victim's re-entry; and
- make every effort to ensure the victim's safety and mental well-being.

6.2 For Perpetrator(s)

- list essential components of the perpetrator's re-entry and rehabilitation that consider the needs of the victim and witnesses of the critical incident (for example, an understanding of the impact on the victim);
- enter into partnerships with community agencies to establish procedures to facilitate counselling and/or referral to the appropriate community service-provider;
- plan for re-entry of perpetrator with staff, parents/guardians, agencies and where appropriate, the victim;
- monitor the progress of the perpetrator's re-entry; and
- review the individual Educational Plan (IEP), when the perpetrator has been identified with an exceptionality.

7. Procedure for Reporting Violent Incidents

This portion of the Safe Schools Procedure addresses, specifically, the strategy for reporting critical incidents to the police and to the Ministry of Education.

7.1 Categories of Students, By Age

Because different legislative frameworks exist, based on age, students of differing ages must be dealt with differently. The three age groups to be addressed are: under twelve years; twelve to seventeen years; and adults, i.e. eighteen years or older.

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- 7.1.1 **Students Under Twelve Years of Age**  
Children under twelve years of age, cannot be charged with an offence under the Youth Criminal Justice Act, 2002 or the Criminal Code (R.S.C. 1985, c. C. 46). For these children the Child and Family Services Act applies (R.S.O. 1990, c.C. 11).
- 7.1.2 **Students Twelve to Seventeen Years of Age**  
For students aged twelve to seventeen years, the Youth Criminal Justice Act will apply.
- 7.1.3 **Adults**  
Students who are eighteen years of age or over are considered adults, and the procedures of the Criminal Code will be followed if these students are charged with a criminal offence.

## 7.2 Categories of Critical Incidents

- 7.2.1 **8070 Safe Schools - System Expectations Procedures - Section 4** deals with specific responses expected of the school community in relation to unacceptable behaviours. It identifies when administrators must report violent incidents to the police.
- 7.2.2 In the event that any of the identified critical incidents outlined 8070 Safe Schools - System Expectations Procedures - Section 4 occur and the school administration is not readily available, school staff will follow the process in the 8070 Safe Schools - System Expectations Procedures – Section 4 and, additionally notify school administration as quickly as possible.

## 7.3 Reported Incidents On and Off School Property

In addition to Board policy requiring school administration to respond to inappropriate conduct within schools, at a school-related activity, on buses and during school-sponsored events, or in other circumstances where engaging in the activity will have an impact on the school climate, school administration should:

- consult with local police authorities regarding critical incidents that have been reported to them and which are alleged to have occurred beyond school premises or school-sponsored activities and are perceived to adversely affect the welfare of the student(s); or
- consult with local police authorities regarding critical incidents that have been reported to them and which are alleged to be about to occur either on school premises, during school-sponsored activities or beyond the jurisdiction of the school.

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7.4 Parent/Guardian Involvement

8070 Safe Schools - System Expectations Procedures clearly prescribes the need for school administrators to contact parents/guardians of the involved students, as per the guidelines set out in the Education Act, Regulations or Policy Program Memorandums as appropriate.

7.5 Police Investigation at School and the Rights of Students

Principals should make reference to the current Lakehead District School Board *Police/School Protocol*.

7.6 Insertion of Information in the OSR

The following information will be included in the OSR:

- a completed Violent Incident Report form (Appendix B); and
- where a letter or the Notice of Suspension has been sent to the student and/or parent(s)/guardian(s) regarding the suspension or expulsion for violent behaviour, a copy will be attached to the Violent Incident Report Form (Appendix B) and shall be included in the OSR.

7.7 Procedure for Reporting Critical Incidents to the Ministry

The Education Act states that it is the duty of a principal "to furnish to the Ministry and to the appropriate supervisory officer any information that it may be in the principal's power to give respecting the condition of the school premises, the discipline of the school, the progress of pupils and other matter affecting the interests of the school, and to prepare such reports for the board as are required by the Board":

- school administrators will submit a copy of the Violent Incident Report Form (Appendix B) for each critical incident to the appropriate superintendent.

8. Progressive Discipline

Progressive discipline is a non-punitive, whole-school approach that uses a continuum of corrective and supportive interventions, supports and consequences to address inappropriate behaviour and to build upon strategies that promote positive behaviours. Consequences include learning opportunities for reinforcing positive behaviour and assisting pupils to make good choices.

- 8.1 Prevention and early intervention are important for assisting pupils to achieve their potential and for maintaining a positive school environment and are effected through programs and activities that focus on building healthy relationships, character development, and civic responsibility and encourage positive participations of the school community in the life of the school.

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- 8.2 Each school is required to develop and implement a school-wide progressive discipline policy that is consistent with the board's suspension and expulsion policies and procedures. The teacher, principal or designate should select the most appropriate response to address the pupil's behaviour.
- 8.3 Where a pupil has special education and/or ability related needs, the interventions, supports and consequences must be consistent with expectations for the pupil, including those in the pupil's Individual Education Plan.
- 8.4 Progressive discipline includes the use of early and ongoing intervention strategies and strategies to address inappropriate behaviour. When using progressive discipline, the Principal may consider what strategies have been used with the student over the last several years. Parents/guardians should be actively engaged in the progressive discipline approach (see Appendix C - Progressive Discipline).
- 8.5 Early and Ongoing Intervention Strategies
- 8.5.1 A teacher or the principal or designate, as appropriate, may utilize early and/or ongoing intervention strategies to prevent unsafe and inappropriate behaviours. These may include contact with parents/guardians, oral reminders, review of expectations, written work assignment addressing the behaviour, volunteer services to the school community, conflict mediation and resolution, peer mentoring, referral to counseling and consultation.
- 8.5.2 In all cases where ongoing intervention strategies are used, parents/guardians should be consulted. The teacher or the principal or designate, should keep a record for each pupil with whom progressive discipline approaches are utilized. The record should include the name of the pupil, the date and nature of the incident or behaviour, the progressive discipline approach used, the outcome, and any contact with the parent/guardian.
- 8.6 Addressing Inappropriate Behaviour
- 8.6.1 If a pupil has displayed inappropriate behaviour, the principal or designate may utilize a range of interventions, supports, and consequences that are developmentally appropriate, and include opportunities for pupils to focus on improving their behaviour.
- 8.6.2 Inappropriate behaviour includes any behaviour that disrupts the positive school climate and/or has a negative impact on the school community.

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- 8.6.3 Inappropriate behaviour may also include, but is not limited to, one of the following infractions for which a suspension may be imposed: a principal shall consider whether to suspend a pupil if they believe that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:
- uttering a threat to inflict serious bodily harm on another person;
  - possessing alcohol or illegal drugs **alcohol, illegal drugs or unless the pupil is a medical cannabis user, cannabis;**
  - being under the influence of alcohol **or, unless the pupil is a medical cannabis user, cannabis;**
  - swearing at a teacher or at another person in a position of authority;
  - 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;
  - bullying;
  - any act considered by the principal to be injurious to the moral tone of the school;
  - any act considered by the principal to be injurious to the physical or mental well-being of members of the school community;
  - persistent opposition to authority;
  - the willful destruction of school property;
  - incidents off school property which impact on the school;
  - habitual neglect of duty;
  - conduct inconsistent with the Code of Conduct of the Board or school;
  - conduct affecting the safe learning environment for the students or working environment of staff of the school; and
  - any other activity that is an activity for which a principal may suspend a pupil under a policy of the Board.

If a pupil has committed an infraction listed above and it is the first time that the pupil has committed that infraction, the principal or designate may choose to use a progressive discipline strategy to address the infraction. Interventions may include meeting with parents/guardians, pupil and principal; referral to a community agency for anger management or substance abuse, counseling/intervention; detentions (if supervision is available); withdrawal of privileges; withdrawal from class; restitution for damages; restorative practices; and transfer. In some cases, short-term suspension may also be considered a useful progressive discipline approach.

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- 8.6.4 In all cases where progressive discipline is being considered to address inappropriate behaviour, the principal or designate must: consider the particular pupil and circumstances, including considering the mitigating or other factors; consider the nature and severity of the behaviour; consider the impact of the inappropriate behaviour on the school climate; and consult with the pupil's parents/guardians. The mitigating factors to be considered by the principal before deciding whether to use a progressive discipline approach to address the inappropriate behaviour are: whether the pupil has the ability to control his or her behaviour; whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour; and whether the pupil's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school.
- 8.6.5 The other factors to be considered are: the pupil's academic, discipline and personal history; whether other progressive discipline has been attempted with the pupil, and if so, the progressive discipline approaches that have been attempted and any success or failure; whether the infraction for which the pupil might be disciplined was related to any harassment of the pupil because of race, ethnic origin, religion, creed, ability, gender or gender identity, sexual orientation or harassment for any other reason; the impact of the discipline on the pupil's prospects for further education; the pupil's age; where the pupil has an IEP or ability related needs, whether the behaviour causing the incident was a manifestation of the pupil's ability, whether appropriate individualized accommodation has been provided and whether the suspension is likely to result in aggravating or worsening the pupil's behaviour or conduct or whether a suspension is likely to result in a greater likelihood of further inappropriate; and whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.
- 8.6.6 The principal or designate should keep a record for each pupil with whom progressive discipline approaches are utilized. The record should include the name of the pupil, the date and nature of the incident or behaviour, considerations taken into account, progressive discipline used, outcome, and contact with parent/guardian.
- 8.6.7 If the pupil's continuing presence in the school creates an unacceptable risk to the safety of others in the school, then a progressive discipline approach may not be appropriate and other interventions, such as suspension and expulsion may be necessary.

