



1325 California Avenue
 Windsor, ON N9B 3Y6
 CHAIRPERSON: Fred Alexander
 DIRECTOR OF EDUCATION: Joseph Berthiaume

REGULAR BOARD MEETING
Tuesday, February 9, 2010 at 7:00 p.m.
Windsor Essex Catholic Education Centre
John Paul II Boardroom

A G E N D A

I	In-Camera Meeting – 6:00 p.m.	Page #
II	Regular Meeting of the Board - 7:00 p.m.	

1. Call To Order
2. Opening Prayer with Fr. Brunet and Religion Consultant B. Brush
3. Recording of Attendance
4. Approval of Agenda
5. Questions Pertaining to Agenda
6. Disclosure of Interest - Pursuant to the Municipal Conflict of Interest Act.
7. Presentations:
 - a. Principal’s Report on Student Achievement - Holy Name Elementary Catholic School (C. Geml/J. Ouellette) --
 - b. Aboriginal Education Presentation (L. Staudt) --
 - c. Communication Strategy: Twitter Presentation (L. Staudt) --
8. Delegations:
 - a. Delegation Regarding Items Not on the Agenda
3:11.1 Any person(s) wishing to make a formal presentation to the Board shall make their intent known, in writing, to the Secretary at least one week prior to the regular meeting. They shall briefly explain in their petition the nature of their business. Discussion shall be limited to the petition and shall be not longer than ten (10) minutes. The time limit can be waived by the consent of the majority of the Board.
 - b. Delegations Regarding Items On the Agenda
3:11.2 Any person(s) wishing to appear before the Board and speak on an item appearing on the agenda of the Board Meeting has until NOON of the day of the Board meeting to make a request to the Secretary. They shall explain briefly the nature of their business. The discussion shall be limited to the item on the agenda and shall be no longer than ten (10) minutes.

9. Action Items:
 - a. Approval of Minutes
 - i) Minutes of In-Camera Meeting, January 26, 2010 --
 - ii) Minutes of Regular Board Meeting, January 26, 2010 1-6
 - b. Items from the In-Camera Meeting of February 9, 2010 --

10. Communications:
 - a. External (Associations, OCSTA, Ministry): None
 - b. Internal (Reports from Administration):
 - i) Report: Administrative Staff Report (P. Picard) 7-8
 - ii) Report: Elementary Music Program Update (C. Geml/P. Picard) 9-10
 - iii) Report: Legal Services - December 2009 (M. Iatonna) 11-12
 - iv) Report: 2010-11 Budget Schedule (M. Iatonna) 13-14

11. Unfinished Business: None.

12. New Business:
 - a. Field Trips:
 - i) Report: 2010 Spring Muskoka Woods Leadership Experience Field Trip (C. Geml) 15-21
 - b. Report: Board Policy Review (*final approval*) ST: 05 Student Discipline Intervention and SC: 18 Bullying Prevention (L. Staudt) 22-82
 - c. Report: Board Policy Review (*approval in principle*) Amended Policy A:23 Microwave Ovens in Elementary School Classrooms (P. Picard) 83-85
 - d. Report: Board Policy Review (*approval in principle*) Amended Policy H:04 Criminal Reference Checks and Offence Declaration for Employees (P. Picard) 86-89

13. Committee Reports:
 - a. Verbal Report: Essex Civic Centre Building Management Committee (M. Iatonna) --

14. Notice of Motion:

15. Remarks and Announcements:
 - a. Chairperson
 - b. Director of Education
 - c. Board Chaplain

16. Remarks/Questions by Trustees

17. Pending Items
 - a. Draft Board Policy H:07 Selection Process - Principals and Vice Principals (*deferred March 10, 2009*) --
 - b. Deferred Report (*Deferred from April 28, 2009*): Play Surface Material Standard – Rubber --

18. Continuation of In-Camera, if required.

19. Future Board Meetings: *Unless stated otherwise, all meetings will be held at the Windsor Essex Catholic Education Centre - 1325 California Avenue, Windsor with the In-Camera Session beginning at 6:00 p.m. and the Public Session beginning at 7:00 p.m.*

- Tuesday, February 23, 2010
- Tuesday, March 9, 2010
- Tuesday, March 30, 2010
- Tuesday, April 13, 2010
- Tuesday, April 27, 2010
- Tuesday, May 11, 2010
- Tuesday, May 25, 2010
- Tuesday, June 8, 2010
- **Monday**, June 21, 2010

20. Closing Prayer

21. Adjournment

Fred Alexander
Board Chairperson

Joseph Berthiaume
Director of Education & Secretary-Treasurer



1325 California Avenue
 Windsor, ON N9B 3Y6
 CHAIRPERSON: Fred Alexander
 DIRECTOR OF EDUCATION: Joseph Berthiaume

REGULAR BOARD MEETING
Tuesday, January 26, 2010 at 7:00 p.m.
Windsor Essex Catholic Education Centre
John Paul II Boardroom

MINUTES

PRESENT

Trustees: F. Alexander, Chair P. Keane
 J. Courtney J. Macri
 M. DiMenna, Vice-Chair L. Soulliere
 B. Holland (*electronically*)
 C. Janisse
 Rev. L. Brunet, Board Chaplain

Regrets: Trustee Porcellini
 Student Trustee Timperio
 Student Trustee Wolinski

Administration: J. Berthiaume (Resource) E. Byrne
 C. Geml P. Littlejohns
 M. Iatonna P. Murray
 L. Staudt J. Shea
 J. Braido
 J. Bumbacco

Recorder: B. Marshall

1. Call to Order - Chair Alexander called the meeting to order at 7:23 p.m.
2. Opening Prayer - Fr. Brunet opened the meeting with a prayer.
3. Recording of Attendance: Trustee Porcellini sends her regrets due to a prior commitment. Student Trustees Timperio and Wolinski sent their regrets due to academic commitments. Trustee Holland participated electronically.
4. Approval of Agenda - Chair Alexander noted that the handout report for agenda item 10b(v) Catholic Education Centre Signage is at trustee places and agenda item 12d is included in agenda item 12c.

Moved by Trustee DiMenna and seconded by Trustee Soulliere that the January 26, 2010 Regular Board meeting agenda be approved as distributed. Carried.

5. Questions Pertaining to Agenda: Nil
6. Disclosure of Interest - Pursuant to the Municipal Conflict of Interest Act: Nil
7. Presentations:
 - a. Principal's Report on Student Achievement - St. William Catholic Elementary School

Principal's Report on Student Achievement - Principal Brian Rivait and Vice Principal Linda DiPasquale were present to provide an overview of the strategies and initiatives in place at St. William Catholic Elementary School to support faith development and student achievement.

8. Delegations:
 - a. Delegation Regarding Items Not on the Agenda: None
 - b. Delegations Regarding Items On the Agenda: None

9. Action Items:
 - a. Approval of Minutes
 - i) Minutes of In-Camera Meeting, January 12, 2010

Moved by Trustee Janisse and seconded by Trustee Soulliere that the minutes of the Committee of the Whole Board In-Camera meeting of January 12, 2010 be adopted as distributed. Carried.

- ii) Minutes of Regular Board Meeting, January 12, 2010

Amendments:

- Page 3, Agenda item 9b "Items from In-Camera Meeting of January 12, 2010": correct seconder to read "Trustee Soulliere".

Moved by Trustee Keane and seconded by Trustee DiMenna that the minutes of the Regular Board meeting of January 12, 2010 be adopted as amended. Carried.

- b. Items from the re-convened In-Camera meeting of January 12, 2010 and the In-Camera Meeting of January 26, 2010

The Windsor-Essex Catholic District School Board re-convened a closed Committee of the Whole Board meeting on January 12, 2010 pursuant to the Education Act - Section 207, to consider labour relation matters. Trustees Porcellini, Macri, Courtney and Keane disclosed interest in agenda item 11a Keller Arbitration Award (*O.E.C.T.A.*) "*Principals At Large / Program Principals/ Administrative Teaching Responsibilities*" and were not present when the Committee of the Whole Board In-Camera resumed at 10:11 p.m.

In addition, the Windsor-Essex Catholic District School Board convened a closed Committee of the Whole Board meeting on January 26, 2010 pursuant to the Education Act - Section 207, to consider specific personnel, real property matters, and other matters permitted or required to be kept private and confidential under the Freedom of Information and Protection of Privacy Act.

Trustee(s) Courtney, Keane, and Macri declared a conflict of interest during the January 26, 2010 In-Camera Session and excused themselves from the relevant discussion.

Moved by DiMenna and seconded by Trustee Janisse that the recommendations and directions of the Committee of the Whole Board at its re-convened in-camera meeting of January 12, 2010 and the Committee of the Whole Board in-camera meeting of January 26, 2010 be approved. Carried.

Vice Chair DiMenna made the following announcements:

From the January 12th re-convened Committee of the Whole Board in-camera meeting

- receipt of verbal report on the Keller Arbitration Award (O.E.C.T.A.) “*Principals At Large/ Program Principals/Administrative Teaching Responsibilities*”

and from the January 26th, 2010 convened Committee of the Whole Board in-camera meeting

- receipt of the Administrative staff report
- discussion was held on a deferred report requesting to lease the former St. Anne High School noting the Windsor-Essex Catholic District School Board is open to discuss possible lease agreements with any community partners subject to the approval of the Board
- the following Elementary Vice-Principal placements effective February 1, 2010:
 - Brian Marenchin to Acting Principal at St. John Catholic Elementary School
 - Christine Merritt to Vice-Principal at Holy Name Elementary School

10. Communications:

- a. External (Associations, OCSTA, Ministry): None.
- b. Internal (Reports from Administration):
 - i) Report: Administrative Staff Report

Moved by Trustee Janisse and seconded by Trustee DiMenna that the Board receive the Administrative Staff Report on hiring, retirement and resignation of staff dated January 26, 2010 as information. Carried.

- ii) Report: Early Learning Program

Moved by Trustee Soulliere and seconded by Trustee Courtney that the Board receive the report Early Learning Program as information. Carried.

- iii) Report: Legal Services - October 2009

Moved by Trustee Courtney and seconded by Trustee Soulliere that the Board receive the report Legal Services - October 2009 as information. Carried.

- iv) Report: Legal Services - November 2009

Moved by Trustee Soulliere and seconded by Trustee DiMenna that the Board receive the report Legal Services - November 2009 as information. Carried.

- v) Verbal Report: Catholic Education Centre Signage (*Handout at trustees places*)

To enhance the Board's visibility to the public, a digital sign will be constructed in front of Assumption College School along Huron Church Road. This sign will allow the Catholic Education Centre the ability to display board wide events and accomplishments to the public as well as events concerning the Catholic Education Centre, the Bishop Auxiliary's office and Assumption College School.

Moved by Trustee Keane and seconded by Soulliere to accept the Catholic Education Centre signage as information. Carried.

- vi) Report: 2008-2009 Fundraising Principal Reporting Compliance

Moved by Trustee Soulliere and seconded by Trustee Janisse that the Board receive the report on the 2008-2009 Fundraising Principal Reporting Compliance as information. Carried.

11. Unfinished Business: None.

12. New Business:

- a. Field Trips:

- i) Holy Names Catholic High School - New York City

Moved by Trustee Janisse and seconded by Trustee Keane that the Board approve the Holy Names Catholic High School field trip to New York City, New York from Tuesday, April 27, 2010 to Friday, April 30, 2010. Carried.

- ii) St. Anne's Catholic High School - Ottawa and Montreal

Moved by Trustee Janisse and seconded by Trustee Keane that the Board approve the St. Anne's Catholic High School field trip to Ottawa and Montreal Tuesday, May 18 to Saturday, May 22, 2010. Carried.

- b. Report: Board Policy Review (*final approval*) - T:01 Student Trustee

Moved by Trustee Soulliere and seconded by Trustee DiMenna that the Board provide final approval to the Draft Amended Board Policy T: 01 Student Trustee. Carried.

- c. Report: Board Policy Review (*approval in principle*) - SC: 18 Bullying Prevention and Intervention

Moved by Trustee Janisse and seconded by Trustee DiMenna that the Board approve, in principle, draft amended Board Policies SC: 18 Bullying Prevention and Intervention and ST: 05 Student Discipline. Carried.

- d. Report: Board Policy Review (*approval in principle*) - ST: 05 Student Discipline
Included in agenda item 12c.

- e. Report: Trustee Group Accident Insurance 2010

Moved by Trustee Soulliere and seconded by Trustee Janisse that the Board approve payment in the amount of \$570.24, including PST, to industrial Alliance Pacific Insurance and Financial Services Inc. for the Trustee Group Accident Insurance, including Student Trustees, for the year 2010. Carried.

13. Committee Reports:

- a. Report: High School Council Meeting of November 12, 2009

Moved by Trustee Janisse and seconded by Trustee DiMenna that the Board receive the report for the November 12, 2009 High School Council Meeting as information. Carried.

- b. Report: Special Education Advisory Committee (SEAC) Meeting Minutes of December 3, 2009

Moved by Trustee DiMenna and seconded by Trustee Soulliere that the Board receive the Minutes of the December 3, 2009 Special Education Advisory Committee (SEAC) meeting as information. Carried.

14. Notice of Motion: None

15. Remarks and Announcements:

- a. Chairperson Alexander commended Director Berthiaume on his annual report and mentioned he is looking forward to working with the newly appointed Minister Leona Dombrowsky.
- b. Director of Education Berthiaume provided comment on recent activities supporting the Board's strategic priorities, faith development and student achievement such as Collaborative Inquiry workshops, TRIBES, Aboriginal Education and professional development for the Educational Assistants; community engagement and partnership activities included a thank you letter from St. Vincent de Paul. Director Berthiaume mentioned that newly appointed Minister Leona Dombrowsky is a former Catholic Board trustee and chair.
- c. Board Chaplain commented on the celebration of Auxiliary Bishop William McGratten's ordination in London.

16. Remarks/Questions by Trustees

- Trustee Janisse would like updates on the Junior Kindergarten and Senior Kindergarten French Immersion registration and St. Anne High School sports field conditions.
- Trustee Holland congratulated Fr. McGratten on his ordination and how he will be missed.
- Trustee Keane informed the board of the passing of St. James Catholic School Council chairperson. Trustee Keane mentioned his former association with newly appointed Minister Dombrowsky.
- Trustee DiMenna congratulated Paul George for receiving the Parks Canada Ambassador for Education Award.
- Trustee Courtney commented on the challenges faced with the Ministry's new mandate banning junk food in the schools.

17. Pending Items:
- a. Draft Board Policy H:07 Selection Process - Principals and Vice Principals (*deferred March 10, 2009*)
 - b. Deferred Report (*Deferred from April 28, 2009*): Play Surface Material Standard – Rubber
18. Continuation of In-Camera, if required.
19. Future Board Meetings: *Unless stated otherwise, all meetings will be held at the Windsor Essex Catholic Education Centre - 1325 California Avenue, Windsor with the In-Camera Session beginning at 6:00 p.m. and the Public Session beginning at 7:00 p.m.*
- Tuesday, February 9, 2010
 - Tuesday, February 23, 2010
 - Tuesday, March 9, 2010
 - Tuesday, March 30, 2010
 - Tuesday, April 13, 2010
 - Tuesday, April 27, 2010
 - Tuesday, May 11, 2010
 - Tuesday, May 25, 2010
 - Tuesday, June 8, 2010
 - **Monday**, June 21, 2010
20. Closing Prayer: Fr. Brunet closed the meeting with a prayer.
21. Adjournment: There being no further business, the Regular Board meeting of January 26, 2010 adjourned at 8:14 p.m.

Not Approved

Fred Alexander
Board Chairperson

Joseph Berthiaume
Director of Education & Secretary-Treasurer



1325 California Avenue
 Windsor, ON N9B 3Y6
 CHAIRPERSON: Fred Alexander
 DIRECTOR OF EDUCATION: Joseph Berthiaume

Meeting Date:
 February 9, 2010

BOARD REPORT

Public **In-Camera**

PRESENTED FOR: Information Approval

PRESENTED BY: Senior Administration

SUBMITTED BY: Joseph Berthiaume, Director of Education
 P. Picard, Superintendent of Human Resources
 J. Bumbacco, Assistant Superintendent, Human Resources
 C. Norris, Manager of Human Resources & Policy Development

SUBJECT: ADMINISTRATIVE STAFF REPORT

RECOMMENDATION:

That the Board receive the *Administrative Staff Report* on hiring, retirement and resignation of staff dated February 9, 2010 for information.

SYNOPSIS:

BACKGROUND COMMENTS:

FINANCIAL IMPACT:

TIMELINES:

APPENDICES:

- Administrative Staff Report dated February 9, 2010

REPORT REVIEWED BY:

<input checked="" type="checkbox"/> EXECUTIVE COUNCIL	Review Date:	February 2010
<input checked="" type="checkbox"/> SUPERINTENDENT	Approval Date:	February 2010
<input checked="" type="checkbox"/> DIRECTOR OF EDUCATION:	Approval Date:	February 2, 2010

February 9, 2010

**Windsor-Essex Catholic District School Board
Administrative Staff Report**

Employee Name	Position	Date
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HIRING:

RESIGNATION:	Urquhart, Corinne	Occasional Teacher	January 21, 2010
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RETIREMENT:



1325 California Avenue
 Windsor, ON N9B 3Y6
 CHAIRPERSON: Fred Alexander
 DIRECTOR OF EDUCATION: Joseph Berthiaume

Meeting Date:
 February 9, 2010

BOARD REPORT

PRESENTED FOR: **Public** **In-Camera**
 Information Approval

PRESENTED BY: Senior Administration

SUBMITTED BY: Joseph Berthiaume, Director of Education
 Cathy Geml, Superintendent of Education
 Paul Picard, Superintendent of Education

SUBJECT: **ELEMENTARY MUSIC PROGRAM UPDATE**

RECOMMENDATION:

That the Board receive the Update of the Delivery of the Elementary Music Program report as information.

SYNOPSIS:

At the Committee of the Whole Board In-Camera meeting of February 10, 2009 consensus was reached that an administrative report be submitted to the Board providing details on the current music delivery models in schools. This report was provided to the Board at the Committee of the Whole Board In-Camera meeting on June 22, 2009. At that time, Senior Administration committed to providing the Board with ongoing updates in regard to changes to the music program.

BACKGROUND COMMENTS:

Senior Administrations' review of the music program was both from a Human Resources and Curriculum perspective. Members of Senior Administration met with the Principal who oversees the program and one of the longstanding teachers of the program. As a result of those meetings and a review of the program, adjustments were made to the delivery of the program for the 2009-10 school year. These changes included informing Principals that itinerant music teachers were to be teaching instrumental music for only Grades 7 & 8. A .5 Speciality teacher was assigned to the program to assist in establishing consistency of program delivery across the Board and an additional FTE itinerant music teacher was provided to support the program and provide consistency in the event that an itinerant music teacher was on an extended short-term leave.

To date, there are 8.5 itinerant music teachers. As part of the overall review of Speciality teachers the decision was made to incorporate instrumental music teachers into the Speciality teacher's allocation. This then provided immediate financial support to the program since historically this staff was unfunded. Furthermore, the reallocation of

instrumental music staff to the Speciality envelope allowed Senior Administration to explore expanded and alternative delivery models for music instruction.

Consistent with the Board's inclusionary model, 2 teachers were asked to pilot a music enrichment program to include initiatives such as, drumming, music appreciation, transition and retention activities (elementary to secondary), special education and the Arts.

This pilot is one among several Specialty pilots whose expressed goal is to systematically expand the delivery of Arts based innovative programming which is critical to improved student achievement and development of the whole person.

FINANCIAL IMPACT:

Within the staffing allocation through the funding model (Specialty).

TIMELINES: N/A

APPENDICES:

- None

REPORT REVIEWED BY:

- EXECUTIVE COUNCIL
- SUPERINTENDENT
- DIRECTOR OF EDUCATION:

Review Date: February 1, 2010

Approval Date: January 26, 2010

Approval Date: February 1, 2010



1325 California Avenue
 Windsor, ON N9B 3Y6
CHAIRPERSON: Fred Alexander
DIRECTOR OF EDUCATION: Joseph Berthiaume

Meeting Date:
 February 9, 2010

BOARD REPORT

Public **In-Camera**
PRESENTED FOR: Information Approval
PRESENTED BY: Senior Administration
SUBMITTED BY: Joseph Berthiaume, Director of Education
 Mario latonna, Superintendent of Business
SUBJECT: **LEGAL SERVICES – DECEMBER 2009**

RECOMMENDATION:

That the Board receive the report Legal Services – December 2009 as information.

SYNOPSIS:

By the terms of the agreement with the Board, the Board’s solicitor, Shibley Righton LLP, is required to report fees and services on a regular basis.

BACKGROUND COMMENTS:

This report is supported by documentation that has been provided to and reviewed by Senior Administration. Records provided indicate hourly rates, time billed, description of services and total amount invoiced.

FINANCIAL IMPACT:

For the month of December 2009 legal fees submitted are as follows:

*Real Estate and Property Matters	\$0.00
*Labour (incl. Grievances, Contract Administration and Arbitration)	\$2,212.50
*Litigation (inc. OLRB Hearings, Spec Ed., Human Rights and Safe School Issues)	\$0.00
*Contract Negotiations	\$0.00
*Other Misc. (On-going Legal Advice and Consultation)	\$12,233.50

TOTAL **\$14,466.00**

The above fees do not include disbursements and GST.

TIMELINES: N/A

APPENDICES: None

REPORT REVIEWED BY:

- EXECUTIVE COUNCIL
- SUPERINTENDENT
- DIRECTOR OF EDUCATION:

Review Date: January 25, 2010
Approval Date: January 25, 2010
Approval Date: January 25, 2010



1325 California Avenue
 Windsor, ON N9B 3Y6
 CHAIRPERSON: Fred Alexander
 DIRECTOR OF EDUCATION: Joseph Berthiaume

Meeting Date:
 February 9, 2010

BOARD REPORT

Public **In-Camera**

PRESENTED FOR: Information Approval

PRESENTED BY: Senior Administration

SUBMITTED BY: Joseph Berthiaume, Director of Education
 Mario latonna, Superintendent of Business

SUBJECT: **2010-11 BUDGET SCHEDULE**

RECOMMENDATION:

That the Board receive the report on the 2010-11 Budget Schedule as information.

SYNOPSIS:

In order to provide an orderly process for the preparation of the 2010-11 Budget, a proposed schedule has been developed.

BACKGROUND COMMENTS:

The proposed 2010-11 Budget Schedule is outlined in the attached Appendix A. It includes steps for soliciting input from school councils, committees and the general public. It also contains required consideration by the Audit Committee and the Board prior to ultimate approval of the budget by the Board.

FINANCIAL IMPLICATIONS:

Not applicable

TIMELINES:

Timelines are noted in the attached Appendix A.

APPENDICES:

Appendix A – 2010-11 Budget Schedule

REPORT REVIEWED BY:

<input checked="" type="checkbox"/> EXECUTIVE COUNCIL	Review Date:	February 1, 2010
<input checked="" type="checkbox"/> SUPERINTENDENT	Approval Date:	February 1, 2010
<input checked="" type="checkbox"/> DIRECTOR OF EDUCATION:	Approval Date:	February 2, 2010

APPENDIX A**2010-11 BUDGET SCHEDULE**

- March 8, 2010** - Executive Council review and establishment of 2010-11 preliminary enrolment forecast
- March 10, 2010** - commencement of budget preparation by administration
- May 3, 2010** - submission of draft budget to Executive Council for review and comment
- May 4, 2010** - provision of the draft budget to individual Trustees for review and comment
- May 12, 2010** - consideration of the draft budget by the Audit Committee
- approval by the Audit Committee to provide the draft budget to the Special Education Advisory Committee, school councils and the general public to solicit input
- May 17, 2010** - submission of the draft budget to the Special Education Advisory Committee, school councils and general public for review and comment
- June 4, 2010** - final day for receiving comments from all parties on the budget
- June 8, 2010** - consideration of the final draft budget by the Board
- June 22, 2010** - approval of the final budget by the Board
- June 25, 2010** - submission of the budget to the Ministry of Education
- October 31, 2010** - compilation of actual enrolments to be used in providing revised budget estimates to the Ministry of Education
- December 10, 2010** - submission of revised budget estimates, based on October 31, 2010 actual enrolments, to the Ministry of Education

NOTES:

1. Dates are tentative and are subject to change.
2. The Ministry has yet to establish timelines for submissions by Boards. The dates shown are based on the experience of prior years and may change once the Ministry announces the timelines applicable to the 2010-11 Budget.
3. The Ministry of Education is not expected to announce its grants for student needs and other budget targets for several weeks. These announcements may impact the budget schedule.



1325 California Avenue
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 CHAIRPERSON: Fred Alexander
 DIRECTOR OF EDUCATION: Joseph Berthiaume

Meeting Date: February 9, 2010
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BOARD REPORT

	Public	<input checked="" type="checkbox"/>	In-Camera	<input type="checkbox"/>
PRESENTED FOR:	Information	<input type="checkbox"/>	Approval	<input checked="" type="checkbox"/>

PRESENTED BY: Senior Administration

SUBMITTED BY: Joseph Berthiaume, Director of Education
 Cathy Geml, Superintendent of Education
 Paul Picard, Superintendent of Education

SUBJECT: 2010 SPRING MUSKOKA WOODS LEADERSHIP EXPERIENCE

RECOMMENDATION:

That the Board approve the *2010 Spring Muskoka Woods Leadership Experience* field trip.

SYNOPSIS: This report seeks Board approval to conduct the 2010 Spring Muskoka Leadership Experience at the Muskoka Woods Sports Resort. Two four-day sessions, planned to run from Friday, April 23 to Friday, April 30, 2010 will provide students an opportunity to develop leadership skills through physical challenges and recreation.

BACKGROUND COMMENTS: This trip is in relation to the students' program/courses. The curriculum connections are provided in the attachment: Muskoka Woods Leadership Experience (MWLE) Ontario Curriculum Connections.

The focus of the experience will be on the development of life skills such as leadership, communication, environmental and self-awareness, cooperation, self-confidence, self-esteem and effective decision-making.

The objectives of the program include:

- Promote the awareness and importance of youth participation in outdoor recreational activities (Healthy Active Living)
- Provide our students with the opportunity for leadership training and the development of cooperative skills (teamwork)
- Provide our students with the opportunity for personal growth and confidence through recreational activities
- Create a Christian environment that is supportive, encouraging and that challenges students and staff to "do their best"

The 2010 Spring Muskoka Woods Leadership Experience will accommodate 20 elementary schools and 8 secondary schools with a total of approximately 1000 students. The ratio of supervision is approximately 10 students per supervisor. The adequacy of the supervision for the students participating in this learning experience has been reviewed by the Superintendent of Education to ensure compliance with the criteria set out in Board Policy SC:04 Field Trips.

2010 Spring Muskoka Woods Leadership Experience Staff Community

- Muskoka Woods Staff
- WECD SB Teaching Staff
- Cardinal Carter Secondary Leadership Students
- Assumption Secondary Leadership Students
- F. J. Brennan Secondary Leadership Students
- Catholic Central Secondary Leadership Students
- Holy Names Secondary Leadership Students
- St. Anne Secondary Leadership Students
- St. Joseph’s Secondary Leadership Students
- St. Thomas of Villanova Secondary Leadership Students
- Father Jim Roche
- Windsor Paramedic Bike Patrol Association
- University of Windsor Students/Faculty of Education

FINANCIAL IMPACT:

The total cost which includes accommodations, meals, program fees and transportation are as follows:

Elementary Student:	\$395.00
Secondary Student:	1 session = \$180.05; 2 sessions = \$265.10
Teaching Staff &	
University Students:	\$145.00

TIMELINES:

Secondary Schools Leadership Community (Friday, April 23 to Friday, April 30, 2010)

St. Joseph, F.J. Brennan, Assumption, Cardinal Carter, St. Thomas of Villanova, St. Anne, Catholic Central, Holy Names.

1st Session (Saturday, April 24 to Tuesday, April 27, 2010)

Our Lady of Mount Carmel, Immaculate Conception, Holy Name Elementary, Notre Dame, Queen of Peace, St. Louis, Our Lady of Perpetual Help, St. John the Evangelist, St. Bernard (Windsor).

2nd Session (Tuesday, April 27 to Friday, April 30, 2010)

St. Francis, St. James, St. John, Holy Cross, St. Angela, Christ the King, St. Joseph Elementary, W.J. Langlois, St. Anne F/I, St. Bernard (A), L.A. Desmarais.

APPENDICES:

- Letter from the Muskoka Woods Leadership Experience Organizing Team, dated January 22, 2010.
- Muskoka Woods Leadership Experience (MWLE) Ontario Curriculum Connections
- Typical Daily Itinerary and “Bottom Line” Information Sheet

REPORT REVIEWED BY:

<input checked="" type="checkbox"/>	EXECUTIVE COUNCIL	Review Date:	February 1, 2010
<input checked="" type="checkbox"/>	SUPERINTENDENT	Approval Date:	February 1, 2010
<input checked="" type="checkbox"/>	DIRECTOR OF EDUCATION:	Approval Date:	February 1, 2010



January 22, 2010

Dear Mr. Berthiaume:

We are writing on behalf of the attached list of schools for permission to attend the Muskoka Woods Sports Resort. Our objectives include:

- promote the awareness and importance of youth participation in outdoor recreational activities
- provide our students with the opportunity for leadership training and the development of cooperative skills (teamwork)
- provide our students with the opportunity for personal growth and confidence through recreational activities
- create a Catholic Christian environment that is supportive, encouraging and that challenges students and staff to 'do their best'

This spring we are pleased to accommodate 20 elementary schools and 8 secondary schools with a total of approximately 1,100 students. Please find attached our Muskoka Woods Leadership Experience package and the *Request for Approval of Field Trip Forms* from the interested schools.

Our organizing team would be pleased to address any questions or concerns you may have pertaining to this request.

Thank you for your time and consideration!