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## 8.7 Responding to Incidents

Board employees who work directly with students must respond to student behaviour that is likely to have a negative impact on the school climate, if in the employee's opinion it is safe to do so. Such behaviour includes all inappropriate and disrespectful behaviour (e.g., swearing, homophobic or racial slurs, sexist comments or jokes, graffiti), as well as those incidents that must be considered for suspension or expulsion.

8.7.1 Responses shall be made in a timely, supportive and sensitive manner. The response is intended to stop and correct the behaviour in a manner that is developmentally appropriate and takes into consideration any special needs that the student may have.

8.7.2 Responses may include:

- asking the pupil to stop the behaviour;
- identifying the behaviour as inappropriate and disrespectful;
- explaining the impact of the behaviour on others and the school climate;
- modelling appropriate communication;
- asking the pupil for a correction of their behaviour by restating or rephrasing their comments;
- asking the pupil to apologize for their behaviour;
- asking the pupil to promise not to repeat their behaviour;
- asking the pupil to explain why and how a different choice with respect to their behaviour would have been more appropriate and respectful; and
- where applicable, identifying the application of the Human Rights Code.

8.7.3 A response by the staff to the incident shall not prevent or preclude the principal from imposing appropriate progressive discipline, up to and including a recommendation for expulsion. Where, in the opinion of the Board employee who works with students, the behaviour observed or heard might lead to suspension or suspension and a recommendation for expulsion, the employee must report the behaviour orally to the principal or designate at the earliest opportunity and again in writing before the end of the school day using the confidential safe schools incident report form 1 (see Appendix D).

## 9. Strategies for Dealing with Bullying

9.1 Bullying is identified and defined in the Board's Policy (8070 Safe Schools – System Expectations) and 8071 Bullying Prevention and Intervention Policy and Procedures. Strategies for dealing with bullying include developing healthy relationships as mentioned earlier.

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9.2 Each school will have a team in place that will be responsible for school safety (this may be an existing team or committee). The team or committee will include at least one student (where appropriate), one parent/guardian, one teacher, one support staff member, one community partner, and the principal. The team must have a staff chair. This team will develop a plan which will include the Board's definition of bullying, prevention strategies, intervention strategies, as well as training strategies for members of the community, communication and monitoring and reviewing the process. In this plan schools should put in place procedures to allow students to report bullying incidents safely and in a way that will minimize the possibility of reprisals. These procedures will define the roles of the principal, teachers, parents/guardians and students. These plans will provide supports for students who have been bullied, students who have bullied others and students who have been affected by observing bullying.

### 9.3 Training Strategies for Members of the School Community

The Board has and will continue to provide training support for members of the school community. Some examples of this support are:

- Effective Behavioural Supports training for all principals and vice principals;
- bullying prevention strategies for all principals and vice principals;
- Ontario Teachers' Federation (OTF) training on bullying for key teachers;
- OTF Safe School bullying prevention project that is interactive and will be available to every safe schools team (will work on or enhance their behavioural prevention strategies);
- bullying prevention strategies training for school bus drivers;
- resources from the character development working group for each school that will include cross-curricular resources (e.g., books); and
- other training and strategies as they are developed.

## 10. Suspension of Students

10.1 When a principal's investigation of an incident, which should include consultation with the adult pupil or the pupil's parent/guardian and pupil, determines that a pupil has committed one or more infractions outlined below on school property, during a school-related activity or event, and/or in circumstances where the infraction has an impact on the school climate, a principal or vice principal shall consider whether that pupil should be suspended, taking into account any mitigating and other factors that might be applicable in the circumstances.

10.2 The principal or vice principal will also contact the police consistent with the Police/School Board Protocol if the infraction the pupil is suspected of committing requires such contact. When in doubt, the principal will consult with the appropriate superintendent.



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- 10.5.2 The following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the student is being suspended:
- the pupil's academic, discipline and personal 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 was related to any harassment of the pupil because of their race, national or ethnic origin, citizenship, colour, religion, ability, gender, gender identification, socio-economic status, or sexual orientation or to any other harassment;
  - how the suspension would affect the pupil's ongoing education;
  - the age of the pupil; and
  - in the case of a pupil for whom an individual education plan has been developed:
    - a) whether the behaviour was a manifestation of an ability identified in the pupil's individual education plan;
    - b) whether appropriate individualized accommodation has been provided; and
    - c) whether the suspension is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.

If a principal decides to suspend a pupil for engaging in an activity described in this section, the principal shall suspend the pupil from their school and from engaging in all school-related activities.

#### 10.6 Consultation

Before imposing a suspension of 11 or more school days, the principal shall consult with the appropriate superintendent regarding:

- whether or not accommodation pursuant to the Human Rights Code has been considered, and where applicable, applied to the point of undue hardship;
- the investigation undertaken;
- the circumstances of the incident;
- whether or not one or more of the factors outlined above are applicable in the circumstances; and
- the appropriate length of the suspension.

#### 10.7 Procedural Steps When Imposing a Suspension

Where a principal imposes a suspension, the principal will follow these steps:

- within 24 hours of the decision, the principal must make all reasonable efforts to orally inform the adult pupil or the pupil's parent/guardian of the suspension;
- the principal must inform the pupil's teacher(s) of the suspension;
- the principal in conjunction with the pupil's teacher(s) must organize school work to be provided for the pupil to be completed during the duration of the pupil's suspension;
- the principal must provide written notice of the suspension to the pupil, the pupil's parent/guardian and the appropriate superintendent;

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- The written notice of suspension will include:
  - the reason for suspension;
  - the duration of the suspension, including the pupil's date of return to school;
  - information about the Alternative Suspension Program (ASP) the pupil is assigned to, where the pupil is suspended for six or more school days; and
  - information about the right to appeal the suspension, including the relevant policies and guidelines and the contact information for the appropriate superintendent.
- If notice is sent by mail or courier, it will be deemed to have been received on the fifth school day after it was sent. If notice is sent by fax or e-mail, it is deemed to have been received the first school day after it was sent.
- Where the incident is a serious violent incident, including a credible threat to inflict serious bodily harm or vandalism causing extensive damage to Board property or property located on Board property, consideration should be given to filling out and filing a Violent Incident Form (Appendix B) in the pupil's Ontario Student Record.

#### 10.8 Programs for Suspended Students

- 10.8.1 Homework packages will be made available for the student who is suspended for one day or longer.
- 10.8.2 A student suspended for more than five days will be referred to an Alternative Suspension Program (ASP). The principal of the school, in consultation with the student's teacher will develop a Student Action Plan (SAP) to direct the activities and learning involved in the program. Cooperation with the student and the student's parents will be sought in developing the SAP.
- 10.8.3 Participation in the recommended program is not mandatory.
- 10.8.4 Should a student choose not to participate in a recommended program, homework packages will continue to be made available only on request, and following the completion of previously provided assignments.

#### 10.9 Planning Meeting

For pupils subject to a suspension of six or more school days who choose to participate in an ASP, the principal will hold a planning meeting for the purpose of developing the SAP. The student or parent/guardian as well as any appropriate teaching and support staff will be invited to participate in the planning meeting. The student or parent/guardian shall be invited for the purpose of providing input. The planning meeting will be scheduled to occur within two school days of the adult pupil or the pupil's parent/guardian informing the school that the pupil will participate in an ASP.

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If the adult pupil or the pupil's parent/guardian is not available to participate in the planning meeting, the meeting will proceed in their absence and a copy of the SAP will be provided to them following the meeting. During the planning meeting the principal will review the issues to be addressed in the pupil's SAP.

#### 10.10 Student Action Plan (SAP)

A pupil subject to suspension for 11 or more school days shall be provided with both academic and non-academic supports, which shall be identified in the pupil's SAP. Pupils subject to a suspension of fewer than 11 school days may be offered non-academic supports where such supports are appropriate and available. The principal of the school, in consultation with the student's teacher(s) will develop a SAP to direct the activities and learning involved in the program. Cooperation with the student and the student's parent/guardian will be sought in developing the SAP.

#### 10.11 Suspension Appeal Process

- 10.11.1 The adult student or the student's parent/guardian may appeal a suspension to the appropriate superintendent. An appeal of a suspension does not stay the suspension.
- 10.11.2 A person who intends to appeal a suspension must give written notice of their intention to appeal the suspension within ten school days of the commencement of the suspension.
- 10.11.3 An individual who appeals a suspension may argue that their rights pursuant to the Human Rights Code have been infringed. In addition, a separate right to apply to the Human Rights Tribunal of Ontario exists where an individual believes their rights pursuant to the Human Rights Code have been infringed. The Board must hear and/or determine the appeal within 15 school days of receiving the notice of intention to appeal (unless the parties agree to an extension).

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- 10.11.4 Upon receipt of written notice of the intention to appeal the suspension, the appropriate superintendent:
- will promptly advise the school principal of the appeal;
  - will promptly advise the adult pupil or the pupil's parent/guardian that a review of the suspension will take place and invite the appellant to contact the appropriate superintendent to discuss any matter respecting the incident and/or appeal of the suspension;
  - will review the suspension (reason, duration, any mitigating or other factors, whether or not the Human Rights Code should be or was appropriately applied);
  - may consult with the principal regarding modification or expunging the suspension;
  - will request a meeting with the adult pupil or the pupil's parent/guardian and the principal to narrow the issues and try to effect a settlement; and
  - will, where a settlement is not effected, provide notice of the review decision to the adult pupil or pupil's parent/guardian.
- 10.11.5 Where the suspension is upheld on review and the adult pupil or pupil's parent/guardian chooses to continue with the appeal, the appropriate superintendent will:
- 10.11.5.1 Coordinate the preparation of a written report for the Board. This report will contain at least the following components:
- a report prepared by the principal regarding the incident, the rationale for suspension and how the principles of equity and inclusion were applied;
  - a copy of the original suspension letter;
  - a copy of the letter requesting the suspension appeal; and
  - a copy of the correspondence with respect to the decision of the appropriate superintendent regarding the suspension review.
- 10.11.5.2 In consultation with the office of the director, arrange a date for the appeal before the Suspension Appeals/Expulsion Hearing Committee and ensure that the item is placed on the committee's agenda.
- 10.11.6 The office of the director will inform the adult pupil or the pupil's parent/guardian of the date of the Suspension Appeal and provide a guide to the process for the appeal and a copy of the documentation that will go to Suspension Appeals/Expulsion Hearing Committee.