Sincerely,

The Team

Paul Picard

Cathy Geml

Therese Barichello

Dean Favero

Steve Freeman

Jim McMahon

Gregory Peck

Our Muskoka Community #1

Saturday, April 24th to Tuesday, April 27th

Our Lady of Mount Carmel
Immaculate Conception
Holy Name
Notre Dame
Queen of Peace
St. Louis
Our Lady of Perpetual Help
St. John the Evangelist
St. Bernard (Windsor)

Our Muskoka Community #2

Tuesday, April 27th to Friday, April 30th

St. Francis
St. James
St. John
Holy Cross
St. Angela
Christ the King
St. Joseph
W. J. Langlois
St. Anne
St. Bernard (A)
L. A. Desmarais

Our Muskoka Staff Community

Friday, April 23rd to Friday, April 30th

Muskoka Woods Staff
WECD SB Teaching Staff
1st session Leadership Students - April 23rd to April 27th
St. Joseph's Secondary Leadership Students
F.J. Brennan Secondary Leadership Students
Assumption Secondary Leadership Students
Cardinal Carter Secondary Leadership Students
St. Thomas of Villanova Secondary Leadership Students
2nd session Leadership Students - April 26th to April 30th
St. Joseph's Secondary Leadership Students
F.J. Brennan Secondary Leadership Students
St. Anne's Secondary Leadership Students
Catholic Central Secondary Leadership Students
Holy Names Secondary Leadership Students

Father Jim Roche
Windsor Paramedic Bike Patrol Association
University of Windsor Students

Total Cost Per Student/Staff

Elementary Students - 3 nights/4 days

Accommodations, meals and program fees per student	\$300.00
Transportation via highway coach	\$95.00
Total cost per student	\$395.00

Secondary Students - 1 session

Accommodations, meals and program fees per student	\$85.05
Transportation via highway coach	\$95.00
Total cost per student	\$180.05

Secondary Students - 2 sessions

Accommodations, meals and program fees per student	\$170.10
Transportation via highway coach	\$95.00
Total cost per student	\$265.10

Teaching Staff

Accommodations, meals and fun	\$50.00
Transportation via highway coach	\$95.00
Total cost per staff/University students	\$145.00

Muskoka Woods Leadership Experience (MWLE) Ontario Curriculum Connections

Health & Physical Education Ontario Curriculum

Physical Activity - the MWLE experience is designed to help students learn how to participate in a wide variety of activities, while developing the personal movement proficiency necessary to enjoy life fully.

Active Living - the MWLE focuses on active participation, physical fitness, and safety. It addresses the knowledge and skills related to lifelong participation in a variety of sport and recreation activities.

Living Skills - the MWLE helps students develop a positive "sense of self", as well as effective decision making, conflict resolution, communication, and interpersonal skills.

Choices Into Action: Guidance and Career Education Program Policy for Ontario Elementary and Secondary Schools

"Students must learn and develop skills at school that will help them become more independent and responsible individuals."

The MWLE is designed to develop leadership & cooperative skills in order to be successful in the twenty-first century.

- Students must be able to apply what they learn in school to other areas of their lives.
- Students must learn to work cooperatively and productively with a wide range of people, to set and pursue goals, to evaluate their achievement of their goals, and to assume their roles as responsible citizens.
- Students must be provided with many opportunities to practice new skills in a structured and supportive 'Catholic Christian' setting.

A Muskoka Day



- 6:00 a.m. Fresh air BUGLE Wake-Up/grooming/cabin cleaning and inspection
- 8:00 a.m. Prayer, hearty breakfast & morning announcements
- 9:00 a.m. Activity period #1
- 10:00 a.m. Activity period #2
- 11:00 a.m. Activity period #3
- 12:00 p.m. Activity period #4
- 1:00 p.m. Prayer, lunch & afternoon announcements
- 2:00 p.m. Activity period #5
- 3:00 p.m. Activity period #6
- 4:00 p.m. Activity period #7
- 5:00 p.m. Activity period #8
- 6:00 p.m. Prayer, dinner & evening announcements
- 7:30 p.m. Evening program
- 9:30 p.m. **HOMEWORK** & snack
- 11:00 p.m. Lights out!!!



1325 California Avenue
 Windsor, ON N9B 3Y6
 CHAIRPERSON: Fred Alexander
 DIRECTOR OF EDUCATION: Joseph Berthiaume

Meeting Date:
 February 9, 2010

BOARD REPORT

Public **In-Camera**

PRESENTED FOR: Information Approval

PRESENTED BY: Senior Administration

SUBMITTED BY: Joseph Berthiaume, Director of Education
 Linda Staudt, Superintendent of Education
 Colleen Norris, Manager of Human Resources & Policy Development

SUBJECT: **POLICY DEVELOPMENT AND REVIEW:**

- **AMENDED POLICY ST: 05 STUDENT DISCIPLINE POLICY**
- **AMENDED POLICY SC: 18 BULLYING PREVENTION AND INTERVENTION**

RECOMMENDATION:

That the Board provide final approval to Draft Amended Board Policies ST: 05 Student Discipline Policy and SC: 18 Bullying Prevention and Intervention;

and, that the Board receive amended administrative procedures Pr ST: 05 Student Discipline Procedures and Pr SC: 18 Strategies for Bullying Prevention and Intervention as information.

SYNOPSIS: Final approval is requested of draft amended Policy Board Policies *ST:05 Student Discipline Policy* and *SC:18 Bullying Prevention and Intervention*, as previously approved in principle by the Board of Trustees on January 26, 2010.

BACKGROUND COMMENTS: The draft policies represent a revision to existing Board Policies *ST:05 Student Discipline Policy* and *SC:18 Bullying Prevention and Intervention*. Draft amended Policy ST: 05 Student Discipline Policy incorporates recent amendments made to the Education Act (re: *Keeping Our Kids Safe at School Act, 2009*) and fulfills the directives set out within the Ministry’s Policy/Program Memorandum No. 145, as revised October 19, 2009. Draft amended Policy SC: 18 Bullying Prevention was prepared after consideration of PPM 144 Bullying Prevention and Intervention, as revised October 19, 2009.

The full text of the draft policies were presented to the Board and approved in principle on January 26. The draft policies were circulated and posted for public input on December 18, 2009 and remain posted to the Board’s public web site under “Current Draft Policies”.

Out of the feedback process, minor amendments have been made for grammar and clarification to Policy ST: 05 as approved in principle. Additional language was added to article 3.7 of Draft Policy ST: 05 to provide for the filing of a Board report summarizing the results of the school climate surveys conducted in a school year. There have been no amendments made to Policy SC: 18 as approved in principle.

The attached supporting administrative procedures are presented as information and will be implemented upon final approval of the amended policy. The procedure reflects changes in current practice and includes amendments that will ensure a fair and efficient process that complies with the principles and directives approved by the Board within the new amended policy.

FINANCIAL IMPACT: The Ministry of Education has committed funds to the in-servicing of Board staff on their obligations under the new safe schools legislative requirements.

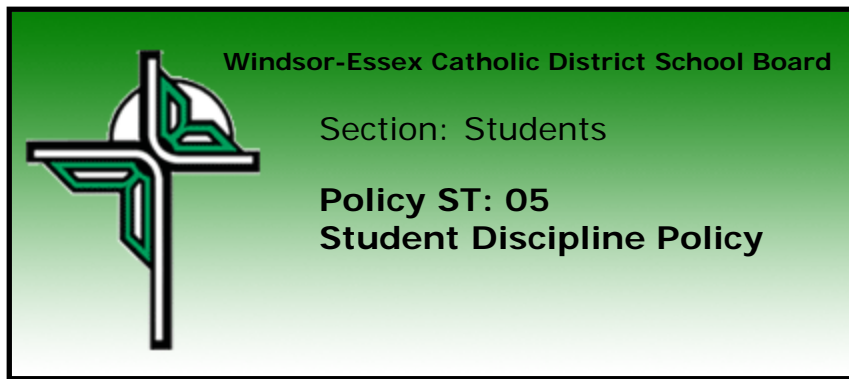
TIMELINES: Immediate implementation upon final Board approval.

APPENDICES:

- Draft Policy ST: 05 Student Discipline Policy
- Administrative Procedures Pr ST:05 Student Discipline Policy and PR SC:18 Strategies for Bullying Prevention and Intervention
- There have been no amendments made to Draft Policy SC: 18 Bullying Prevention & Intervention as approved in principle, and the draft remains posted to the Board’s public web site at www.wecdsb.on.ca.

REPORT REVIEWED BY:

<input checked="" type="checkbox"/>	EXECUTIVE COUNCIL	Review Date:	February 1, 2010
<input checked="" type="checkbox"/>	SUPERINTENDENT	Approval Date:	February 1, 2010
<input checked="" type="checkbox"/>	DIRECTOR OF EDUCATION:	Approval Date:	February 1, 2010



POLICY:	ST: 05
EFFECTIVE:	Jan. 29, 2008
AMENDED:	
RELATED POLICIES:	Detailed in references section 6.0
REPEALS:	
REVIEW DATE:	2013-2014

DRAFT

1.0 Objectives

- 1.1 To meet the goal of creating a safe, caring, and accepting school environment by supporting the use of positive practices as well as consequences for inappropriate behaviour, including progressive discipline, which includes suspension and expulsion where necessary.

2.0 Guiding Principles

- 2.1 The Provincial Code of Conduct, the Windsor-Essex Catholic District School Board Code of Conduct and the *Education Act* create expectations for behaviour for all persons on school property.
- 2.2 It is important that all pupils have a safe, caring and accepting school environment in order to maximize their learning potential and to ensure a positive school climate for all members of the school community.
- 2.3 Pursuant to the *Education Act*, principals are required to maintain proper order and discipline in schools, and pupils are responsible to the principal for their conduct and are required to accept such discipline as would be exercised by a reasonable, kind, firm and judicious parent.
- 2.4 The Board does not support discipline measures that are solely punitive. Schools are encouraged to implement proactive positive practices and corrective supportive practices when necessary.

3.0 Specific Directives

Positive Practices:

- 3.1 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 students to reach their full potential, the Board supports the use of positive practices for: (1) prevention, and (2) positive behaviour management.

Policy ST: 05 Student Discipline Policy

- 3.2 Preventative practices include:
- Anti-bullying and violence prevention programs;
 - Mentorship programs;
 - Student success strategies;
 - Catholic Character education;
 - Citizenship development;
 - Student leadership; and
 - Healthy lifestyles.
- 3.3 Positive behaviour management practices include:
- Program modifications or accommodations;
 - Class placement;
 - Positive encouragement and reinforcement;
 - Individual, peer and group counseling;
 - Conflict resolution;
 - Mentorship programs;
 - Sensitivity programs;
 - Safety Plans;
 - Student Behaviour Support Plans
 - School, Board and community support programs;and
 - Student success strategies;
- 3.4 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 consequences.
- 3.5 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 Ministry of Education direction and PPM 145, will be applied, if appropriate.

Prevention and Awareness Raising:

- 3.6 In order to promote a positive school climate, the Board must provide opportunities for all members of the school community to increase their knowledge and understanding of such issues as homophobia, gender-based violence, sexual harassment, inappropriate sexual behaviour, critical media literacy, and safe Internet use.
- 3.7 Schools shall conduct anonymous school climate surveys of their students, staff and parents every two years. The surveys must include questions on bullying/harassment related to homophobia, gender-based violence, and sexual harassment. The survey results must be shared with safe schools teams and be used to build strategies into the school improvement plan to improve the school climate. The results shall also be shared with the school's Superintendent of Education/Assistant Superintendent and a report shall be provided as information to the Board at the end of each school year in which surveys are conducted summarizing the results of the surveys.

Reporting and Responding to Incidents:

Policy ST: 05 Student Discipline Policy

- 3.8 Administration shall develop procedures to ensure that all employees of the board who become aware that a student may have engaged in an activity that must be considered for suspension or expulsion under subsection 306 (1) or 310 (1) of the Education Act report the matter to the principal as soon as reasonably possible.
- 3.9 Board employees who work directly with students – including administrators, teachers, and non-teaching staff (including staff in social work, child and youth work, psychology, and related areas, and educational assistants) – must respond as required under the Education Act and regulations to student behaviour that is likely to have a negative impact on the school climate. Such behaviour includes all inappropriate and disrespectful behaviour at any time at school and at any school-related event if, in the employee’s opinion, it is safe to respond to it. Such inappropriate behaviour may involve swearing, homophobic or racial slurs, sexist comments or jokes, graffiti, or vandalism, and behaviour identified under sections 306 and 310 of the Education Act.

Supports for Students:

- 3.10 All employees of the Board must take seriously all allegations of gender-based violence, homophobia, sexual harassment, and inappropriate sexual behaviour, and act in a timely, sensitive, and supportive manner.
- 3.11 Administration shall develop procedures to ensure that principals notify parents of victims of serious student incidents when it is permissible and required under the Education Act and its regulations.

Progressive Discipline:

- 3.12 The goal of this policy, with respect to progressive discipline, is to support a safe learning and teaching environment in which every pupil can reach his or her full potential. Appropriate action must consistently be taken by schools to address behaviours that are contrary to provincial and Board Codes of Conduct. Gender-based violence, sexual harassment, and inappropriate sexual behaviour must be addressed.
- 3.13 Progressive discipline is an approach that makes use of a continuum of interventions, supports, and consequences, building upon strategies that promote positive behaviours. The range of interventions, supports, and consequences used by the Board and all schools must be clear and developmentally appropriate, and must include learning opportunities for pupils in order to reinforce positive behaviours and help pupils make good choices. For pupils with special education and/or disability related needs, interventions, supports and consequences must be consistent with the expectations in the student’s IEP, safety plan and/or his/her demonstrated abilities.
- 3.14 The Board, and school administrators, must consider all mitigating and other factors, as required by the *Education Act* and as set out in Ontario Regulation 472/07.
- 3.15 Progressive discipline may include early and/or ongoing intervention strategies, such as:
- Contact with the pupil’s parent(s)/guardian(s);
 - Verbal reminders;

 Policy ST: 05 Student Discipline Policy

- Review of expectations;
 - Written work assignment with a learning component;
 - Volunteer service to the school community;
 - Peer mentoring;
 - Referral to counseling;
 - Conflict mediation and resolution; and/or
 - Consultation.
- 3.16 Progressive discipline may also include a range of interventions, supports and consequences when inappropriate behaviours have occurred, with a focus on improving behaviour, such as one or more of the following:
- Meeting with the pupil's parent(s)/guardian(s), pupil and principal;
 - Referral to a community agency for anger management or substance abuse counseling;
 - Detentions;
 - Withdrawal of privileges;
 - Withdrawal from class;
 - Restitution for damages;
 - Restorative practices; and/or
 - Transfer
- 3.17 The Board shall not support discipline measures that are solely punitive or use exclusion (section 265 (l) (m) of the Education Act) as a disciplinary measure. If a principal does decide that it is necessary to exclude a student from a school or classroom because the student's presence in the school or classroom would, in the principal's judgment, be detrimental to the physical or mental well-being of the pupils, the principal's actions shall be in accordance with the Education Act and must be consistent with the Human Rights Code. The Principal shall notify the student's parents of the exclusion as soon as possible in the circumstances, and inform them of their right to appeal under clause 265 (l) (m).
- 3.18 When addressing inappropriate behaviour, school staff should consider the particular pupil and circumstances, including any mitigating and other factors as set out in the Student Discipline Procedures, the nature and severity of the behaviour, and the impact on the school climate. Before applying disciplinary measures, the principal/designate and/or Discipline Committee of the Board shall consider the discriminatory impacts of decisions on pupils protected by the Human Rights Code, including but not limited to the impact to those students who may face discrimination based on race and disability, and whether or not accommodation is required.
- 3.19 The Board also supports the use of suspension and expulsion as outlined in Part XIII of the *Education Act* where a pupil has committed one or more of the 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.