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10.11.7 The parties in an appeal to the Suspension Appeals/Expulsion Hearing Committee shall be:

- the principal who suspended the pupil;
- the pupil, if;
  - i. the pupil is at least 18 years old; or
  - ii. the pupil is 16 or 17 years old and has withdrawn from parental control;
- the pupil's parent/guardian, if the pupil's parent/guardian appealed the decision to suspend the pupil;
- the person who appealed the decision to suspend the pupil, if the decision was appealed by a person other than the pupil or the pupil's parent /guardian; and
- such other persons as may be specified by Board policy.

A pupil who is not a party to the appeal has the right to be present at the appeal and to make a statement on their own behalf.

10.12 Suspension Appeal before the Suspension Appeals/Expulsion Hearing Committee of the Board

10.12.1 Suspension appeals will be heard orally, in camera, by the Suspension Appeals/Expulsion Hearing Committee of trustees. The Board may authorize a Suspension Appeals/Expulsion Hearing Committee of at least three members of the Board to exercise and perform powers and duties on behalf of the Board.

10.12.2 The Suspension Appeals/Expulsion Hearing Committee may grant a person with daily care the authority to make submissions on behalf of the pupil. An adult pupil or pupil's parent/guardian may bring legal counsel, an advocate or support person with them to the appeal.

- The appellant and/or the person with daily care will proceed first by making oral submissions and/or providing written submissions regarding the reason for the appeal and the result desired.
- The pupil will be asked to make a statement on their own behalf.
- The superintendent for the school and/or the principal will make oral submissions on behalf of the administration, including a response to any issues raised in the appellant's submissions. The superintendent/principal may rely on the report prepared for the Suspension Appeals/Expulsion Hearing Committee.
- The appellant may make further submissions addressing issues raised in the administration's presentation that were not previously addressed by the appellant.
- The Suspension Appeals/Expulsion Hearing Committee may ask any party or the pupil, where appropriate, questions of clarification.

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- 10.12.3 Adult pupils or a pupil's parent/guardian may be represented by legal counsel or attend with an advocate/agent or the support of a community member. Legal counsel for the board may be present at the appeal if the appellant is represented by legal counsel or an agent.
- 10.12.4 The Suspension Appeals/Expulsion Hearing Committee may make such orders or give such directions at an appeal as it considers necessary for the maintenance of order at the appeal. Should any person disobey or fail to comply with any such order and/or direction, the chair of the committee may call for the assistance of a police officer to enforce any such order or direction.
- 10.12.5 Where any party who has received proper notice of the location, date and time of the appeal fails to attend the appeal or comply with the necessary time lines, the appeal may proceed in the absence of the party and the party is not entitled to any further notice of the proceedings.
- 10.12.6 The Suspension Appeals/Expulsion Hearing Committee will consider, based on the written and/or oral submissions of both parties, whether or not the consequence might have a disproportionate impact on a pupil protected by the Human Rights Code, including but not limited to race and ability, and/or exacerbate the pupil's disadvantaged position in society, and whether the decision to discipline and the discipline imposed was reasonable in the circumstances, and shall either:
- confirm the suspension and its duration;
  - 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; and
  - 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.

The decision of the Suspension Appeals/Expulsion Hearing Committee, which is final, will be communicated to the appellant in writing.

### 10.13 Re-Entry

Following a suspension of six or more school days, a re-entry meeting will be held with school and appropriate Board staff, the pupil, and the pupil's parent/guardian if possible, to provide positive and constructive redirection for the pupil. Where the pupil has participated in an ASP, the pupil's success in achieving the goals outlined in the SAP will be reviewed with the adult pupil or the pupil's parent/guardian and pupil. Further programs and services might be recommended by the principal for the purpose of achieving additional or greater success in meeting the goals outlined in the SAP.



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A principal shall suspend a pupil for up to 20 school days if they believe that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

- possessing a weapon, including possessing a firearm or knife;
- 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 or restricted drugs;
- committing robbery;
- giving alcohol *or cannabis* to a minor;
- issuing a bomb threat or causing a bomb threat to be issued;
- 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 Ontario Education Act 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;
- an act considered by the principal to be significantly injurious to the moral tone of the school and/or to the physical or mental well-being of others;
- a pattern of behavior that is so inappropriate that the student's continued presences is injurious to the effective learning and/or working environment of others;
- activities engaged in by the student on or off school property that cause the student's continuing presence in the school to create an unacceptable risk to the physical or mental well-being of other person(s) in the school or Board;
- activities engaged in by the student on or off school property that have caused extensive damage to the property of the Board or to goods that are/were on Board property;
- the student has demonstrated through a pattern of behavior that they have not prospered by the instruction available to them and that they are persistently resistant to making changes in behavior which would enable them to prosper;
- any act considered by the principal to be a serious violation of the requirements of student behavior and/or a serious breach of the board or school Code of Conduct;
- where a student has no history of discipline or behavior intervention, or no relevant history, a single act, incident or infraction considered by the principal to be a serious violation of the expectations of student behavior and/or a serious breach of the Board or school's Code of Conduct; and
- 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, conduct an investigation to determine whether to recommend to the board that the pupil be expelled.

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11.1 Mitigating Factors and Other Factors

The principal will consider mitigating and other factors (see 10.5.1) in determining the length of the suspension and in determining whether to recommend expulsion. The principal will make every effort to consult with the student and parent/guardian to assist to identify whether any mitigating factors might apply in the circumstances. In addition to the mitigating and other factors, the principal will consider whether the pupil's continuing presence in the school creates or does not create an unacceptable risk to the safety of any other individual at the school.

11.2 Suspension Pending Recommendation for Expulsion

If the pupil is suspended pending an investigation to determine whether expulsion will be recommended, mitigating and other factors must be considered in determining the length of the suspension which can be for one to 20 school days.

11.3 Procedural Steps when Imposing a Suspension

When imposing a suspension, the principal is required to affect the following procedural steps:

11.3.1 Within 24 hours of the decision, the principal must make all reasonable efforts to orally inform the adult pupil or the pupil's parent/guardian of the suspension.

11.3.2 The principal must inform the pupil's teacher(s) of the suspension.

11.3.3 The principal must provide written notice of the suspension to the adult pupil, or the pupil's parent/guardian and pupil, and the superintendent. The written notice of suspension will include:

- the reason for suspension;
- the duration of the suspension;
- information about the program for suspended pupils the pupil is assigned to;
- information about the investigation the principal is conducting to determine whether to recommend expulsion; and
- a statement that there is no immediate right to appeal the suspension.

Any appeal must wait until the principal decides whether to recommend an expulsion; and, if the principal decides not to recommend an expulsion, a statement that the suspension may be appealed to the Suspension Appeals/Expulsion Hearing Committee, and, if the principal decides to recommend an expulsion, that the suspension may be addressed at the expulsion hearing.

11.3.4 If notice is sent by mail or courier, it will be deemed to have been received on the fifth school day after it was sent. If notice is sent by fax or e-mail, it is deemed to have been received the first school day after it was sent.

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11.3.5 Where the incident is a serious violent incident, such as possession of weapons, physical assault causing serious bodily harm, sexual assault, robbery, extortion or hate motivated violence, consideration should be given to filling out and filing a Violent Incident Form (Appendix B) in the pupil's Ontario Student Record.

#### 11.4 Alternative Suspension Program (ASP)

11.4.1 Where a pupil has been suspended pending an investigation to determine whether to recommend an expulsion, the pupil will be assigned an alternative program for pupils subject to lengthy suspension (ASP). The principal shall communicate to the student or parent/guardian the purpose and nature of the ASP.

11.4.2 A pupil cannot be compelled to participate in an ASP. Should the student or parent/guardian choose not to have the pupil participate in an ASP, the pupil will be provided with school work consistent with the Ontario curriculum or that pupil's modified and/or alternative curriculum to be completed at home for the duration of their suspension. This school work will be available at the school for pick-up by the student's designate or the pupil's parent/guardian or a designate at regular intervals during the suspension period beginning the school day after the student or their parent/guardian refuses to participate in an ASP.

11.4.3 A SAP will be developed for every pupil who agrees to participate in an ASP.

11.4.4 Agreement or refusal to participate in an ASP may be communicated to the school orally by the adult pupil or the pupil's parent/guardian. Where the pupil or their parent/guardian declines the offer to participate in an ASP, the principal shall record the date and time of such refusal.

#### 11.5 Planning Meeting

For pupils subject to a suspension pending an investigation to determine whether to recommend an expulsion who choose to participate in an ASP, the principal will hold a planning meeting for the purpose of developing the SAP. The adult pupil or the pupil's parent/guardian and pupil (where appropriate) as well as any appropriate teaching and support staff will be invited to participate in the planning meeting. The planning meeting will be scheduled to occur within two school days of the adult pupil or the pupil's parent/guardian informing the school that the pupil will participate in an ASP. If the adult pupil or the pupil's parent/guardian is not available to participate in the planning meeting, the meeting will proceed in their absence and a copy of the SAP will be provided to them following the meeting. During the planning meeting the principal will review the issues to be addressed in the pupil's SAP.