Suspension:

- 3.20 The infractions for which a suspension may be imposed by the principal include:
1. Uttering a threat to inflict serious bodily harm on another person;

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2. Possessing alcohol, illegal and/ or restricted drugs;
 3. Being under the influence of alcohol;
 4. Swearing at a teacher or at another person in a position of authority;
 5. Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school;
 6. Bullying;
 7. Any act considered by the principal to be injurious to the moral tone of the school;
 8. Any act considered by the principal to be injurious to the physical or mental well-being of members of the school community; or
 9. Any act considered by the principal to be contrary to the Board or school Code of Conduct.
- 3.21 A pupil may be suspended only once for an infraction and may be suspended for a minimum of one (1) school day and a maximum of twenty (20) school days. Any such infractions which a board staff member or transportation provider becomes aware must be reported to the principal or designate in accordance with Board procedures.

Mitigating and Other Factors:

- 3.22 Before imposing a suspension, the principal, as required by the *Education Act*, must consider any mitigating and other factors as set out in the Student Discipline Procedures. For the purpose of the Student Discipline Procedures, the Board interprets the provisions of the *Education Act* and Regulations in a broad and liberal manner consistent with the *Human Rights Code*.

Expulsion:

- 3.23 The infractions for which a principal may consider recommending to the Board that a pupil be expelled from the pupil's school or from all schools of the Board include:
1. Possessing a weapon, including possessing a firearm;
 2. Using a weapon to cause or to threaten bodily harm to another person;
 3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
 4. Committing sexual assault;
 5. Trafficking in weapons, illegal, or restricted drugs;
 6. Committing robbery;
 7. Giving alcohol to a minor;
 8. 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;
 9. A pattern of behaviour that is so inappropriate that the pupil's continued presence is injurious to the effective learning and/or working environment of others;
 10. Activities engaged in by the pupil on or off school property that cause the pupil's continuing presence in the school to create an unacceptable risk to the physical or mental well-being of other person(s) in the school or Board;
 11. Activities engaged in by the pupil on or off school property that have caused extensive damage to the property of the Board or to goods that are/were on Board property;

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12. The pupil has demonstrated through a pattern of behaviour that s/he has not prospered by the instruction available to him or her and that s/he is persistently resistant to making changes in behaviour which would enable him or her to prosper; or
13. Any act considered by the principal to be a serious violation of the Board or school Code of Conduct;
14. Where a student has no history or discipline or behaviour intervention, or not relevant history, a single act, incident or infraction considered by the principal to be a serious violation of the expectations of student behaviour and/or a serious breach of the Board or school Code of Conduct.

Any such infractions about which a board staff member or transportation provider becomes aware must be reported to the principal or designate in accordance with Board procedures.

Mitigating Factors and Other Factors:

- 3.24 Before imposing a suspension pending an investigation to determine whether to recommend expulsion, the principal must consider any mitigating factors as set out in the Student Discipline Procedures.
- 3.25 If the principal imposes a suspension pending an investigation to determine whether to recommend expulsion, the Principal must consider any mitigating and other factors as set out in the Student Discipline Procedures in determining whether to recommend an expulsion from the pupil's school or from all schools of the Board, as required by the *Education Act*. If the principal determines it is not appropriate to recommend an expulsion, the principal must consider mitigating and other factors in deciding whether to shorten the length of the suspension.
- 3.26 For the purpose of the Student Discipline Procedures, the Board interprets the provisions of the *Education Act* and Regulations in a broad and liberal manner consistent with the *Human Rights Code*.

Principal Investigation:

- 3.27 Before recommending an expulsion from the pupil's school or from all schools of the Board, the principal must complete an investigation, as required by the *Education Act*, which is consistent with the expectations for principal investigations outlined in the Board's Student Discipline Procedures.

Appeal:

- 3.28 Where a pupil's parent/guardian or the pupil, if 18 or older, or 16 or 17 and has removed him/herself from parental control, disagrees with the decision of a principal to suspend the pupil that pupil's parent/guardian or the pupil, if 18 or older, or 16 or 17 and removed from parental control, may appeal the principal's decision to suspend the pupil, in accordance with the Board's Student Discipline Procedures and Suspension Appeal Guidelines.

Policy ST: 05 Student Discipline Policy

- 3.29 Suspension appeals will not be conducted in accordance with or be subject to the *Statutory Powers Procedure Act*.

Superintendent Responsible for Student Discipline:

- 3.30 The Superintendent Responsible for Student Discipline shall have the powers and duties outlined in the Student Discipline Procedures.

Discipline Committee:

- 3.31 The Board authorizes the creation of two Discipline Committees. Committee "A" shall decide appeals of principal suspensions and principal recommendations for expulsion arising out of county schools. Committee "A" shall be composed of three (3) Trustees elected within the City of Windsor to the WECDSB. Committee "B" shall decide appeals of principal suspensions and principal recommendations for expulsion arising out of schools located in the City of Windsor. Committee "B" shall be composed of three (3) Trustees elected within the County of Essex to the WECDSB. For these purposes, the Discipline Committees will conduct the suspension appeals and expulsion hearings in accordance with the Student Discipline Procedures, Suspension Appeal Guidelines, Expulsion Hearing Guidelines and Rules.
- 3.32 In all cases where consequences might be imposed, teachers, administrators and the Board will consider the safety and dignity of all pupils, and the impact of the activity on the school climate.
- 3.33 The Discipline Committee shall have the powers as set out in the *Education Act* and any other powers to implement any appropriate Order.

Authorization for Creation of Procedures:

- 3.34 This policy authorizes the creation of procedures for implementation, which shall be considered guidelines pursuant to the *Education Act*.

Review and Development of Programs for Expelled Students and Those on Long-Term Suspension:

- 3.35 Programs for expelled students or for those on a long-term suspension shall be reviewed and developed to allow students an opportunity to continue their education while they are away from their home school. The programs shall address the needs of all students across the jurisdiction equitably. They shall take into account local needs and circumstances such as geographical considerations, demographics, cultural needs and availability of board and community support services.
- 3.36 The programs shall provide an academic component for any student that is serving a suspension of 6 days or more and shall provide an academic and non-academic component to any student that is serving a suspension of 11 days or more, or is on a full expulsion.
- 3.37 The board shall access evidence-based practices that promote positive student behaviour.

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- 3.38 A Student Action Plan shall be developed for every student who makes a commitment to attend a board program for suspended students or a program for expelled students (as applicable).
- 3.39 The program will maintain a comprehensive and on-going connection with the home school and provide for parental/guardian involvement whenever possible.

Delegation of Authority Regarding Discipline

- 3.40 A principal may delegate some disciplinary responsibilities to a vice-principal and/or teacher of the school in accordance with the Education Act, Ministry of Education policies, and Board policies/procedures.

School-Level Plans

- 3.41 All schools must develop and implement a school-wide progressive discipline plan. The plan must be consistent with legislation, Ministry guidelines, and Board policy and procedure.

4.0 Responsibility

- 4.1 The Director of Education shall be responsible for the implementation of this policy.
- 4.2 The Director shall put in place a training strategy on the Board's Student Discipline policy for all administrators, teachers, and non-teaching staff, and shall work with the Windsor-Essex County Children's Aid Society to develop and implement annual training for Board staff concerning their duty to report under the Child and Family Services Act.

5.0 Review and Evaluation

- 5.1 The programs for students under long-term suspension and for expelled students shall be monitored, reviewed and evaluated for effectiveness on an annual basis.
- 5.2 Schools should address gender-based violence, homophobia, sexual harassment, and inappropriate behaviour in their school improvement plans and shall evaluate the effectiveness of their safe schools policies and programs through the use of school climate surveys, ~~which must be undertaken at least every two years. The results of the surveys must be shared with the schools' Safe Schools Teams.~~ as set out in article 3.7 of this Policy.
- 5.3 This policy shall be reviewed during the 2013–2014 policy review cycle.

6.0 References

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

 Policy ST: 05 Student Discipline Policy

Ontario Regulation 181/98 Identification and Placement of Exceptional Pupils

Ontario Regulation 472/07 Suspension and Expulsion of Pupils

Ontario Regulation 474/07 Access to School Premises

Ontario Regulation 181/98 Identification and Placement of Exceptional Pupils

Ministry of Education Policy/Program Memorandum No. 119 Developing and Implementing Equity and Inclusive Education Policies in Ontario's Schools, 2009

Ministry of Education Policy/Program Memorandum No. 141 School Board Programs for Students on Long-Term Suspension

Ministry of Education PPM No. 142 School Board Programs for Expelled Students

Ministry of Education PPM No. 145 Progressive Discipline and Promoting Positive Student Behaviour

Ministry of Education PPM No. 128, The Provincial Code of Conduct and School Board Code of Conduct

Ministry of Education PPM No. 144 Bullying Prevention and Intervention

Ministry of Education PPM No. 119 Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools

Ontario First Nation, Métis, and Inuit Education Policy Framework, 2007

English Language Learners: ESL and ELD Programs and Services, 2007

Related Board Policies/Procedures:

A: 14 Antiracism and Ethno Cultural Equity

A: 20 Transportation Policy/Procedures

B: 06 Access to School Premises

B: 01 Smoke Free Schools and Sites

B: 05 Property Damage/Vandalism/Theft

H: 19 Violence Prevention in the Workplace and Program for Violence Prevention

SC: 03 Acceptable Use of the Internet (students)

SC: 04 Field Trips Policy/Procedure

SC: 15 Code of Conduct

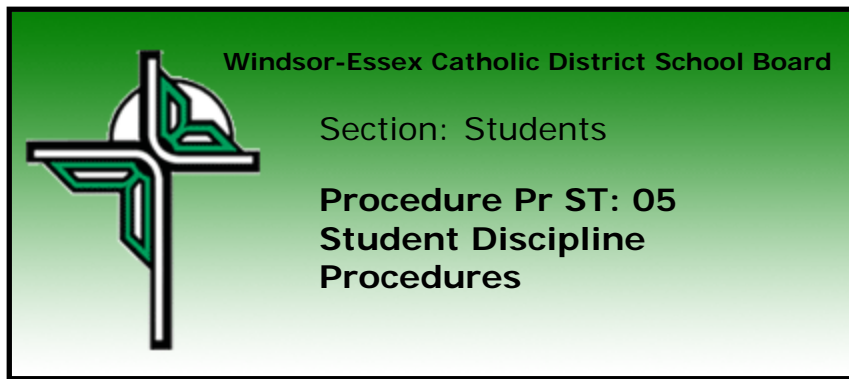
SC: 18 Bullying Prevention and Intervention Policy /Procedure

ST: 04 Attendance and Punctuality

Pr ST: 05 Student Discipline Procedure

ST: 18 Physical Intervention

ST: 19 Appropriate Dress



DRAFT

PROCEDURE:	Pr ST:05
EFFECTIVE:	Feb. 1, 2008
AMENDED:	June 10, 2008 (ss.5.10-5.12)
RELATED POLICIES:	(see references, Policy ST:05)
REPEALS:	
REVIEW DATE:	2013-2014

1.0 Definitions

1.1 The following definitions apply for the purposes of pupil discipline:

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

Board Expulsion – is an expulsion from all schools of the Board.

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.

Discipline Committee – a committee of three (3) or more Trustees designated to determine suspension appeals and recommendations for expulsion.

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

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.

Impact on School Climate - an incident or activity, which has a negative or positive impact on the school community.

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

 Procedure Pr ST: 05 Student Discipline Procedures

School Community - the school community is composed of staff, pupils, parents, and pupils 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.

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.

2.0 Progressive Discipline

- 2.1 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.
- 2.2 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.
- 2.3 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.
- 2.4 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 disability 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 or Behaviour Management Plan.
- 2.5 Progressive discipline includes the use of early and ongoing intervention strategies and strategies to address inappropriate behaviour. Pupils' parent(s)/guardian(s) should be actively engaged in the progressive discipline approach.

Early and Ongoing Intervention Strategies

- 2.6 A teacher or the principal or designate, as appropriate, may utilize 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;

 Procedure Pr ST: 05 Student Discipline Procedures

- 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 counseling; and/or
 - Consultation.
- 2.7 In all cases where ongoing intervention strategies are used, the pupil's parents/guardians should be consulted.
- 2.8 The teacher, principal or designate should keep a record for each pupil with whom intervention strategies are utilized. The record should include:
1. Name of the pupil;
 2. Date of the incident or behaviour;
 3. Nature of the incident or behaviour;
 4. Progressive discipline approach used;
 5. Outcome; and/or Contact with the pupil's parent/guardian (unless the pupil is an adult pupil).

Addressing Inappropriate Behaviour

- 2.9 If a pupil has engaged in inappropriate behaviour the principal or designate 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.
- 2.10 Inappropriate behaviour includes any behaviour that disrupts the positive school climate and/or has a negative impact on the school community.
- 2.11 Inappropriate behaviour may also include, but is not limited to, one of the following infractions for which a suspension may be imposed:
1. Any act considered by the principal to be injurious to the moral tone of the school;
 2. Any act considered by the principal to be injurious to the physical or mental well-being of any member of the school community; and
 3. Any act considered by the principal to be contrary to the Board or school Code of Conduct.
- 2.12 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.
- 2.13 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, counseling/intervention;

 Procedure Pr ST: 05 Student Discipline Procedures

- Detentions;
- Withdrawal of privileges;
- Withdrawal from class;
- Restitution for damages;
- Restorative practices; and
- Transfer with support.

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

Factors to Consider Before Deciding to Utilize a Progressive Discipline Approach to Address Inappropriate Behaviour

- 2.15 In all cases where progressive discipline is being considered to address an inappropriate behaviour, the principal or designate must:
1. Consider the particular pupil and circumstances, including considering the mitigating or other factors;
 2. Consider the nature and severity of the behaviour;
 3. Consider the impact of the inappropriate behaviour on the school climate; and
 4. Consult with the pupil's parent(s)/guardian (unless the pupil is an adult pupil).

Mitigating Factors

- 2.16 The mitigating factors to be considered by the principal before deciding whether to use a progressive discipline approach to address the inappropriate behaviour are:
1. Whether the pupil has the ability to control his or her behaviour;
 2. Whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour; and
 3. 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.

2.17 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, ethnic origin, place of origin, religion, creed, disability, gender or gender identity, sexual orientation or harassment for any other reason;
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 disability related needs,
 - a) Whether the behaviour causing the incident was a manifestation of the pupil's disability;
 - b) Whether appropriate individualized accommodation has been provided; and

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- c) 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; and
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.

Record

- 2.18 The principal or designate should keep a record for each pupil with whom progressive discipline approach(es) are utilized. The record should include:
 1. Name of the pupil;
 2. Date of the incident or behaviour;
 3. Nature of the incident or behaviour;
 4. Considerations taken into account;
 5. Progressive discipline approach used;
 6. Outcome; and
 7. Contact with the pupil's parent/guardian (unless the pupil is an adult pupil).