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11.6 Student Action Plan (SAP)

A pupil subject to suspension pending an investigation to determine whether to recommend an expulsion will be provided with both academic and non-academic supports, which will be identified in the pupil's SAP. The principal of the school, in consultation with the student's teacher(s) will develop a SAP to direct the activities and learning involved in the program. Cooperation with the student and the student's parent/guardian will be sought in developing the SAP.

11.7 Principal's Investigation

The principal shall conduct an investigation promptly following the suspension of the pupil to determine whether to recommend to the Suspension Appeals/Expulsion Hearing Committee that the pupil be expelled. As part of the investigation, the principal will consult with the superintendent and/or appropriate superintendent regarding any issues of process and/or timing for conducting the investigation, which must be completed at the earliest opportunity as well as the decision whether to recommend that the pupil be expelled. Before referring a pupil to the Suspension Appeals/Expulsion Hearing Committee of the Board for expulsion, the administration shall consider whether the recommendation might have a disproportionate impact on a pupil protected by the Human Rights Code, including but not limited to race and ability, and/or exacerbate the pupil's disadvantaged position in society, and whether or not accommodation is required. Should the decision be made to refer the pupil to the Suspension Appeals/Expulsion Hearing Committee with a recommendation for expulsion, the pupil must be referred to and dealt with by the Suspension Appeals/Expulsion Hearing Committee within 20 school days from the date of suspension (unless timelines are extended on consent). Any police investigation will be conducted separately from the principal's inquiry.

As part of the investigation, the principal shall:

- make all reasonable efforts to speak with the adult pupil or the pupil's parent/guardian and the pupil;
- include interviews with witnesses who the principal determines can contribute relevant information to the investigation;
- make every reasonable effort to interview any witnesses suggested by the pupil, or the pupil's parent/guardian;
- consider the mitigating and other factors when determining whether to recommend to the Suspension Appeals/Expulsion Hearing Committee that the pupil be expelled; and
- consider whether or not the pupil is protected by the Human Rights Code, including but not limited to race and ability, and/or is in a disadvantaged position in society, and evaluate the appropriateness of the accommodation if any was provided.

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#### 11.8 Decision Not to Recommend Expulsion

Following the investigation and consideration of the mitigating and other factors and the application of the Code, if the principal decides not to recommend to the Suspension Appeals/Expulsion Hearing Committee that the pupil be expelled, the principal must:

- consider whether progressive discipline is appropriate in the circumstances;
- uphold the suspension and its duration;
- uphold the suspension and shorten its duration and amend the record accordingly; or
- withdraw the suspension and expunge the record.

If the principal has decided not to recommend an expulsion of the pupil, the principal will provide written notice of this decision to the adult pupil or the pupil's parent/guardian and pupil. The notice shall include:

- a statement of the principal's decision not to recommend expulsion to the Suspension Appeals/Expulsion Hearing Committee;
- a statement indicating whether the suspension has been upheld, upheld and shortened, or withdrawn;
- if the suspension has been upheld or upheld and shortened, information about the right to appeal the suspension to the Suspension Appeals/Expulsion Hearing Committee, including:
  - a copy of the board policies and guidelines regarding suspension appeals;
  - contact information for the appropriate superintendent;
  - a statement that written notice of an intention to appeal must be given within five school days following receipt by the party of notice of the decision not to recommend expulsion; or
  - if the length of the suspension has been shortened, notice that the appeal from the shortened length of the suspension does not stay the suspension.

#### 11.9 Recommendation to the Board for an Expulsion Hearing

If a principal, in consultation with the superintendent, determines that a referral for expulsion is warranted, the principal must refer the recommendation for expulsion to the Suspension Appeals/Expulsion Hearing Committee to be heard within 20 school days from the date the principal suspended the pupil, unless the parties to the expulsion hearing agree upon a later date.

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For the purposes of the expulsion proceeding, the principal will:

- 11.9.1 Prepare a report to be submitted to the Suspension Appeals/Expulsion Hearing Committee and provide the report to the pupil and the pupil's parent or guardian (unless the pupil is an adult pupil) prior to the hearing. The report will include:
- a summary of the findings the principal made in the investigation;
  - an analysis of which, if any, mitigating or other factors or Human Rights Code related grounds might be applicable;
  - a recommendation of whether the expulsion should be from the school or from the Board; and
  - a recommendation regarding the type of school that would benefit the pupil if the pupil is subject to a school expulsion, or the type of program that might benefit the pupil if the pupil is subject to a Board expulsion.
- 11.9.2 Provide written notice of the pending expulsion hearing to the adult pupil or the pupil's parent/guardian and pupil. The notice shall include:
- a statement that the pupil is being referred to the Suspension Appeals/Expulsion Hearing Committee to determine whether the pupil will be expelled for the activity that resulted in suspension;
  - a copy of the Board's guidelines and rules governing the hearing before the Suspension Appeals/Expulsion Hearing Committee;
  - a copy of the Board's Code of Conduct and school Code of Conduct;
  - a copy of the suspension letter;
  - a statement that the pupil and/or his or her parent/guardian has the right to respond to the principal's report in writing;
  - information about the procedures and possible outcomes of the expulsion hearing, including that:
    - if the Suspension Appeals/Expulsion Hearing Committee does not expel the pupil they will either confirm, confirm and shorten, or withdraw the suspension;
    - parties have the right to make submissions with respect to the suspension;
    - any decision with respect to the suspension is final and cannot be appealed;
    - if the pupil is expelled from the school, they will be assigned to another school;
    - if the pupil is expelled from the Board, they will be assigned to a program for expelled pupils;
    - if the pupil is expelled there is a right of appeal to the Child and Family Services Review Board; and
  - the name and contact information for the appropriate superintendent.

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The superintendent:

- May arrange a meeting with the adult pupil or the pupil's parent/guardian and pupil and the principal, as appropriate.
  - If a meeting is arranged, the superintendent will review the Suspension Appeals/Expulsion Hearing Committee procedure for expulsion hearings, as well as respond to any questions or concerns the pupil or the pupil's parent/guardian may have regarding the process or incident.
  - and
  - If a meeting is arranged, during the meeting the superintendent may assist to narrow the issues and identify agreed upon facts.
- Will prepare a package of documents for the Suspension Appeals/Expulsion Hearing Committee, which will include at least the following components:
  - a copy of the principal's report; and
  - a copy of the original suspension letter and the notice of expulsion sent to the adult pupil or pupil's parent/guardian.
- Will ensure that the item is placed on the Suspension Appeals/Expulsion Hearing Committee agenda.

The office of the director will:

- Inform the adult pupil or the pupil's parent/guardian of the date and location of the expulsion hearing, will provide a copy of the procedure to be followed in an expulsion hearing, and a copy of the documentation to go to the Suspension Appeals/Expulsion Hearing Committee.

#### 11.10 Hearing before the Suspension Appeals/Expulsion Hearing Committee

If the principal recommends expulsion, the Suspension Appeals/Expulsion Hearing Committee shall hold a hearing. Parties before the Suspension Appeals/Expulsion Hearing Committee will be:

1. The principal.
2. The pupil, if,
  - i. the pupil is at least 18 years old; or
  - ii. the pupil is 16 or 17 years old and has withdrawn from parental control.
3. The pupil's parent or guardian, unless;
  - i. the pupil is at least 18 years old; or
  - ii. the pupil is 16 or 17 years old and has withdrawn from parental control.
4. Such other persons as may be specified by Board policy.

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If a pupil is not a party they have the right to be present at the expulsion hearing and to make submissions on their own behalf. The Suspension Appeals/Expulsion Hearing Committee may grant a person with daily care the authority to make submissions on behalf of the pupil. An adult pupil or pupil's parent/guardian may bring legal counsel, and advocate or support person with them to the expulsion hearing.

11.10.1 The hearing will be conducted in accordance with the procedure to be followed in an Expulsion Hearing of a Student, of the Suspension Appeals/Expulsion Hearing Committee:

- the Suspension Appeals/Expulsion Hearing Committee shall consider oral and written submissions, if any, of all parties;
- the Suspension Appeals/Expulsion Hearing Committee shall consider whether or not the Human Rights Code should be applied in the circumstances to mitigate the discipline, if any;
- suspension Appeals/Expulsion Hearing Committee shall solicit and consider the views of all parties with respect to whether, if an expulsion is imposed, the expulsion should be a school expulsion or a Board expulsion;
- the Suspension Appeals/Expulsion Hearing Committee shall solicit and consider the views of all parties with respect to whether, if an expulsion is not imposed, the suspension should be confirmed, shortened or withdrawn; and
- such other matters as the Suspension Appeals/Expulsion Hearing Committee considers appropriate.

11.10.2 In determining whether to impose an expulsion the Suspension Appeals/Expulsion Hearing Committee shall consider the following factors:

The mitigating and other factors:

- whether the pupil has the ability to control his or her behaviour;
- whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour;
- whether the pupil's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school;
- the pupil's academic, discipline and personal history;
- whether progressive discipline has been attempted with the pupil, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure;
- whether the infraction for which the pupil might be disciplined was related to any harassment of the pupil because of race, ethnic origin, religion, creed, ability, gender or gender identity, sexual orientation or any other immutable characteristic or harassment for any other reason;
- the impact of the discipline on the pupil's prospects for further education;
- the pupil's age;

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- where the pupil has an IEP or ability related needs,
  - whether the behaviour causing the incident was a manifestation of the pupil's ability;
  - whether appropriate individualized accommodation has been provided to the point of undue hardship;
  - whether an expulsion is likely to result in aggravating or worsening the pupil's behaviour or conduct or whether an expulsion is likely to result in a greater likelihood of further inappropriate conduct; and
  - whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.

11.10.3 The application of the Ontario Human Rights Code.

11.10.4 The submissions and views of the parties.

11.10.5 Any written response to the principal's report provided before the completion of the hearing; and

11.10.6 Whether or not the expulsion might have a disproportionate impact on a pupil protected by the Human Rights Code, including but not limited to race and ability, and/or exacerbate the pupil's disadvantaged position in society, and whether or not accommodation is required in the circumstances.

11.10.7 Such matters as the Suspension Appeals/Expulsion Hearing Committee considers appropriate.

Where there is a conflict in the evidence presented by the parties on the issue of whether the pupil committed the infraction, the Suspension Appeals/Expulsion Hearing Committee may request further evidence as set out in the Procedure to be followed in an Expulsion Hearing of a Student, subject to the requirement that the hearing take place within 20 school days, or the Suspension Appeals/Expulsion Hearing Committee may assess the evidence and determine whether, on a balance of probabilities, it has been established that it is more probable than not that the pupil committed the infraction.

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#### 11.11 No Expulsion

If the Suspension Appeals/Expulsion Hearing Committee decides not to expel the pupil, the Suspension Appeals/Expulsion Hearing Committee shall take the submissions of the parties into account, including mitigating and other factors, in determining whether to:

- consider whether other progressive discipline is appropriate in the circumstances;
- uphold the suspension and its duration;
- uphold the suspension and shorten its duration and amend the record accordingly;
- quash the suspension and expunge the record such that no record of the suspension remains in the Ontario Student Record; or
- make such other orders as the Suspension Appeals/Expulsion Hearing Committee considers appropriate.

The Suspension Appeals/Expulsion Hearing Committee shall give written notice to all parties of the decision not to impose an expulsion and the decision with respect to the suspension. The Suspension Appeals/Expulsion Hearing Committee's decision with respect to the suspension is final.

#### 11.12 Expulsion

11.12.1 In the event the Suspension Appeals/Expulsion Hearing Committee decides to impose an expulsion on the pupil, the Suspension Appeals/Expulsion Hearing Committee must decide whether to impose a Board expulsion or a school expulsion. In determining the type of the expulsion, the Suspension Appeals/Expulsion Hearing Committee shall consider the mitigating and other factors as outlined in 11.10 as well as other factors the Suspension Appeals/Expulsion Hearing Committee considers appropriate.

11.12.2 Where the Suspension Appeals/Expulsion Hearing Committee decides to impose a school expulsion, then the Suspension Appeals/Expulsion Hearing Committee must assign the pupil to another school. The requirements of school transfers set out in these procedures shall apply. Where the Suspension Appeals/Expulsion Hearing Committee decides to impose a Board expulsion, then the Suspension Appeals/Expulsion Hearing Committee must assign the pupil to a program for expelled pupils.

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- 11.12.3 The Suspension Appeals/Expulsion Hearing Committee must promptly provide written notice of the decision to expel the pupil to all parties, and the pupil, if he or she was not a party. The written notice shall include:
- the reason for the expulsion;
  - a statement indicating whether the expulsion is a school expulsion or a Board expulsion;
  - information about the school or program to which the pupil has been assigned; and
  - information about the right to appeal the expulsion, including the steps to be taken.
- 11.12.4 Once the principal of alternative programs has received notice that a pupil has been expelled, they must create a SAP in a manner consistent with the Board's policy and procedures for programs for expelled pupils.
- 11.12.5 An expelled pupil is a pupil of the Board, even where they attend a program for expelled pupils at another school board, unless they do not attend the program or registers at another school board.

11.13 Re-entry Requirements Following an Expulsion

A pupil who is subject to a Board expulsion is entitled to apply in writing for re-admission to a school of the Board once s/he has successfully completed a program for expelled pupils and has satisfied the objectives required for completion of the program, as determined by the person who provides the program. The Board shall re-admit the pupil and inform the pupil in writing of the re-admission. A pupil who is subject to a school expulsion may apply in writing to the Board to be re-assigned to the school from which they were expelled.

- 11.13.1 The Board will consider whether re-attendance will have a negative impact on the school climate, including on any victims, where applicable.
- 11.13.2 The pupil will be required to demonstrate that they have learned from the incident and have sought counselling, where appropriate.
- 11.13.3 The pupil will be required to sign a Declaration of Performance form provided by the Board.
- 11.13.4 Following consideration of the principles of equity and inclusion, the Board, in its sole discretion, may determine that a different school than the one from which the pupil was expelled is a more appropriate placement for the pupil.

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#### 11.14 Appeal of Board Decision to Expel

The adult pupil or the pupil's parent/guardian may appeal a Board decision to expel the pupil to the Child and Family Services Review Board. The Child and Family Services Review Board is designated to hear and determine appeals of school board decisions to expel pupils. An individual who appeals an expulsion may argue that their rights pursuant to the Human Rights Code have been infringed. In addition, a separate right to apply to the Human Rights Tribunal of Ontario exists where an individual believes their rights pursuant to the Human Rights Code have been infringed. The decision of the Child and Family Services Review Board is final.

#### 12. Exclusion

- 12.1 The Board does not support the use of exclusion as a disciplinary measure. However, in Part X of the Education Act, clause 265(1)(m) permits a principal to “refuse to admit” to the school or to a class someone whose presence in the school would be “detrimental to the physical or mental wellbeing of the pupils”.
- 12.2 This provision is frequently referred to as the “exclusion provision”.
- 12.3 Exclusion is not to be used as a form of discipline. If a principal does decide that it is necessary to exclude a student from the school, he or she is expected to notify the student’s parents of the exclusion as soon as possible in the circumstances, and to inform them of their right to appeal under clause 265(1)(m).
- 12.4 A pupil shall not be excluded from the school pursuant to section 265(1)(m) of the Education Act as a disciplinary measure, as an alternative to discipline.
- 12.5 An exclusion from the school pursuant to section 265(1)(m) of the Education Act shall only be effected in accordance with the Education Act and consistent with the Human Rights Code.
- 12.6 Exclusion from school should be temporary and for the purpose of putting in place both internal and/or external supports and program(s) to promote the student’s inclusion while supporting the safety of others.
- 12.7 A pupil is NOT excluded from a class or from the school pursuant to section 265(1)(m) of the Education Act in circumstances where the parent/guardian and the principal, in consultation with the superintendent, AGREE that, as an accommodation and in the best interests of the pupil, the pupil’s educational program should be modified such that the pupil is not participating in one or more specific class(es) or is excused from attending school for part or all of the school day during a specific period of time and/or during a specific school event or series of school events.

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12.8 A pupil is NOT excluded from a class pursuant to section 265(1)(m) of the Education Act by virtue of serving a detention or in-school suspension in another part of the school as part of progressive discipline that has been imposed by the principal or designate.

13. Delegation of Authority

Whenever possible, the Board will attempt to have an administrator present on school property. A principal may delegate authority for discipline matters to a vice principal or teacher-in-charge in accordance with the Board's procedures. A delegation of authority to a teacher-in-charge will only come into effect if there are no administrators present on school property. Those who are delegated authority for discipline matters must respect and implement their duties and decisions as required by the Education Act, Board policies and procedures and the Human Rights Code of Ontario.

13.1 Delegation of Authority to a Vice Principal

Vice principals may be delegated authority by the principal to receive oral and written reports of suspension and expulsion infractions from Board employees and transportation providers in accordance with this procedure, and to report infractions to the Police in accordance with the Police/School Protocol.

Vice principals may be delegated authority by the principal to conduct an investigation and/or inquiry when an infraction has occurred requiring further information before further action can be taken.

A vice principal may be delegated authority to consider and implement progressive discipline measures following the investigation of an incident, which has occurred on school property, or during a school activity or in circumstances having an impact on the school climate and that by its nature does not require the principal to consider imposing a suspension and does not require the principal to consider imposing a suspension pending an inquiry for the purposes of recommending an expulsion.

A vice principal may be delegated authority to impose a suspension of five or fewer days in accordance with these procedures.

A vice principal may be delegated authority to create and facilitate all aspects of the Student Action Plan process when a pupil has been suspended for five or more days or when a pupil who is referred to the Suspension Appeals/Expulsion Hearing Committee of the Board for expulsion.

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A vice principal may be delegated authority to notify a parent/guardian of a pupil who has been the victim of an incident in accordance with the notification provisions outlined in these procedures, including an incident that might lead to a suspension or recommendation for expulsion. The vice principal may communicate the supports being provided for the victim, such as a Safety Plan, as well as any other Board and community supports in accordance with these procedures. A vice principal may be delegated authority to develop a victim's Safety Plan.

A vice principal may be delegated authority to develop a Transition Plan for a pupil where a decision has been made by the superintendent in consultation with the principal and consistent with the Human Rights Code that the pupil must be transferred to another school in accordance with these procedures following an incident. The vice principal may also be delegated responsibility for organizing and conducting the transfer meeting.

Authority delegated to the vice principal shall be identified in writing in documentation identifying all of the vice principal's responsibilities and duties within the school, and may include one or more of the following:

- receive reports about suspension and expulsion infractions from Board employees and transportation providers;
- contact police in accordance with the Police/School Protocol;
- conduct investigations and inquiries;
- consider and implement progressive discipline measures;
- impose suspensions of between one and five days;
- develop and implement Student Action Plans;
- notify a parent/guardian of a pupil who has been the victim of an incident;
- develop a Safety Plan;
- develop a Transition Plan; and
- organize and be responsible for a school transfer meeting.