3.0 Responding to Incidents

- 3.1 Board employees who work directly with students – including administrators, teachers, and non-teaching staff, including staff in social work, child and youth work, psychology, and related areas, and educational assistants must respond to student behavior that is likely to have a negative impact on the school climate. Such behavior includes all inappropriate and disrespectful behavior at any time at school and at any school-related event if, in the employee's opinion, it is safe to respond to it. Such inappropriate behavior may involve swearing, homophobic or racial slurs, sexist comments or jokes, graffiti, or vandalism, and behavior identified under sections 306 and 310 of the Education Act.
- 3.2 Responding may include asking a student to stop the inappropriate behaviour; naming the type of behavior and explaining why it is inappropriate and/or disrespectful; and asking the student to correct the behavior (e.g. to apologize for a hurtful comment and/or to rephrase a comment) and to promise not to do it again. By responding in this way, board employees immediately address inappropriate student behavior that may have a negative impact on the school climate. When board employees are aware that an incident involves a student with special education needs, they are expected to respond in a way that is appropriate.
- 3.3 Board employees are not required to respond to incidents when, in their opinion, responding would cause immediate physical harm to themselves or to a student or another person. However, for incidents for which suspension or expulsion must be considered, board employees must report these to the principal and confirm their report in writing (Appendix 1). For other incidents, where suspension or expulsion would not be considered but board employees feel it is not safe to respond, they will be expected to inform the principal verbally as soon as possible. For example, a

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board employee would not be required to respond if it would mean having to leave a student with special needs who would be in danger if left alone.

Reporting to Principals:

- 3.4 Any employee of the board or transportation provider who becomes aware that a student at a school may have engaged in an activity for which suspension or expulsion must be considered, must report the matter to the principal as soon as reasonably possible. The employee must consider the safety of others and the urgency of the situation in reporting the incident, but, in any case, must report it to the principal no later than the end of the school day or the end of the transportation run, if a transportation provider. In cases where an immediate action is required, a verbal report to the principal may be made, but a written report must be made within the prescribed form (see template letter as Appendix 1) when it is safe to do so.
- 3.5 The principal must provide the person who submitted the report with a written acknowledgement of receipt on the “Safe Schools Incident Reporting Form – Part II (Appendix 1) and must specify whether action has been taken or no action is required. If no further action is taken by the principal, he or she is not required to retain the report, and should destroy it. Information that could identify the student(s) involved must not be part of the acknowledgement. Each report will be assigned a report number.
- 3.6 If the principal has decided that action must be taken as a result of any incident he or she will file a copy of the reporting form, with documentation indicating the action taken, in the OSR of the student whose behaviour was inappropriate. The names of all other students that appear on the form – both aggressors and victims- must be removed from the form before it is filed in the OSR. Where the principal has taken action in the case of more than one student, a copy of the reporting form must be placed in the OSR of each student whose behavior was inappropriate, removing the names of other students.
- 3.7 In the case of the victim of an incident, no information should be placed in his or her OSR, unless the victim or parent of the victim expressly requests that it be placed in the OSR.
- 3.8 In situations where the victim is also an aggressor and the principal has taken some action short of suspension, no information about the incident must be placed in the student’s OSR, if the principal has decided not to notify the student’s parents. However, if the principal has notified the parents, information regarding the incident and the action taken will be placed in the OSR.
- 3.9 The form and documentation must be kept in the OSR for a minimum of one year.

4.0 Supports for Students

- 4.1 All Board employees must take seriously all allegations of gender-based violence, homophobia, sexual harassment, and inappropriate sexual behavior, and act in a timely, sensitive, and supportive manner.

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- 4.2 Board employees who work directly with students are expected to support all student, including those who disclose or report such incidents, by providing them with contact information about professional supports (e.g. public health units, community agencies, help phone lines) and also by making this information readily available to students who wish to discuss issues of healthy relationships, gender identity, and sexuality.
- 4.3 If a principal believes that a pupil of the school has been harmed as a result of an activity described in sections 306 (1) or 310 (1) of the Education Act, the principal shall, as soon as reasonably possible, notify the parent or guardian of the pupil, subject to the following :
- i. A principal shall not, without the pupil's consent, notify a parent or guardian of a pupil who is 18 years old or 16 or 17 years old and has withdrawn from parental control.
 - ii. A principal shall not notify a parent or guardian of a pupil if in the opinion of the principal doing so would put the pupil at risk of harm from a parent or guardian of the pupil, such that the notification is not in the pupil's best interest.
- 4.4 When a principal has decided not to notify parents of a victim, he or she must document the reason for the decision and notify both the staff member who reported the incident and the appropriate supervisory officer of this decision. Principals shall also, if they determine it is appropriate to do so, inform other board employees of the decision. The principal shall ensure that supports are in place for the student including referrals to a community agency that can provide the appropriate confidential support when the students parents are not called.
- 4.5 In circumstances where board employees have reason to believe that a student may be in need of protection, board employees must call the Windsor-Essex County Children's Aid Society according to the requirements of the Child and Family Services Act.
- 4.6 When the principal determines that it is necessary to separate students to preserve school safety or to protect a student, it is preferable that the victim not be moved. To support students who are moved to another school, a transition strategy should be put in place to identify supports that the student may require. The strategy should include a meeting between the schools, involving the teacher and appropriate non-teaching staff at the receiving school. The student and his or her parent should be invited to the meeting. All participants must be made aware of the confidentiality requirements with respect to the information regarding the student and the incident disclosed at the meeting.
- 4.7 If a parent is not satisfied with the supports received by his or her child who has been a victim of a serious student incident, he or she should contact the school principal with his or her concerns. If those concerns are not adequately addressed, the parent should then contact the Superintendent of Education.

5.0 Suspension of Pupils

Suspension Infractions

- 5.1 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 will consider whether that pupil should be suspended, taking into account any mitigating and other factors that might be applicable in the circumstances.
- 5.2 The principal will also contact the police consistent with the Police and School Response Protocol if the infraction the pupil is suspected of committing requires such contact. When in doubt, the principal will consult with his or her Superintendent.
- 5.3 The infractions for which a suspension may be imposed by the principal include:
1. Uttering a threat to inflict serious bodily harm on another person;
 2. Possessing alcohol or illegal and/or restricted drugs;
 3. Being under the influence of alcohol;
 4. Swearing at a teacher or at another person in a position of authority;
 5. Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school;
 6. Bullying;
 7. Any act considered by the principal to be injurious to the moral tone of the school;
 8. Any act considered by the principal to be injurious to the physical or mental well-being of any member of the school community; or
 9. Any act considered by the principal to be contrary to the Board or school Code of Conduct.
- 5.4 A pupil may be suspended only once for an infraction and may be suspended for a minimum of one (1) school day and a maximum of twenty (20) school days.

Factors to Consider Before Deciding to Impose a Suspension

- 5.5 Before deciding whether to impose a suspension, or some other form of discipline, a Principal will make every effort to consult with the pupil, where appropriate, and the pupil's parent/guardian to identify whether any mitigating or other factors might apply in the circumstances.

Mitigating Factors

- 5.6 The mitigating factors to be considered by the principal before deciding whether to impose a suspension are:
1. Whether the pupil has the ability to control his or her behaviour;
 2. Whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour; and

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3. 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.
- 5.7 If a pupil does not have the ability to control his or her behaviour or does not understand the foreseeable consequences of his/her behaviour, the principal will not suspend the pupil. Alternative discipline and/or other intervention may be considered by the principal in such circumstances. If the pupil poses an unacceptable risk to the safety of others in the school, the principal will consult with his/her Superintendent regarding appropriate accommodations and/or strategies that might be instituted to ensure pupil and staff safety.

Other Factors to be Considered

- 5.8 Where the pupil is able to control his/her behaviour and is able to understand the foreseeable consequences of his/her behaviour, the principal will consider whether the following factors mitigate the length of a suspension or the decision to apply a suspension as a form of discipline for the pupil:
1. The pupil's academic, discipline and personal history;
 2. 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;
 3. 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, disability, gender or gender identity, sexual orientation or harassment for any other reason;
 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 disability related needs,
 - a) Whether the behaviour causing the incident was a manifestation of the pupil's disability;
 - b) Whether appropriate individualized accommodation has been provided; and
 - c) 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; and
 7. Whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.

Progressive Discipline

- 5.9 In reviewing whether progressive discipline approach(es) has/have been attempted with the pupil, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure, the principal will consider the following:
1. Whether the teacher, principal or designate has utilized early and/or ongoing intervention strategies to prevent unsafe or inappropriate behaviours, such as:
 - contact with the pupil's parent(s)/guardian(s);
 - oral reminders;
 - review of expectations;

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- written work assignments with a learning component;
 - assigning the pupil to volunteer services to the community;
 - conflict mediation and resolution;
 - peer mentoring;
 - referral to counseling; and/or
 - consultation.
2. Whether the principal or designate has used a progressive discipline approach to address inappropriate behaviour for which a suspension could have been imposed, such as:
- meeting(s) with the pupil's parent(s)/guardian(s), pupil, and principal;
 - referral of pupil to a community agency for anger management or substance abuse counseling;
 - detentions;
 - withdrawal of privileges;
 - withdrawal from class;
 - restitution for damages;
 - restorative practices; and/or
 - transfer

Factors Mitigating the Decision to Suspend

- 5.10 In circumstances where one or more of the factors above mitigate the decision to apply a suspension as a form of discipline for the pupil, the principal may consider whether alternative discipline and/or other intervention is appropriate in the circumstances.

Consultation

- 5.11 Before imposing a suspension of six (6) or more school days, the principal will consult with the Superintendent of Education and/or the administrator of safe schools regarding:
1. The investigation undertaken;
 2. The circumstances of the incident;
 3. Whether or not one or more of the factors outlined above are applicable in the circumstances; and
 4. The appropriate length of the suspension.

School Work

- 5.12 A pupil who is subject to a suspension of five (5) or fewer school days must be provided with schoolwork to complete at home while serving the suspension. The principal shall make reasonable efforts to have the schoolwork available to the adult pupil's designate or the pupil's parent/guardian or designate the day the pupil is suspended, if the pupil is suspended for one (1) school day. If this is not possible, the pupil must be given an opportunity to catch-up on missed schoolwork when the pupil returns. Where the pupil has been suspended for two (2) or more school days the principal will ensure that the schoolwork provided to the pupil will be available the day the pupil is suspended or the following school day.

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- 5.13 In addition to receiving schoolwork for the first five (5) school days of suspension, a pupil who is subject to a suspension of six (6) or more school days must be assigned an alternative program for pupils subject to lengthy suspension (ASP). A pupil participating in an ASP is not considered to be engaging in school or school-related activities.

Procedural Steps When Imposing a Suspension

- 5.14 Where a principal has determined that it is appropriate in the circumstances to impose a suspension, the principal is required to effect the following procedural steps:
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;
 2. The principal must inform the pupil's teacher(s) of the suspension;
 3. 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;
 4. The principal must provide written notice of the suspension to the pupil, the pupil's parent/guardian (unless the pupil is an adult pupil) and the Superintendent of Education;
 5. The written notice of suspension will include:
 - a) The reason for suspension;
 - b) The duration of the suspension;
 - c) Information about the ASP the pupil is assigned to, where the pupil is suspended for six (6) or more school days;
 - d) Information about the right to appeal the suspension, including the relevant policies and guidelines and the contact information for the Superintendent Responsible for Student Discipline;
(see suspension letter template attached as Appendix 2)
 6. Every effort should be made to include the schoolwork with the letter of suspension to the pupil and the pupil's parent/guardian (unless the pupil is an adult pupil) on the day the pupil is suspended if the letter is provided to the pupil to take home. If it is not possible to provide the letter because the pupil and/or his/her parent/guardian is not available, the letter should be mailed, couriered, faxed or emailed to the home address that day and school work should be made available for the adult pupil's designate or pupil's parent/guardian or designate to pick-up from the school the following school day.
 - If notice is sent by mail or courier, it will be deemed to have been received on the fifth school day after it was sent.
 - If notice is sent by fax or e-mail, it is deemed to have been received the first school day after it was sent.
 7. 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 in the pupil's Ontario Student Record.
(see the Board's Violent Incident Form attached as Appendix 3)

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Alternative Suspension Program

- 5.15 Where a pupil has been suspended for six (6) or more school days the pupil will be provided with schoolwork for the first five (5) school days, or until the Student Action Plan is implemented, and will be assigned an alternative program for pupils subject to lengthy suspension (Alternative Suspension Program or ASP).
- 5.16 A pupil cannot be compelled to participate in an ASP. Should the adult pupil or a pupil's parent/guardian choose not to have the pupil participate in an ASP, the pupil will continue to be provided with school work consistent with the Ontario curriculum or that pupil's modified or alternative curriculum to be completed at home for the duration of his/her suspension. This schoolwork will be available at the school for pick-up by the adult pupil's designate or the pupil's parent/guardian or designate at regular intervals during the suspension period. Where schoolwork has not been picked up, the school should contact the adult pupil or the pupil's parent/guardian to determine whether the schoolwork will be picked up. The principal should record the follow-up and response.
- 5.17 A **Student Action Plan (SAP)** will be developed for every pupil subject to a suspension of six (6) or more school days who agrees to participate in an ASP.
- 5.18 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 adult pupil or pupil's parent/guardian declines the offer to participate in an ASP, the principal shall record the date and time of such refusal.

Planning Meeting

- 5.19 For pupils subject to a suspension of six (6) or more school days who choose to participate in an ASP, the principal of the school or designate will hold a planning meeting for the purpose of developing the SAP.
- 5.20 The adult pupil or pupil's parent/guardian and the pupil (where appropriate) as well as any appropriate teaching and support staff will be invited to participate in the planning meeting.
- 5.21 The planning meeting will be scheduled to occur within two (2) school days of the adult pupil or the pupil's parent/guardian informing the school that the pupil will participate in an ASP.
- 5.22 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.
- 5.23 During the planning meeting the principal or designate will review the issues to be addressed in the pupil's SAP.

Student Action Plan

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- 5.24 A pupil subject to suspension for eleven (11) or more school days will be provided with both academic and non-academic supports, which will be identified in the pupil's SAP. Pupils subject to a suspension of fewer than eleven (11) school days may be offered non-academic supports where such supports are appropriate and available.
- 5.25 The SAP will be developed under the direction of the principal of the school with assistance, as appropriate, from the principal of alternative programs, vice-principal of the school, guidance counselor, special education teacher, classroom teacher, CYW and/or social worker.
- 5.26 The principal will make every effort to complete the SAP within five (5) school days following the adult pupil or the pupil's parent/guardian informing the school that the pupil will participate in an ASP. This timeline will be communicated to the adult pupil and/or the pupil's parent/guardian if they are unable to attend the planning meeting for the purpose of providing input. The Principal must ensure that the pupil is provided with schoolwork until the SAP is in place.
- 5.27 Once completed, the SAP will be shared with the adult pupil, or the pupil's parent/guardian and the pupil and all necessary staff to facilitate implementation.
- 5.28 A copy of the SAP will be stored in the pupil's Ontario Student Record until such time as it is no longer conducive to the improvement of instruction of the pupil.
- 5.29 The SAP will identify:
1. The incident for which the pupil was suspended;
 2. The progressive discipline steps taken prior to the suspension, if any;
 3. Any alternative discipline measures imposed in addition to the suspension;
 4. Any other disciplinary issues regarding the pupil that have been identified by the school;
 5. Any learning needs or other needs that might have contributed to the underlying infraction resulting in discipline;
 6. Any program(s) or service(s) that might be provided to address those learning or other needs;
 7. The academic program to be provided to the pupil during the suspension period and details regarding how that academic program will be accessed by the pupil;
 8. Where the pupil has an IEP, information regarding how the accommodations/modifications of the pupil's academic program will be provided during the period of suspension;
 9. The non-academic program and services to be provided to the pupil, if applicable, during the suspension and details regarding how that non-academic program and those services will be accessed; and
 10. The measurable goals the pupil will be striving to achieve during the period of suspension.