The principal may delegate the performance of one or more of the above noted responsibilities to a vice principal to be performed by the vice principal despite the principal's presence in the school.

Despite authority to conduct investigations and inquiries, as noted above, where, in the vice principal's opinion, the allegations might attract discipline requiring a suspension of five or more days, the vice principal shall consult with and/or receive direction from the principal or superintendent throughout the investigation process.

A vice principal may not be delegated the power to impose a suspension of more than five days or make the final decision with respect to recommending to the Board that a pupil be expelled.

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13.2 Delegation of Authority to Teacher-in-Charge

A teacher-in-charge may be delegated authority by the principal to receive reports about suspension and expulsion infractions from Board employees and transportation providers, in which case, the teacher-in-charge shall at the earliest opportunity inform the principal or vice principal and when the absence of the principal and vice principal might be for two or more days, the superintendent.

A teacher-in-charge may be delegated authority to contact the police in an emergency or in the event of an incident requiring police involvement in accordance with the Police/School Protocol.

A teacher-in-charge may be delegated authority by the principal to conduct an investigation when an infraction has occurred requiring further information before action can be taken. When it appears that the incident might attract discipline in the form of suspension or expulsion, the teacher-in-charge shall NOT proceed to investigate, but shall at the earliest opportunity provide the principal or vice principal, and in the absence of the principal and vice principal for two or more days, the superintendent, with a detailed written and oral account of the steps taken and information determined up to that point.

All incidents on school property occurring during a school related activity or having an impact on school climate that might result in suspension or suspension and a recommendation for expulsion shall be reported by the teacher-in-charge to the principal, or the vice principal in the principal's absence, at the earliest opportunity, and in the absence of the principal and vice principal for two or more days, the superintendent.

In such circumstances, the teacher-in-charge may be delegated authority to provide information to the parent/guardian of a pupil, who is NOT an adult pupil and where the teacher-in-charge is NOT of the opinion that informing the parent/guardian would put the pupil at risk of harm, about the fact that harm has been caused and the nature of the harm that has occurred. The teacher-in-charge shall also inform the parent/guardian that, at the earliest opportunity, an administrator will contact the parent/guardian to provide further information about the activity causing harm and the steps that will be taken to support the victim and ensure the victim's safety. The teacher-in-charge may inform a parent/guardian of an adult pupil if that pupil consents to the disclosure of information.

A teacher-in-charge shall NOT be delegated authority to share with the parent/guardian of a victim the name of the suspected perpetrators and/or the discipline measures that might be taken by the school to address the infraction.

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The teacher-in-charge may be delegated authority to consider and implement progressive discipline measures following the investigation of an incident, which has occurred on school property, during a school activity, or in circumstances having an impact on the school climate, that by its nature does not require the principal to consider imposing a suspension and does not require the principal to consider imposing a suspension pending an inquiry for the purposes of recommending an expulsion.

A teacher-in-charge shall not be delegated authority to suspend a pupil.

If at any time the teacher-in-charge is uncertain or uncomfortable about the duties that have been delegated and/or the possible application of the Human Rights Code, they should take immediate steps to contact an administrator. In emergency circumstances, where an administrator is not available, the teacher-in-charge shall contact the emergency administrator who has been identified as a resource.

Written notice identifying the authority being delegated to the teacher-in-charge, the timeframe for the delegation of the authority and the resources available to the teacher-in-charge must be provided in the Board-approved form.

When a teacher-in-charge has been identified to assume duties for a particular timeframe, communication by internal electronic mail shall be provided to all staff members of the school, who are anticipated to be in attendance during the particular timeframe, identifying the name of the teacher-in-charge and the timeframe for the administration's absence.

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14. Review

These procedures shall be reviewed in accordance with 2010 Policy Development and Review Policy.

<u>Cross Reference</u>	<u>Date Received</u>	<u>Legal Reference</u>
Policy & Procedures:	September 5, 1995	
8020 Equity and Inclusive Education	<u>Date Revised</u>	Education Act s. Part XIII Behaviour, Discipline and Safety
7030 Harassment & Human Rights	June 22, 1999	Refer to Appendix F of 8070 Safe Schools – System Expectations Procedures
7040 Violence in the Workplace	December 11, 2001	
8040 Trespass to Schools	March 5, 2002	
8071 Bullying Prevention and Intervention	June 27, 2006	
8072 Sexual Orientation and Gender Identity	January 22, 2008	
8073 Dress Code	September 28, 2010	
	January 22, 2013	
	September 22, 2015	

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## **Definitions**

(The following definitions apply for the purposes of the  
8070 Safe Schools - System Expectations Policy and Procedures)

**Administrator** – includes a superintendent, principal or vice principal with responsibility for the school in question.

**Adult Pupil** – is a pupil who is 18 years or older; or 16 or 17 years old and has removed him/herself from parental control.

**Board Employees who Work with Pupils** – is defined to include administrators, teachers, educational assistants, child and youth workers, social workers, and other professional and para-professional staff who have regular and direct duties with the Board's pupils.

**Board Expulsion** – is an expulsion from all schools of Lakehead Public Schools.

**Bullying** – 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.

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

**Suspension Appeals/Expulsion Hearing Committee** – a committee of three or more trustees designated to determine suspension appeals and recommendations for expulsion.

**Disproportionate Impact** – is created when discipline impacts a pupil to a greater degree in comparison to his or her peers as a result of factors related to grounds protected by the Human Rights Code.

**Emergency Administrator** – is a superintendent or principal identified by the principal of the school, to which a teacher-in-charge is assigned, as the emergency contact should the administrators of the school not be available in emergency circumstances.

**Exclusion** – the principal may refuse to admit to the school or classroom a person whose presence in the school or classroom would in the principal's judgment be detrimental to the physical or mental well-being of the pupils.

**Harassment** – is words, conduct or action that is directed at an individual and serves no legitimate purpose and which may include remarks, jokes, threats, name-calling, the display of material(s), touching or other behaviour that an individual knows or ought to know insults, intimidates, offends, demeans, annoys, alarms or causes that individual emotional distress and may constitute discrimination when related to grounds protected by the Human Rights Code.

**Manifestation of a pupil's ability** – is behaviour that results from a pupil's ability and that a pupil does not intend.

**Medical Cannabis User** – means a person who is authorized to possess cannabis for the person's own medical purposes in accordance with applicable federal law.

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

**Immutable Characteristics** – are characteristics that an individual cannot change or that an individual cannot alter about themselves, such as height.

**Impact on School Climate** – an incident or activity which has a negative impact on the school community.

**Primacy of the Code** – in a circumstance in which there is a conflict between provincial law, such as the Education Act, regulations, Policy Program Memoranda, school board policies and procedures, and the Human Rights Code of Ontario, the Human Rights Code is deemed to be more important and the inferior law must be applied in a manner consistent with the Human Rights Code (unless there is an explicit exception contained within the other law for such a circumstance). The principle of primacy of the Human Rights Code also requires school board policies and procedures to be interpreted and applied in a manner consistent with the Human Rights Code.

**School Climate** – is 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.

**School Community** – the school community is composed of staff, pupils and parents 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 neighborhood of the school.

**School Expulsion** – is an expulsion from the school of the Board that the pupil was attending at the time of the incident.

**School Suspension** – is when the principal suspends the pupil from their school and from engaging in all school-related activities.

**Superintendent Responsible for Student Discipline** – means the supervisory officer delegated authority regarding procedural issues related to suspension appeals and expulsions.

**Teacher-in-Charge** – is a teacher delegated authority by the principal to undertake specified duties with respect to pupil discipline in the absence of administration.

**Undue Hardship** – is the standard for the provision of accommodation, or point to which accommodation must be provided, for a specific pupil by the Board.

**Violent Incident** – is an occurrence of any one of the following or the occurrence of a combination of any of the following:

- 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; and
- hate and/or bias-motivated occurrences.

**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.



2135 Sills Street  
THUNDER BAY, ON P7E 5T2  
Telephone (807) 625-5100  
Fax (807) 622-0961

## Violent Incident Reporting Form

(To be completed for all violent incidents described in Section A below which result in a suspension)

Name of Student:		DOB:		Male	
				Female	
School Name:		Date of Incident:			

### A. Description of Violent Incident (X = main reason for suspension/expulsion)

	<b>As per PPM 120</b>
	Possessing a weapon, including possessing a firearm (eg. guns, knives, replicas)
	Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner
	Committing sexual assault
	Committing robbery
	Using a weapon to cause or to threaten bodily harm to another person
	Extortion
	Hate and/or bias motivated occurrences
	Other Specify:

### Details of Violent Incident (brief description of incident; use back of page if necessary)

--

### B. Police Contact

1. Date of Contact	2. Date of police investigation at school	3. Police Department Incident No.

### C. School/Board Response (X)

Suspension	<input type="checkbox"/>	Expulsion	<input type="checkbox"/>	Other	<input type="checkbox"/>
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Date of inclusion in OSR:

Principal/Designate signature:

- Copies to:
- OSR
  - School File for Reporting to Ministry as per PPM 120
  - Police: - Thunder Bay Police, Chief of Police, 1200 Balmoral Street Thunder Bay P7B 5Z5  
- Ontario Provincial Police, Detachment Commander, 2787 Hwy 11-17, RR #2 Thunder Bay P7C 4V1
  - Area Superintendent

**Your Children Our Students The Future**

[www.lakeheadschoools.ca](http://www.lakeheadschoools.ca)

## **PROGRESSIVE DISCIPLINE**

Progressive discipline is a non-punitive, whole-school approach that uses a continuum of preventative, corrective and supportive interventions, supports and consequences to address inappropriate behaviour and to build upon strategies that promote positive behaviours. Consequences include learning opportunities for reinforcing positive behaviour and assisting pupils to make good choices.

Prevention and early intervention are important for assisting pupils to achieve their potential and for maintaining a positive school environment. A positive school environment is effected through programs and activities that focus on building healthy relationships, character development, and civic responsibility, which encourage positive participation of the school community in the life of the school.

Progressive discipline is most effective when dialogue between the school and home regarding pupil achievement, behaviour and expectations is open, courteous and focused on pupil success. It is an expectation of the Board that principals, vice principals and teachers-in-charge consult with parents prior to imposing any pupil specific progressive discipline preventative measures, positive behaviour management strategies or progressive discipline consequences.

Each school is required to develop and implement a school-wide progressive discipline policy, consistent with the Board Student Discipline Policy and Student Discipline Procedures and the *Human Rights Code*.

Each school is also required to ensure that bullying prevention plans include: (1) awareness raising strategies (2) support strategies, including plans to protect victims; and (3) reporting requirements (please refer to the Bullying Prevention Policy and Procedures). In addition, teaching strategies should include a focus on developing healthy relationships by including bullying prevention throughout the curriculum, preventing homophobia, gender based violence, sexual harassment, inappropriate sexual behaviour, as well as promoting critical media literacy and safe internet use strategies, all of which is to be implemented in a manner consistent with the principles of equity and inclusion.

The teacher, principal or designate should select the most appropriate response to address the pupil's behaviour. Where a pupil has special education and/or ability related needs, the interventions, supports and consequences must be consistent with the expectations for the pupil, including those in the pupil's Individual Education Plan, Behaviour Management Plan and/or Safety Plan.

Progressive discipline includes the use of early and ongoing prevention, intervention strategies and strategies to address inappropriate behaviour. Pupils' parent(s)/guardian(s) should be actively engaged in the progressive discipline approach.

### **Prevention Strategies**

Board employees who work with pupils are expected to support pupils to achieve their potential.

Prevention strategies include supporting pupils, student councils and/or school councils that wish to participate in pupil led alliances or other alliances and/or activities promoting healthy relationships.

Where a pupil has reported harassment, bullying or violence as a result of one or more immutable characteristics, including on any grounds protected by the *Human Rights Code*, or inappropriate sexual behaviour, that pupil shall be supported by the school with the provision of contact information about professional supports, such as community agencies, public health facilitates, and telecommunications forums, such as a help-phone-line or website, that the pupil may access directly for information, assistance and/or support in an effort to promote and/or develop healthy relationships.

In accordance with Policy Program Memorandum 149, schools shall be required by the Board to work with agencies and/or organizations in their community that have professional expertise with respect to issues of gender based violence, sexual assault, homophobia and inappropriate sexual behaviour. A current list of community contacts will be created and maintained electronically by the Board and made available to all schools, staff and pupils on the Board's internet and intranet websites. A Protocol outlining the process for entering into a Memorandum of Understanding with an appropriate community agency and/or organization shall be made available to schools.

Schools shall provide public health units under the responsibility of the local officer of medical health the ability to deliver their mandated public health curriculum.

The Board also expects principals/vice principals to review and amend, as appropriate, Individual Education Plans, Behaviour Management Plans and Safety Plans at regular intervals and following an incident to ensure that every pupil with ability related needs is receiving appropriate accommodation up to the point of undue hardship.

Other preventative practices include:

- Human Rights strategy pursuant to PPM 119;
- anti-bullying and violence prevention programs;
- mentorship programs;
- student success strategies;
- character education;
- citizenship development;
- student leadership;
- promoting healthy student relationships; and
- promoting healthy lifestyles.

### **Positive Practices**

In order to promote and support appropriate and positive pupil behaviours that contribute to creating and sustaining safe, comforting and accepting learning and teaching environments that encourage and support pupils to reach their full potential, the Board supports the use of positive practices for: (1) prevention, and (2) positive behaviour management.

Positive behaviour management practices include:

- program modifications or accommodations;
- class placement;
- positive encouragement and reinforcement;
- individual, peer and group counselling;
- conflict resolution/dispute resolution;
- mentorship programs;
- promotion of healthy student relationships;
- sensitivity programs;
- safety plans;
- school, Board and community support programs; and
- student success strategies.

The Board recognizes that, in some circumstances, positive practices might not be effective or sufficient to address inappropriate pupil behaviour. In such circumstances, the Board supports the use of progressive discipline consequences up to and including expulsion from all schools of the Board.

In circumstances where a pupil will receive a consequence for his/her behaviour, it is the expectation of the Board that the principle of progressive discipline, consistent with the *Human Rights Code*, Ministry of Education direction and PPM 145, will be applied in the least restrictive manner to be effective, and so as not to add to the historical disadvantage of racialized pupils and/or pupils with disabilities.

### **Early and Ongoing Intervention Strategies - Progressive Discipline Consequences**

A teacher or the principal or vice principal, as appropriate, may utilise early and/or ongoing intervention strategies to prevent unsafe or inappropriate behaviours. These may include:

- contact with pupil's parent(s)/guardian(s);
- oral reminders;
- review of expectations;
- written work assignment addressing the behaviour, that have a learning component;
- volunteer services to the school community;
- conflict mediation and resolution;
- peer mentoring;
- referral to counselling; and/or
- consultation between two or more of the parties.

In all cases where ongoing intervention strategies are used, the pupil's parents/guardians should be consulted.

The teacher, principal or vice principal should keep a record for each pupil with whom intervention strategies are utilized. The record should include:

- name of the pupil;
- date of the incident or behaviour;
- nature of the incident or behaviour;
- progressive discipline approach used;
- outcome; and/or
- contact with the pupil's parent/guardian (unless the pupil is an adult pupil).

### **Addressing Inappropriate Behaviour**

If a pupil has displayed inappropriate behaviour the principal or vice principal may utilize a range of interventions, supports, and consequences that are (1) developmentally appropriate, and (2) include opportunities for pupils to focus on improving their behaviour.

Inappropriate behaviour includes any behaviour that disrupts the positive school climate and/or has a negative impact on the school community.

Inappropriate behaviour may also include, but is not limited to, one of the following infractions for which a suspension may be imposed:

- any act considered by the principal to be injurious to the moral tone of the school;
- any act considered by the principal to be injurious to the physical or mental well-being of any member of the school community; and
- any act considered by the principal to be contrary to the Board or school Code of Conduct.

If a pupil has engaged in inappropriate behaviour and it is the first time that the pupil has engaged in such behaviour, the principal or designate may choose to use a progressive discipline strategy to address the infraction.

Interventions may include:

- meeting with the pupil's parent(s)/guardian(s), pupil and principal;
- referral to a community agency for anger management or substance abuse counselling/intervention;
- detentions;
- withdrawal of privileges;
- withdrawal from class;
- restitution for damages;
- restorative practices; and
- transfer to another class or school.

In some cases, short-term suspension may also be considered a useful progressive discipline approach.

*(material referenced from PPM 145)*

### **Factors to Consider Before Deciding to Utilize a Progressive Discipline Consequence to Address Inappropriate Behaviour**

Before applying any progressive discipline consequence, the principal/vice principal shall consider whether or not the progressive discipline consequence might have a disproportionate impact on a pupil protected by the *Human Rights Code*, including but not limited to race and ability and whether or not accommodation to the point of undue hardship is required.

In all cases where a progressive discipline consequence is being considered to address an inappropriate behaviour, the principal or vice principal must:

- consider the particular pupil and circumstances, including considering the mitigating or other factors;
- consider the nature and severity of the behaviour;
- consider the impact of the inappropriate behaviour on the school climate; and
- consult with the pupil's parent(s)/guardian (unless the pupil is an adult pupil).

### **Mitigating Factors**

The mitigating factors to be considered by the principal before deciding whether to use a progressive discipline approach to address the inappropriate behaviour are:

- whether the pupil has the ability to control his or her behaviour;
- whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour; and
- whether the pupil's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school.

### **Other Factors to be Considered**

1. The pupil's academic, discipline, and personal history.
2. Whether other progressive discipline has been attempted with the pupil, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure.
3. Whether the infraction for which the pupil might be disciplined was related to any harassment of the pupil because of race, colour, ethnic origin, place of origin, religion, creed, ability, gender or gender identity, sexual orientation or harassment for any other reason related to an immutable characteristic.
4. The impact of the discipline on the pupil's prospects for further education.
5. The pupil's age.
6. Where the pupil has an IEP or ability related needs:
  - whether the behaviour causing the incident was a manifestation of the pupil's ability;
  - whether appropriate individualized accommodation has been provided to the point of undue hardship; and
  - whether a suspension is likely to result in aggravating or worsening the pupil's behaviour or conduct or whether a suspension is likely to result in a greater likelihood of further inappropriate conduct.
7. Whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.

If the pupil's continuing presence in the school creates an unacceptable risk to the safety of others in the school, then a progressive discipline approach may not be appropriate.