Suspension Appeal Process

- 5.30 The adult pupil or the pupil's parent/guardian may appeal a suspension.

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- 5.31 All suspension appeals will be received by the Superintendent Responsible for Student Discipline.
- 5.32 An appeal of a suspension does not stay the suspension.
- 5.33 A person who intends to appeal a suspension must give written notice of his/her intention to appeal the suspension within ten (10) school days of the commencement of the suspension.
- 5.34 The board must hear and/or determine the appeal within fifteen (15) school days of receiving the notice of intention to appeal (unless the parties agree to an extension).
- 5.35 Upon receipt of written notice of the intention to appeal the suspension, the Superintendent Responsible for Student Discipline:
1. Will promptly advise the school principal of the appeal;
 2. 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 Superintendent Responsible for Discipline to discuss any matter respecting the incident and/or appeal of the suspension; (see the template letter at Appendix 4)
 3. Will review the suspension (reason, duration, any mitigating or other factors);
 4. May consult with the principal and Superintendent of Education regarding modification or expunging the suspension;
 5. 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 arrange a date for the appeal before the Discipline Committee;
 6. Will, where a settlement is not effected, provide notice of the review decision to the adult pupil or pupil's parent/guardian. (see the template letter at Appendix 5)
- 5.36 Where the suspension is upheld on review and the adult pupil or pupil's parent/guardian chooses to continue with the appeal, the Superintendent Responsible for Student Discipline will:
1. Coordinate the preparation of a written report for the Board. This report will contain at least the following components:
 - a) A report of the incident and rationale for suspension prepared by the principal;
 - b) A copy of the original suspension letter;
 - c) A copy of the letter requesting the Suspension Appeal; and
 - d) A copy of the correspondence with respect to the decision of the Superintendent Responsible for Student Discipline regarding the suspension review.
 2. Inform the adult pupil or the pupil's parent/guardian of the date of the Suspension Appeal, provide a guide to the process for the appeal, and a copy of the documentation that will go to the Discipline Committee. (see the letter template attached as Appendix 6)
 3. Ensure that the item is placed on the Discipline Committee's agenda.

- 5.37 The parties in an appeal to the Discipline Committee shall be:
1. The principal; and
 2. The adult pupil or the pupil's parent/guardian, if they appealed the decision.

Suspension Appeal Before the Discipline Committee of the Board

- 5.38 Suspension appeals will be heard orally, *in camera*, by the Discipline Committee of Trustees. The Discipline Committee may grant a person with daily care authority to make submissions on behalf of the pupil.
1. 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.
 2. The pupil will be asked to make a statement on his/her own behalf.
 3. The Superintendent of Education for the school and/or the principal will make oral submissions on behalf of the administration, including a response to any issues raised in the appellant's submissions. The Superintendent/principal may rely on the report prepared for the Discipline Committee.
 4. The appellant may make further submissions addressing issues raised in the administration's presentation that were not previously addressed by the appellant.
 5. The Discipline Committee may ask any party, or the pupil, where appropriate, questions of clarification.
- 5.39 Legal counsel for the Board may be present at the appeal if the appellant is represented by legal counsel or an agent.
- 5.40 The Discipline Committee may make such orders or give such directions at an appeal, as it considers necessary for the maintenance of order at the appeal. Should any person disobey or fail to comply with any such order and/or direction, a Trustee may call for the assistance of a police officer to enforce any such order or direction.
- 5.41 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.
- 5.42 The Discipline Committee will consider, based on the written and/or oral submissions of both parties, whether the decision to discipline and the discipline imposed was reasonable in the circumstances, and shall either:
1. Confirm the suspension and its duration; or
 2. Confirm the suspension but shorten its duration and amend the record, as necessary; or
 3. Quash the suspension and order that the record be expunged; or
 4. Make such other appropriate order.
- 5.43 The decision of the Discipline Committee is final. The decision shall be communicated to the appellant in writing. (see the template letter as Appendix 7)

Re-Entry

- 5.44 Following a suspension of six (6) or more school days, a re-entry meeting will be held with appropriate staff, the pupil, and the pupil's parent/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.

6.0 Expulsion of Pupils

- 6.1 Subject to the Factors to Consider Before Deciding to Impose a Suspension below, when a principal has reasonable grounds to believe 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, the principal will suspend the pupil.
- 6.2 The principal will also contact the police consistent with the Police and School Response Protocol if the infraction the pupil is suspected of committing requires such contact. When in doubt, the principal will consult with his or her Superintendent.
- 6.3 The enumerated activities are:
1. Possessing a weapon, including possessing a firearm;
 2. Using a weapon to cause or to threaten bodily harm to another person;
 3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
 4. Committing sexual assault;
 5. Trafficking in weapons or illegal and/or restricted drugs;
 6. Committing robbery;
 7. Giving alcohol to a minor;
 8. 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;
 9. A pattern of behaviour that is so inappropriate that the pupil's continued presence is injurious to the effective learning and/or working environment of others;
 10. Activities engaged in by the pupil on or off school property that cause the pupil's continuing presence in the school to create an unacceptable risk to the physical or mental well-being of other person(s) in the school or Board;
 11. Activities engaged in by the pupil on or off school property that have caused extensive damage to the property of the Board or to goods that are/were on Board property;
 12. The pupil has demonstrated through a pattern of behaviour that s/he has not prospered by the instruction available to him or her and that s/he is persistently resistant to making changes in behaviour which would enable him or her to prosper; or
 13. Any act considered by the principal to be a serious violation of the Board or school Code of Conduct.

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14. Where a student has no history or discipline or behavior intervention, or not relevant history, or a single act, incident or infraction considered by the principal to be a serious violation of the expectations of student behaviour and/or a serious breach of the Board or school Code of Conduct.

Factors to Consider Before Deciding to Impose a Suspension

- 6.4 When deciding whether or not to impose a suspension pending a possible recommendation for expulsion, the principal will make every effort to consult with the pupil, where appropriate, and the pupil's parent/guardian, if the pupil is not an adult pupil, to identify whether any mitigating factors might apply in the circumstances.

Mitigating Factors

- 6.5 The mitigating factors to be considered by the principal before deciding whether to impose a suspension are:
1. Whether the pupil has the ability to control his or her behaviour;
 2. Whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour; and
 3. 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.
- 6.6 If a pupil does not have the ability to control his or her behaviour and does not understand the foreseeable consequences of his/her behaviour, the principal will not suspend the pupil. Alternative discipline and/or other intervention may be considered by the principal in such circumstances.
- 6.7 If the pupil does not have the ability to control his or her behaviour and does not understand the foreseeable consequences of his/her behaviour, but poses an unacceptable risk to the safety of others in the school, the principal will consult with his/her Superintendent regarding appropriate accommodations and/or strategies that might be instituted to ensure pupil and staff safety.

Suspension Pending Recommendation for Expulsion

- 6.8 If the pupil is to be suspended pending an investigation, the pupil should be suspended for (20) twenty school days. If the pupil has been suspended pending an investigation to determine whether the pupil will be recommended for expulsion, the principal must assign the pupil to a program for suspended pupils (ASP).
- 6.9 If the pupil has been suspended for twenty (20) school days, the principal must undertake an investigation to determine whether to recommend to the Discipline Committee that the pupil be expelled.

Procedural Steps When Imposing a Suspension

- 6.10 When imposing a suspension the principal is required to effect the following procedural steps:

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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;
2. The principal must inform the pupil's teacher(s) of the suspension;
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 of Education. The written notice of suspension will include:
 - a) The reason for suspension;
 - b) The duration of the suspension;
 - c) Information about the program for suspended pupils the pupil is assigned to;
 - d) Information about the investigation the principal is conducting to determine whether to recommend expulsion;
 - e) A statement that there is no immediate right to appeal the suspension. Any appeal must wait until the principal decides whether to recommend an expulsion, and if the principal decides not to recommend an expulsion, a statement that the suspension may be appealed to the Discipline Committee, and if the principal decides to recommend an expulsion that the suspension may be addressed at the expulsion hearing.
(see the template letter as Appendix 8)
4. Every effort should be made to include the schoolwork with the letter of suspension to the pupil and the pupil's parent/guardian (unless the pupil is an adult pupil) on the day the pupil is suspended if the letter is provided to the pupil to take home. If it is not possible to provide the letter because the pupil and/or his/her parent/guardian is not available, the letter should be mailed, couriered, faxed or emailed to the home address that day and school work should be made available for the adult pupil's designate or the pupil's parent/guardian or designate to pick-up from the school the following school day.
 - If notice is sent by mail or courier, it will be deemed to have been received on the fifth school day after it was sent.
 - If notice is sent by fax or e-mail, it is deemed to have been received the first school day after it was sent.

6.11 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 in the pupil's Ontario Student Record. (see the Board's Violent Incident Form attached as Appendix 3)

Alternative Suspension Program

- 6.12 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).
- 6.13 A pupil cannot be compelled to participate in an ASP. Should the adult pupil or the pupil's 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 his/her suspension. This school work will be available at the school for pick-up by the adult pupil's designate or the pupil's parent/guardian or a designate at

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regular intervals during the suspension period beginning the school day after the adult pupil or the pupil's parent/guardian refuses to participate in an ASP.

- 6.14 **A Student Action Plan (SAP)** will be developed for every pupil who agrees to participate in an ASP.
- 6.15 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 his/her parent/guardian declines the offer to participate in an ASP, the principal shall record the date and time of such refusal.

Planning Meeting

- 6.16 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 of the school or designate will hold a planning meeting for the purpose of developing the SAP.
- 6.17 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.
- 6.18 The planning meeting will be scheduled to occur within two (2) school days of the adult pupil or the pupil's parent/guardian informing the school that the pupil will participate in an ASP.
- 6.19 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.
- 6.20 During the planning meeting the principal or designate will review the issues to be addressed in the pupil's SAP.

Student Action Plan

- 6.21 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.
- 6.22 The SAP will be developed under the direction of the principal of the school with assistance, as appropriate, from the principal of alternative programs, vice-principal of the school, guidance counselor, special education teacher, classroom teacher, CYW and/or social worker.
- 6.23 The principal will make every effort to complete the SAP within five (5) school days following the adult pupil or the pupil's parent/guardian informing the school that the pupil will participate in an ASP. This timeline will be communicated to the adult pupil or the pupil's parent/guardian if they are unable to attend the planning meeting for the purpose of providing input.

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- 6.24 Once completed, the SAP will be shared with the adult pupil or the pupil's parent/guardian and pupil and all necessary staff to facilitate implementation.
- 6.25 A copy of the SAP will be stored in the pupil's Ontario Student Record until such time as it is no longer conducive to the improvement of instruction of the pupil.
- 6.26 The SAP will identify:
1. The incident for which the pupil was suspended;
 2. The progressive discipline steps taken prior to the suspension, if any;
 3. Any alternative discipline measures imposed in addition to the suspension;
 4. Any other disciplinary issues regarding the pupil that have been identified by the school;
 5. Any learning needs or other needs that might have contributed to the underlying infraction resulting in discipline;
 6. Any program(s) or service(s) that might be provided to address those learning or other needs;
 7. The academic program to be provided to the pupil during the suspension period and details regarding how that academic program will be accessed by the pupil;
 8. Where the pupil has an IEP, information regarding how the accommodations/modifications of the pupil's academic program will be provided during the period of suspension;
 9. The non-academic program and services to be provided to the pupil during the suspension and details regarding how that non-academic program and those services will be accessed; and
 10. The measurable goals the pupil will be striving to achieve during the period of suspension.

Principal's Investigation

- 6.27 The principal will conduct an investigation promptly following the suspension of the pupil to determine whether to recommend to the Discipline Committee that the pupil be expelled. As part of the investigation, the principal will consult with the Superintendent of Education and/or Superintendent Responsible for Student Discipline regarding any issues of process and/or timing for conducting the investigation, which must be completed at the earliest opportunity as well as the substantive decision whether or not to recommend that the pupil be expelled. Should the decision be made to refer the pupil to the Discipline Committee with a recommendation for expulsion, the pupil must be referred to and dealt with by the Discipline Committee within twenty (20) school days from the date of suspension (unless timelines are extended on consent).
- 6.28 Any police investigation will be conducted separately from the principal's inquiry.
- 6.29 As part of the investigation, the principal will:
1. Make all reasonable efforts to speak with the adult pupil or the pupil's parent/guardian and the pupil;
 2. Include interviews with witnesses who the principal determines can contribute relevant information to the investigation;

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3. Make every reasonable effort to interview any witnesses suggested by the pupil, or the pupil's parent/guardian; and
4. Consider the mitigating and other factors when determining whether to recommend to the Discipline Committee that the pupil be expelled.

Mitigating Factors

6.30 The mitigating factors to be considered by the principal before deciding whether to recommend an expulsion are:

1. Whether the pupil has the ability to control his or her behaviour;
2. Whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour; and
3. 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

6.31 Where the pupil is able to control his/her behaviour and/or is able to understand the foreseeable consequences of his/her behaviour, the principal will consider whether the following factors mitigate the length of a suspension and whether the pupil should be referred to the Discipline Committee on a recommendation for expulsion.

1. The pupil's academic, discipline and personal history;
2. 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;
3. 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, disability, gender or gender identity, sexual orientation or to related harassment for any other reason;
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 disability related needs,
 - a) Whether the behaviour causing the incident was a manifestation of the pupil's disability;
 - b) Whether appropriate individualized accommodation has been provided; and
 - c) 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; and
7. Whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.

Progressive Discipline

6.32 In reviewing whether progressive discipline approach(es) has/have been attempted with the pupil, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure, the principal will consider the following:

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1. Whether the teacher, principal or designate has utilized early and/or ongoing intervention strategies to prevent unsafe or inappropriate behaviours, such as:
 - contact with the pupil's parent(s)/guardian(s);
 - oral reminders;
 - review of expectations;
 - written work assignments with a learning component;
 - assigning the pupil to volunteer services to the community;
 - conflict mediation and resolution;
 - peer mentoring;
 - referral to counseling; and/or
 - consultation.

2. Whether the principal or designate has used a progressive discipline approach to address inappropriate behaviour for which a suspension could have been imposed, such as:
 - meeting(s) with the pupil's parent(s)/guardian(s), pupil, and principal;
 - referral of pupil to a community agency for anger management or substance abuse counseling;
 - detentions;
 - withdrawal of privileges;
 - withdrawal from class;
 - restitution for damages;
 - restorative practices; and/or
 - transfer.

Consultation

- 6.33 Before making a decision the principal will make every effort to consult with the pupil and the pupil's parent/guardian (unless the pupil is an adult pupil).