# CONFIDENTIAL SAFE SCHOOLS INCIDENT REPORT – 1

Report No. \_\_\_\_\_ School: \_\_\_\_\_

Students Involved  
(if known)

Location of Incident

Check (X) one

At a location in the school or on school property

Specify: \_\_\_\_\_

At a school-related activity

Specify: \_\_\_\_\_

On a school bus

Specify (Route No./Identification): \_\_\_\_\_

Other

Specify: \_\_\_\_\_

Time of Incident

Date

Time

Type of Incident Check (X) all that apply

## ACTIVITIES LEADING TO A POSSIBLE SUSPENSION

Under Section 306(1) of the Education Act

- Uttering a threat to inflict serious bodily harm on another person
- Possessing alcohol, illegal and/or restricted drugs **or unless the pupil is a medical cannabis user, cannabis**
- Being under the influence of alcohol **or unless the pupil is a medical cannabis user, cannabis**
- Swearing at a teacher or at another person in a position of authority
- Committing an act of vandalism that causes extensive damage to school property at the student's school or to property located on the premises of the student's school
- Bullying
- Any act considered by the principal to be injurious to the moral tone of the school
- Any act considered by the principal to be injurious to the physical or mental well-being of members of the school community
- Persistent opposition to authority
- The willful destruction of school property
- Incidents off school property which impact on the school
- Habitual neglect of duty

## ACTIVITIES LEADING TO SUSPENSION AND POSSIBLE EXPULSION

Under Section 310 (1) of the Education Act

- Possessing a weapon, including possessing a firearm or knife
- 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, illegal or restricted 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.
- An act considered by the principal to be significantly injurious to the moral tone of the school and/or to the physical or mental well-being of others

Appendix D to 8070 Safe Schools - System Expectations Policy/Procedures

Type of Incident Check (X) all that apply

**ACTIVITIES LEADING TO A POSSIBLE SUSPENSION**

Under Section 306(1) of the Education Act

- Conduct inconsistent with the Code of Conduct of the school, board or province
- Conduct affecting the safe learning environment for the students or working environment of staff of the school
- Any other activity that is an activity for which a principal may suspend a pupil under a policy of the Board

**ACTIVITIES LEADING TO SUSPENSION AND POSSIBLE EXPULSION**

Under Section 310 (1) of the Education Act

- A pattern of behavior that is so inappropriate that the student's continued presences is injurious to the effective learning and/or working environment of others
- Activities engaged in by the student on or off school property that cause the student's continuing presence in the school to create an unacceptable risk to the physical or mental well-being of other person(s) in the school or Board;
- Activities engaged in by the student on or off school property that have caused extensive damage to the property of the board or to goods that are/were on Board property
- The student has demonstrated through a pattern of behavior that they have not prospered by the instruction available to them and that they are persistently resistant to making changes in behavior which would enable them to prosper
- Any act considered by the principal to be a serious violation of the school, Board or Provincial Code of Conduct
- Where a student has no history of discipline or behavior intervention, or no relevant history, a single act, incident or infraction considered by the principal to be a serious violation of the expectations of student behavior and/or a serious breach of the board or school Code of Conduct
- 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

Report Submitted By (Name) \_\_\_\_\_ Signature \_\_\_\_\_  
 Contact Information (Location) \_\_\_\_\_ Telephone \_\_\_\_\_  
 Date \_\_\_\_\_

*Note: Detach SSIR-2 and give to the person who submitted the report.*

**SAFE SCHOOLS INCIDENT REPORT - 2**

Report No. \_\_\_\_\_  
 Report Submitted By (Name) \_\_\_\_\_ Date \_\_\_\_\_  
 Action Taken  No Action Taken

Principal \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_



Provincial Code of Conduct  
from Ontario PPM 128 December 05, 2012

The Provincial Code of Conduct sets clear provincial standards of behaviour. These standards of behaviour apply to students whether they are on school property, on school buses, at school-related events or activities, or in other circumstances that could have an impact on the school climate. They also apply to all individuals involved in the publicly funded school system – principals, teachers, other school staff, parents, volunteers, and community groups.

Responsible citizenship involves appropriate participation in the civic life of the school community. Active and engaged citizens are aware of their rights, but more importantly, they accept responsibility for protecting their rights and the rights of others.

The standards of behaviour in school board codes of conduct must be consistent with the requirements set out in this memorandum.

### THE PROVINCIAL CODE OF CONDUCT

#### Purposes of the Code

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”. Subsection 301(2) sets out the purposes of this 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 and illegal drugs.
7. To prevent bullying in schools.

## Standards of Behaviour

### Respect, Civility, and Responsible Citizenship

All members of the school community must:

- respect and comply with all applicable federal, provincial, and municipal laws;
- demonstrate honesty and integrity;
- respect differences in people, their ideas, and their opinions;
- treat one another with dignity and respect at all times, and especially when there is disagreement;
- respect and treat others fairly, regardless of, for example, race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, gender, sexual orientation, age, or disability;
- 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;
- respect all members of the school community, especially persons in positions of authority;
- respect the need of others to work in an environment that is conducive to learning and teaching; and
- not swear at a teacher or at another person in a position of authority.

### Safety

All members of the school community must not:

- engage in bullying behaviours;
- commit sexual assault;
- traffic in weapons or illegal drugs;
- give alcohol **or cannabis** to a minor;
- commit robbery;
- be in possession of any weapon, including firearms;
- use any object to threaten or intimidate another person;
- cause injury to any person with an object;
- ~~be in possession of, or be under the influence of, or provide others with alcohol or illegal drugs;~~
- ***be in possession of alcohol, illegal drugs or unless the person is a medical cannabis user, cannabis;***
- ***be under the influence of alcohol, illegal drugs or unless the person is a medical cannabis user, cannabis;***
- ***provide others with alcohol, cannabis or illegal drugs;***
- 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 extensive damage to school property or to property located on the premises of the school.

## Roles and Responsibilities

### School Boards

School boards provide direction to their schools to ensure opportunity, academic excellence, and accountability in the education system. It is the responsibility of school boards to:

- develop policies that set out how their schools will implement and enforce the provincial Code of Conduct and all other rules that they develop that are related to the provincial standards that promote and support respect, civility, responsible citizenship, and safety;
- establish a process that clearly communicates the Provincial Code of Conduct and School Board codes of conduct to all parents, students, principals, teachers, other school staff, and members of the school community in order to obtain their commitment and support;
- review these policies regularly with those listed above;
- seek input from school councils, their Parent Involvement Committees, and their Special Education Advisory Committee;
- develop effective intervention strategies and respond to all infractions related to the standards for respect, civility, responsible citizenship, and safety; and
- provide opportunities for all of the staff to acquire the knowledge, skills, and attitudes necessary to develop and maintain academic excellence in a safe learning and teaching environment.

Wherever possible, boards should collaborate to provide coordinated prevention and intervention programs and services, and should endeavour to share effective practices.

### Principals

Under the direction of their School Boards, principals take a leadership role in the daily operation of a school. They provide this leadership by:

- demonstrating care for the school community and a commitment to academic excellence in a safe, inclusive, and accepting teaching and learning environment;
- holding everyone under their authority accountable for his or her behaviour and actions;
- empowering students to be positive leaders in their school and community;
- communicating regularly and meaningfully with all members of their school community.

**Appendix E to 8070 Safe Schools System Expectations Procedures**

## Teachers and Other School Staff

Under the leadership of their principals, teachers and other school staff maintain order in the school and are expected to hold everyone to the highest standard of respectful and responsible behaviour. As role models, teachers and other school staff uphold these high standards when they:

- help students work to their full potential and develop their sense of self-worth;
- empower students to be positive leaders in their classroom, school, and community;
- communicate regularly and meaningfully with parents;
- maintain consistent standards of behaviour for all students;
- demonstrate respect for all students, staff, parents, volunteers, and other members of the school community; and
- prepare students for the full responsibilities of citizenship.

## Students

Students are to be treated with respect and dignity. In return, they must demonstrate respect for themselves, for others, and for the responsibilities of citizenship through acceptable behaviour. Respect and responsibility are demonstrated when a student:

- comes to school prepared, on time, and ready to learn;
- shows respect for himself or herself, for others, and for those in authority;
- refrains from bringing anything to school that may compromise the safety of others; and
- follows the established rules and takes responsibility for his or her own actions.

## Parents/Guardians

Parents/guardians play an important role in the education of their children, and can support the efforts of school staff in maintaining a safe, inclusive, accepting, and respectful learning environment for all students.

Parents fulfil their role when they:

- show an active interest in their child's school work and progress;
- communicate regularly with the school;
- help their child be neat, appropriately dressed, and prepared for school;
- ensure that their child attends school regularly and on time;
- promptly report to the school their child's absence or late arrival;
- show that they are familiar with the provincial Code of Conduct, the board's code of conduct, and school rules;
- encourage and assist their child in following the rules of behaviour;
- assist school staff in dealing with disciplinary issues involving their child.

## Community Partners and the Police

Through outreach, partnerships already in place may be enhanced and new partnerships with community-based service providers and members of the community (e.g., Aboriginal Elders) may also be created. Community-based service providers are resources that boards can use to deliver prevention or intervention programs. Protocols are effective ways of establishing linkages between boards and community-based service providers and of formalizing the relationship between them. These partnerships must respect all applicable collective agreements.

The police play an essential role in making our schools and communities safer. The police investigate incidents in accordance with the protocol developed with the local School Board. These protocols are based on a provincial model that was revised in 2011 by the Ministry of Community Safety and Correctional Services and the Ministry of Education.



**References and Resources**

Education Act Ontario R.S.O. 1990, CHAPTER E.2 Part XIII Behaviour Discipline and Safety

Education Act Ontario Regulation 472/07 Behaviour, Discipline and Safety of Pupils

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 141: School Board Programs For Students On Long-Term Suspension

PPM 142: School Board Programs For Expelled Students

PPM 144: Bullying Prevention and Intervention

PPM 145: Progressive Discipline and Promoting Positive Student Behaviour

PPM 149: Protocol For Partnerships With External Agencies For Provision Of Services By Regulated Health Professionals, Regulated Social Service Professionals, And Paraprofessionals

Provincial Model for a Local Police/School Board Protocol

Safe Schools: Progressive Discipline

Policies and Procedures from the following: Grand Erie District School Board, District School Board Ontario North East, Simcoe County District School Board, Halton District School Board, Rainy River District School Board and Upper Grand District School Board.