Decision Not to Recommend Expulsion

- 6.34 Following the investigation and consideration of the mitigating and other factors, if the principal decides not to recommend to the Discipline Committee that the pupil be expelled, the principal must:
1. Consider whether alternative discipline is appropriate in the circumstances;
 2. Uphold the suspension and its duration;
 3. Uphold the suspension and shorten its duration and amend the record accordingly;
or
 4. Withdraw the suspension and expunge the record.
- 6.35 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:
1. A statement of the principal's decision not to recommend expulsion to the Discipline Committee;

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2. A statement indicating whether the suspension has been upheld, upheld and shortened, or withdrawn;
3. If the suspension has been upheld or upheld and shortened, information about the right to appeal the suspension to the Discipline Committee, including:
 - a) A copy of the Board policies and guidelines regarding suspension appeals;
 - b) Contact information for the Superintendent Responsible for Student Discipline;
 - c) A statement that written notice of an intention to appeal must be given within five (5) school days following receipt by the party of notice of the decision not to recommend expulsion; or
 - d) If the length of the suspension has been shortened, notice that the appeal from the shortened length of the suspension.
(see the template letter at Appendix 9)

Recommendation to the Board For an Expulsion Hearing

6.36 If a principal, in consultation with the Superintendent of Education, determines that a referral for expulsion is warranted, the principal must refer the recommendation for expulsion to the Discipline Committee to be heard and dealt with within twenty (20) school days from the date the principal suspended the pupil, unless the parties to the expulsion hearing agree upon a later date.

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

1. Prepare a report to be submitted to the Discipline 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) A summary of the findings the principal made in the investigation;
 - b) An analysis of which, if any, mitigating or other factors might be applicable;
 - c) A recommendation of whether the expulsion should be from the school or from the Board; and
 - d) A recommendation regarding the type of school that would benefit the pupil if the pupil is subject to a school expulsion, or the type of program that might benefit the pupil if the pupil is subject to a Board expulsion.
2. Inquire with the Superintendent Responsible for Discipline as to the date and location of the hearing and provide written notice of the expulsion hearing to the adult pupil or the pupil's parent/guardian and pupil. The notice shall include:
 - a) A statement that the pupil is being referred to the Discipline Committee to determine whether the pupil will be expelled for the activity that resulted in suspension;
 - b) A copy of the Board's guidelines and rules governing the hearing before the Discipline Committee;
 - c) A copy of the Board Code of Conduct and school Code of Conduct;
 - d) A copy of the suspension letter;
 - e) A statement that the pupil and/or his or her parent/guardian has the right to respond to the principal's report in writing;
 - f) Information about the procedures and possible outcomes of the expulsion hearing, including that:

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1. If the Discipline Committee does not expel the pupil they will either confirm, confirm and shorten, or withdraw the suspension;
2. Parties have the right to make submissions with respect to the suspension;
3. Any decision with respect to the suspension is final and cannot be appealed;
4. If the pupil is expelled from the school, they will be assigned to another school;
5. If the pupil is expelled from the Board, they will be assigned to a program for expelled pupils;
6. If the pupil is expelled there is a right of appeal to the Child and Family Services Review Board.
7. The name and contact information for the Superintendent Responsible for Student Discipline.
(see the template letter at Appendix 10)

6.38 The Superintendent of Education will:

1. Advise the Superintendent Responsible for Student Discipline and the Trustee(s) for the school involved of the general details of the incident, including actions taken or pending; and
2. Submit the principal's Report for the Discipline Committee to the Superintendent Responsible for Student Discipline.

6.39 The Superintendent Responsible for Student Discipline may:

1. Arrange a meeting with the adult pupil or the pupil's parent/guardian and pupil and the principal, as appropriate.
 - a. If a meeting is arranged, the Superintendent Responsible for Student Discipline will review the Discipline Committee process 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
 - b. If a meeting is arranged, during the meeting the Superintendent Responsible for Student Discipline may assist to narrow the issues and identify agreed upon facts.
2. Will ensure that the item is placed on the Discipline Committee agenda for the date and time set out on the notice to the adult pupil or the pupil's parent/guardian and co-ordinate the attendance of the Trustees.
3. Will prepare a package of documents for the Discipline Committee, which will include at least the following components:
 - a. A copy of the Principal's Report; and
 - b. A copy of the notice of expulsion sent to the adult pupil or pupil's parent/guardian.
4. Will confirm with the adult pupil or the pupil's parent/guardian the date and location of the expulsion hearing, will provide a copy of the Expulsion Hearing Rules, and a copy of the package to go to the Discipline Committee.

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6.40 If the principal recommends expulsion, the Discipline Committee shall hold a hearing.

6.41 Parties before the Discipline Committee will be:

1. The principal; and
2. The adult pupil or the pupil's parent/guardian.

If a pupil is not a party, s/he has the right to be present at the expulsion hearing and to make submissions on his/her own behalf. The Discipline Committee may grant a person with daily care authority to make submissions on behalf of the pupil.

6.42 The hearing will be conducted in accordance with the Rules of the Discipline Committee and the Guideline for Expulsion Hearings:

1. The Discipline Committee shall consider oral and written submissions, if any, of all parties;
2. The Discipline 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;
3. The Discipline 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
4. Such other matters as the Discipline Committee considers appropriate.

6.43 In determining whether to impose an expulsion the Discipline Committee shall consider the following factors:

1. The mitigating and other factors:
 - a. Whether the pupil has the ability to control his or her behaviour;
 - b. Whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour;
 - c. 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;
 - d. The pupil's academic, discipline and personal history;
 - e. 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;
 - f. 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, disability, gender or gender identity, sexual orientation or to related harassment for any other reason;
 - g. The impact of the discipline on the pupil's prospects for further education;
 - h. The pupil's age;
 - i. Where the pupil has an IEP or disability related needs,
 - i. Whether the behaviour causing the incident was a manifestation of the pupil's disability;
 - ii. Whether appropriate individualized accommodation has been provided; and

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- iii. 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
 - j. Whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.
 2. The submissions and views of the parties.
 3. Any written response to the principal's report provided before the completion of the hearing; and
 4. Such matters, as the Discipline Committee considers appropriate.
- 6.44 Where there is a conflict in the evidence presented by the parties on the issue of whether the pupil committed the infraction, the Discipline Committee may request further evidence as set out in the Expulsion Hearing Rules, subject to the requirement that the hearing take place within twenty (20) school days, or the Discipline Committee may assess the evidence and determine whether, on a balance of probabilities, it has been established that it is more probable than not that the pupil committed the infraction.

No Expulsion

- 6.45 If the Discipline Committee decides not to expel the pupil, the Discipline Committee shall take the submissions of the parties into account, including mitigating and other factors, in determining whether to:
1. Consider whether alternative discipline is appropriate in the circumstances;
 2. Uphold the suspension and its duration;
 3. Uphold the suspension and shorten its duration and amend the record accordingly; or
 4. Quash the suspension and expunge the record such that no record of the suspension remains in the Ontario Student Record.
 5. Make such other orders, as the Discipline Committee considers appropriate.
- 6.46 The Discipline Committee shall give written notice to all parties of the decision not to impose an expulsion and the decision with respect to the suspension.
- 6.47 The Discipline Committee's decision with respect to the suspension is final.

Expulsion

- 6.48 In the event the Discipline Committee decides to impose an expulsion on the pupil, the Discipline Committee must decide whether to impose a Board expulsion or a school expulsion. In determining the type of the expulsion, the Discipline Committee shall consider the following factors:
1. The mitigating and other factors:
 - a. Whether the pupil has the ability to control his or her behaviour;
 - b. Whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour;

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- c. 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;
 - d. The pupil's academic, discipline and personal history;
 - e. 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;
 - f. 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, disability, gender or gender identity, sexual orientation or to related harassment for any other reason;
 - g. The impact of the discipline on the pupil's prospects for further education;
 - h. The pupil's age;
 - i. Where the pupil has an IEP or disability related needs,
 - i. Whether the behaviour causing the incident was a manifestation of the pupil's disability;
 - ii. Whether appropriate individualized accommodation has been provided; and
 - iii. Whether a school or Board expulsion is likely to result in aggravating or worsening the pupil's behaviour or conduct or whether it is likely to result in a greater likelihood of further inappropriate conduct; and
 - j. Whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school;
2. All submissions and views of the parties;
 3. Any written response to the principal's report provided before the completion of the hearing; and
 4. Such other matters as the Discipline Committee considers appropriate.
- 6.49 Where the Discipline Committee decides to impose a school expulsion, then the Discipline Committee must assign the pupil to another school.
- 6.50 Where the Discipline Committee decides to impose a Board expulsion, then the Discipline Committee must assign the pupil to a program for expelled pupils.
- 6.51 The Discipline 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:
1. The reason for the expulsion;
 2. A statement indicating whether the expulsion is a school expulsion or a Board expulsion;
 3. Information about the school or program to which the pupil has been assigned; and
 4. Information about the right to appeal the expulsion, including the steps to be taken.
(see the template letter at Appendix 11)
- 6.52 Once the principal of alternative programs has received notice that a pupil has been expelled, s/he must create a SAP in a manner consistent with the Board's policy and procedures for programs for expelled pupils.

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- 6.53 An expelled pupil is a pupil of the Board, even where s/he attends a program for expelled pupils at another school board, unless s/he does not attend the program or registers at another school board.

Re-entry Requirements Following an Expulsion

- 6.54 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.
- 6.55 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 s/he was expelled.
1. The Board will consider whether re-attendance will have a negative impact on the school climate, including on any victims, where applicable;
 2. The pupil will be required to demonstrate that they have learned from the incident and have sought counseling, where appropriate;
 3. The pupil will be required to sign a Declaration of Performance form provided by the Board (see the template letter as Appendix 12);
 4. 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.

Appeal of Board Decision to Expel

- 6.56 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.
- 6.57 The Child and Family Services Review Board is designated to hear and determine appeals of school Board decisions to expel pupils.
- 6.58 The decision of the Child and Family Services Review Board is final.

7.0 Delegation of Authority Regarding Discipline

- 7.1 A principal may delegate powers, duties, or functions under Part XIII of the Education Act – Behaviour, Discipline and Safety to a vice-principal of the school and to a teacher employed in the school as follows:
- A principal may only delegate authority to a teacher if the principal and vice-principal are absent from the school and must respect the terms of all applicable collective agreements;
 - The delegation must be in writing and subject to any restrictions, limitations and conditions set out in the delegation;
 - The individual who has been delegated authority shall be provided with contact information for the appropriate Superintendent of Education and/or designate, who shall provide support to the individual;

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- Delegations to vice principals may include all authority under Part XIII except the final decision regarding a recommendation to the board to expel a student and suspensions for more than 5 school days;
- Teachers may be delegated the authority to initially deal with situations involving activities that occur that must be considered for suspension and/or expulsion;
- A teacher may be delegated limited authority to contact the parent of a student who has been harmed as the result of an activity for which suspension or expulsion must be considered. The information provided to the parents by a teacher must be limited to the nature of the harm to the student and the nature of the activity that resulted in the harm;
- The teacher must not be delegated the authority to discuss the nature of any discipline measures taken in response to the activity;
- If the teacher is not clear on whether to call the parent or guardian, the teacher should contact the principal or Superintendent of Education for direction. The principal or vice-principal will follow-up with the parent as soon as possible.

8.0 Review and Development of Programs For Expelled Students and Those on Long-Term Suspension

Academic Component in Programs for Students on Long- Term Suspension or Expulsion

- 8.1 Specific locations shall be assigned so that all students in every jurisdiction will have an opportunity to continue their education. Teaching staff and educational assistants shall be allocated to provide instruction and support.
- 8.2 Every effort shall be made to continue a student's regular academic course work throughout the suspension or expulsion period. This will include assignments, homework and any other work that is normally evaluated in their regular class. The academic component will include, but is not limited to, the provision for distance learning, e-learning, remedial help in literacy and numeracy, individual instruction, and/or other opportunities within the board. The program will follow the curriculum as outlined in Ontario curriculum policy documents.
- 8.3 Students that require special education needs will be provided with a program that will be consistent with their Individual Education Plan.

Non-Academic Component in Programs for Students on Long-Term Suspension or Expulsion

- 8.4 The purpose of the non-academic component is to assist students on a long-term suspension of more than 10 days in the development of positive attitudes and behaviours. Identifying and addressing the underlying causes of the student's behaviour will help reduce the risk that the student might re-offend in the future. The board shall consider what type of support, if any, that a student might require if they are suspended for a length of 6 to 10 days and shall assist in making that support available.
- 8.5 The board shall shall make appropriate support available and/or facilitate a student's referral to community agencies and/or provide support through other methods. Board social workers will be also be utilized to assist in this process.

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- 8.6 The board will implement protocols with community agencies to facilitate the referral process and the provision of services to help support students and their parents and families.
- 8.7 Programs and agencies that are currently place will be reviewed and every attempt will be made to increase the board's capacity to respond to the needs of students on long-term suspension.

Discipline and Safety in Programs for Students on Long-Term Suspension or Expulsion

- 8.8 There shall be clear, written guidelines and rules with respect to discipline and safety in Board programs. These shall include provisions setting out what constitutes unacceptable behaviour, consequences of such behaviour, and what measures will be taken to ensure a safe learning and teaching environment.
- 8.9 Students and parents will be provided with copies of the guidelines and rules prior to entry in a Board program.
- 8.10 Students participating in the Long-Term Suspension or Expulsion programs are required to comply with the Board's Code of Conduct, as well as the guidelines and rules of the programs, and are subject to progressive disciplinary measures.
- 8.11 The principal of the school in which the student is enrolled shall address any conduct requiring further disciplinary measures.
- 8.12 In the event that a student's conduct at the program is so detrimental to the program staff or other students that there is a safety risk, or where the conduct seriously affects the ability of the program staff to deliver the program, or seriously affects the ability of the other pupils in the program to learn and benefit from the program, the student shall forfeit their right to attend the program for the duration of the suspension if involved in a program for long term suspension, or if a program for expelled students, forfeit the right to attend the program for expelled students. This will be noted on the students SAP.

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Appendix 1A
Safe Schools Incident Reporting Forms

Report No. _____	<i>Confidential</i> SAFE SCHOOLS INCIDENT REPORTING FORM – PART 1
Name of School	_____
1. Name of Student(s) involved (if known)	_____ _____
2. Location of Incident (check one)	<input type="checkbox"/> At a location in the school or on school property (please specify) _____ <input type="checkbox"/> At a school-related activity (please specify) _____ <input type="checkbox"/> On a school bus (please specify route number) _____ <input type="checkbox"/> Other (please specify) _____
3. Time of Incident	Date: _____ Time: _____
4. Type of Incident (check all that apply)	Activities for which suspension must be considered under section 306 (1) of the Education Act <input type="checkbox"/> Uttering a threat to inflict serious bodily harm on another person <input type="checkbox"/> Possessing alcohol or illegal drugs <input type="checkbox"/> Being under the influence of alcohol <input type="checkbox"/> Swearing at a teacher or at another person in a position of authority <input type="checkbox"/> Committing an act of vandalism that causes extensive damage to school property a the student's school or to property located on the premises of the student's school <input type="checkbox"/> Bullying <input type="checkbox"/> Any other activity for which a student may be suspended under board policy (<i>Note:</i> Boards must specify on this form any other activities for which the principal may suspend according to board policy.) Activities for which expulsion must be considered under Section 310 (1) of the Education Act. <input type="checkbox"/> Possessing a weapon, including possessing firearm <input type="checkbox"/> Using a weapon to cause or to threaten bodily harm to another person <input type="checkbox"/> Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner <input type="checkbox"/> Committing sexual assault <input type="checkbox"/> Trafficking in weapons or in illegal drugs <input type="checkbox"/> Committing robbery <input type="checkbox"/> Giving alcohol of a minor <input type="checkbox"/> Any other activity for which a student may be expelled under board policy (<i>Note:</i> Boards must specify on this form any other activities for which the board may expel according to board policy.)
5. Report Submitted By: Name: _____	
Signature: _____ Date: _____	
Contact Information: Location: _____ Telephone: _____	

Appendix 1B
Safe Schools Incident Reporting Form – Part II

ACKNOWLEDGEMENT OF RECEIPT OF REPORT

Report No. _____

Report Submitted By: Name: _____ Date: _____

Action Taken

No Action Required

Name of Principal: _____

Signature: _____ Date: _____

Note: Only Part II is to be given to the person who submitted the report.

Appendix 2
Suspension Letter
[on the Letterhead of the School]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: Suspension of [Pupil's Name], [DOB] from [Name of School]

[You/Pupil's Name] [have/has] been suspended from [Name of School] and from engaging in all school related activities from [Effective Date of Suspension] to [Last Day of Suspension] inclusive, i.e. [number] school days. This suspension applies to all school buildings, grounds, school buses, school functions, activities and trips. [You/Pupil's Name] may return to school on [Date]. [You/Pupil's Name] must report to the office before returning to school.

This suspension is imposed in accordance with the *Education Act*, the Board's Safe School Policy and [Name of School] Code of Conduct.

The reason for the suspension is [use infraction applicable]. Namely, my findings indicate that [you/pupil's name] [describe incident with particulars].

School work [has been delivered to you/will be available; please make arrangements to have it picked up].

[*If suspension is 6 school days or longer] In addition [you/pupil's name] [have/has] been assigned an Alternative Suspension Program, a program for suspended pupils. This Alternative Suspension Program will provide an opportunity for continued academic work and support for self-management to assist with the re-entry to school.

Please confirm [your/pupil's] participation in an Alternative Suspension Program at your earliest opportunity by contacting the School. As soon as notice of [your/pupil's] participation is received a planning meeting will be scheduled.

Should you wish to discuss this matter, please call the school and make arrangements to meet with the principal.

To discuss the appeal process, please contact the Board Office at 519-253-2481 ext. 1117.

Should you wish to appeal this suspension, you must provide written notice of your intention to appeal to the Superintendent Responsible for Student Discipline, **Cathy Geml** at the Windsor-Essex Catholic District School Board, located at 1325 California Avenue, Windsor, ON N9B 3Y6 within 10 school days of the commencement of the suspension, i.e. before [Insert Date]. Please be aware that an appeal does not stay the suspension.

A copy of the Board's Student Discipline Policy, Procedure and Suspension Appeal Guideline are available on the board website at www.wecdsb.on.ca/. If you are unable to access the documents via the website, please contact the Board Office to obtain copies.

Sincerely,

[Principal]

cc Superintendent of Education
 Superintendent Responsible for Student Discipline
 Ontario Student Record

Attendance Counselor

**Appendix 3A
Windsor – Essex Catholic District School Board
Violent Incident Report**

Student Name: _____ Date of Incident: _____

School: _____

A. Description of Violent Incident

- _____ Possession of weapons (e.g., guns, knives) _____ Threats of serious physical injury
- _____ Physical assaults causing serious bodily harm _____ Sexual assault
- _____ Robbery and extortion
- _____ Any hate-motivated violence (e.g. incidents involving racism, homophobia)
- _____ Vandalism causing extensive damage (school property or located on school premises)

Description:

B. Police Contact

Date of Contact:

Date of police investigation at school:

Name of Investigating Officer:

C. School/Board Response

1. _____ Suspension (# of days _____) 2. _____ Expulsion 3. _____ Other

Date of inclusion in OSR:

Signature of Principal/Designate:

Follow-up strategies/consequences:

Removal of Information from OSR

The information relating to suspension for violent behaviour shall not be removed from the OSR unless 3 consecutive years have passed during which no further suspensions for serious violent incidents have taken place.

The information relating to expulsion shall be removed 5 years after the date on which the school board expelled the student. Where an expelled student has been readmitted to school by a school board, and is expelled again, the information relating to the expulsions shall not be removed from the OSR until 5 consecutive years have passed without any further expulsions.

Where the student has not been suspended or expelled, the Violent Incident Form shall be removed after 3 years if no further serious violent incident is reported to the police during that time.

December 2007

c. Attendance Counselor
Appropriate Superintendent

Learning together in faith and service

Appendix 3B
Student Response Form – Violent Incident

Student Name: _____ Date: _____

Describe the incident that occurred: _____

List the name of the students involved: _____

Was your behaviour acceptable? If yes, explain: _____

If no, explain how you should have behaved: _____

Student signature: _____ Grade: _____

Parent signature: _____

Date received: _____ Principal/Designate: _____

Learning together in faith and service
December 2007

Procedure Pr ST: 05 Student Discipline Procedures

Appendix 4
Notice of Suspension Review
[on the letterhead of the Board]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/ Parent's/Guardian's Name]:

Re: Suspension of [Pupil's Name], [DOB] from [Name of School]

I am in receipt of your notice of intention to appeal [your/Pupil's Name] suspension from [Name of School], dated [insert date]. [You/Pupil's Name] [were/was] suspended for [insert number] school days for [insert infraction applicable].

I will be conducting a review of the suspension. At the conclusion of my review, I will, in consultation with Principal [Name], either confirm, modify or expunge the suspension.

As part of the review process, I would like to speak to you. My office will be contacting you.

Please also do not hesitate to contact me at [contact info].

Sincerely,

Superintendent Responsible for Student Discipline

cc Superintendent of Education
Principal

Appendix 5
Suspension Review Decision
[on the letterhead of the Board]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/ Parent's/Guardian's Name]:

Re: Suspension Review of Suspension of [Pupil's Name], [DOB] from [Name of School]

I have completed my review of [your/pupil's name] suspension from [Name of School]. As a result of my review I have decided to [expunge/modify/uphold] the suspension.

I will contact you to discuss the results of my review and your appeal.

Sincerely,

Superintendent Responsible for Student Discipline

cc: Superintendent of Education
Principal
Ontario Student Record

Appendix 6**Notice of Suspension Appeal
[on the letterhead of the Board]**

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/ Parent's/Guardian's Name]:

Re: Appeal of Suspension of [Pupil's Name], [DOB] from [Name of School]

You have appealed the decision of Principal [Name] to suspend [you/pupil's name] from [Name of School].

The Appeal will be heard by the Discipline Committee of the Board of Trustees at [insert time and date] at [insert location].

Enclosed is a copy of the Information Package that will be relied on by the administration for the Board and will be provided to the Discipline Committee. The Information Package includes a copy of the suspension letter, your letter requesting the appeal, correspondence with respect to the suspension review and the Principal's Report of the Incident. Also enclosed is a copy of the Board's Suspension Appeal Guidelines.

Please advise me at your earliest opportunity if you intend to bring legal representation to the appeal. Please be advised that if you fail to attend on time, the Discipline Committee will wait for 30 minutes and may then proceed to decide the matter in your absence.

Should you have any questions about the appeal process, please contact me [contact information].

Sincerely,

Superintendent Responsible for Student Discipline

cc: Superintendent of Education

Principal

Ontario Student Record

Appendix 7A**Suspension Appeal Decision
[on the letterhead of the Board]**

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/ Parent's/Guardian's Name]:

Re: Decision of Discipline Committee
Suspension Appeal of [Pupil Name], [DOB]
[Name of School]

Attached is a copy of the Decision of the Discipline Committee regarding your suspension appeal, dated [insert date].

The decision of the Discipline Committee is final and is not subject to further appeal.

Should you have any questions, please contact me at [insert contact information].

Sincerely,

Superintendent Responsible for Student Discipline

Encl.

cc: Superintendent of Education
Principal
Ontario Student Record

Appendix 7B
Suspension Appeal Decision of the Discipline Committee
[on the letterhead of the Board]

SUSPENSION APPEAL DECISION

IN THE MATTER OF Section 309
of the *Education Act*, as amended

-and-

IN THE MATTER OF an appeal by
[Name of Appellant], of the suspension
of [Pupil Name], a pupil of [School Name]

Decision

UPON being satisfied that the Discipline Committee has jurisdiction to conduct the appeal pursuant to section 309 of the *Education Act*;

AND UPON being satisfied that the proper parties to the appeal are [Name of Appellant and relationship to pupil] and [Principal Name] as Principal of [School Name];

AND UPON being satisfied that the parties received reasonable notice of the appeal;

AND UPON having provided an opportunity to the appellant to make submissions, having heard the submissions of the Principal, having read the materials submitted by the parties, and having retired to consider the matter;

THE DISCIPLINE COMMITTEE does hereby [confirm the suspension / confirm the suspension but shorten its duration to [number] school days and amend the record accordingly / quash the suspension and expunge the record].

THE DECISION OF THE DISCIPLINE COMMITTEE is final.

DATED this [day] of [Month], [Year] and signed on behalf of the Discipline Committee and Board of Trustees by the Chair of the Discipline Committee.

By _____
[Board Name]
Chair

Appendix 8

Suspension Pending Possible Recommendation for Expulsion [on the letterhead of the School]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: Suspension of [Pupil's Name], [DOB] from [Name of School]

[You/Pupil's Name] [have/has] been suspended from [Name of School] and from engaging in all school related activities from [Effective Date of Suspension] to [Last Date of Suspension] inclusive, i.e. twenty (20) school days. This suspension applies to all school buildings, grounds, school buses, school functions, activities and trips.

Please be advised that this suspension is made in accordance with the *Education Act*, the Board's Safe School Policy and [Name of School] Code of Conduct.

The reason for the suspension is [use the infraction applicable]. Namely, my findings indicate that [you/Pupil's Name] [describe incident with particulars].

Please be advised that I am continuing my investigation of this matter in order to determine whether to recommend to the Discipline Committee of the Board of Trustees that [you/Pupil's Name] be expelled. The investigation may include [... refer to Checklist and identify your next steps...]. An expulsion may be from [Name of School] or from all schools of the Board. You will be informed of the results of my investigation in writing.

The Board is committed to the education and future of its pupils. [You/Pupil's name] [have/has] been assigned to an Alternative Suspension Program, a program for suspended pupils. An Alternative Suspension Program provides pupils with the opportunity to continue academic work and receive support for self-management. Enclosed is information about Alternative Suspension Programs. Please contact the School at your earliest opportunity to confirm [your/pupil's participation] in an Alternative Suspension Program. As soon as notice of [your/pupil's] participation is received a planning meeting will be scheduled.

You do not have the right to appeal the suspension at this time. Should it be determined at the conclusion of the investigation that a recommendation for expulsion will not be made, you will be entitled to appeal the suspension to the Discipline Committee of the Board of Trustees. Should it be determined that a recommendation for expulsion is warranted, then you may address the suspension before the Discipline Committee at the expulsion hearing.

Sincerely,

[Principal]

Encl.

cc: Superintendent of Education
Superintendent Responsible for Discipline
Ontario Student Record

Appendix 9
Decision Letter Not to Recommend Expulsion
[on the letterhead of the School]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: [Pupil's Name], [DOB] [Name of School] - Expulsion Not Recommended

I am writing to you to report the result of my investigation following [your/ pupil's name] suspension. I have decided not to recommend to the Discipline Committee that [you/pupil's name] be expelled.

As part of my investigation, I have reviewed [your/pupil's name] suspension, and I have determined that the suspension should be [confirmed / confirmed but shortened to [INSERT NUMBER] school days and the record amended accordingly / withdrawn and the record expunged].

[*Unless the suspension is withdrawn:] Should you wish to appeal the suspension, you must provide written notice of your intention to appeal the suspension to the Superintendent Responsible for Student Discipline, [contact information], within 5 school days of the receipt of this notice, i.e. before [insert date - by courier or mail is 10 school days from date of this letter; by e-mail or fax is 6 school days from date of this letter].

If you provide notice of your intention to appeal, you may contact the Superintendent Responsible for Student Discipline to discuss the appeal. If the suspension has been reduced in length, the appeal is from the reduced suspension. Please be aware that an appeal does not stay the suspension.

A copy of the relevant excerpts of the Board's Student Discipline Policy, Procedures and Suspension Appeal Guideline are enclosed. The full text of the policy and procedure can be found on the Board's website at www.wecdsb.on.ca.

Sincerely,

[Principal]

Encl.

cc: Superintendent of Education
 Superintendent Responsible for Student Discipline
 Ontario Student Record

Appendix 10
Notice of Recommendation for Expulsion
[on the letterhead of the School]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/Parent's/Guardian's Name]:

Re: [Pupil's Name], [DOB], [Name of School] Investigation

I am writing to you following my investigation to determine whether to recommend an expulsion. As a result of my investigation, **I have decided to recommend to the Discipline Committee of the Board of Trustees that [you/pupil's name] be expelled.** **A copy of my Report to the Discipline Committee Recommending Expulsion is enclosed. You may respond to this Report in writing to the Discipline Committee or to me. A copy of your written submissions should be provided to the Superintendent Responsible for Student Discipline [insert contact information].**

The hearing by the Discipline Committee to decide whether [you/pupil's name] should be expelled will be held on [date] at [location]. Enclosed please find copies of the Board's Student Discipline Policy, Student Discipline Procedures, Expulsion Hearing Guidelines and Discipline Committee Rules.

You will be provided with an opportunity to make a presentation to the Discipline Committee about whether [you/pupil's name] should be expelled, and whether, if [you/pupil's name] [are/is] expelled, [you/s/he] should be expelled from [School Name] or from all schools of the Board and, if no expulsion is imposed, your position with respect to the suspension.

The Discipline Committee will determine whether [you/pupil's name] should be expelled, and whether [your/pupil's name] expulsion should be from [School Name] or from all of the schools of the Board.

If [you/pupil's name] [are/is] expelled from [School Name], the Discipline Committee will assign [you/pupil's name] to a program provided at another school of the Board. If [you/pupil's name] [are/is] expelled from all schools of the Board, the Discipline Committee will assign [you/pupil's name] to a program for expelled pupils.

Information about both the program that will be provided at another school and the program for expelled pupils is enclosed. Both the program that will be provided at another school and the program for expelled pupils will provide [you/pupil's name] with an opportunity to pursue academic work and receive additional supports.

Should the Discipline Committee decide not to expel [you/pupil's name], the Discipline Committee will review the suspension. The Discipline Committee may confirm the suspension, confirm but shorten the suspension and amend the record accordingly, or withdraw the suspension and expunge the record. The decision of the Discipline Committee with respect to the suspension is final and is not subject to appeal.

You may bring legal counsel to represent you before the Discipline Committee, which might be funded by Legal Aid, depending upon your circumstances. If you intend to bring legal counsel, please provide the Superintendent Responsible for Student Discipline with notice at your earliest opportunity.

Procedure Pr ST: 05 Student Discipline Procedures

Please note that the Discipline Committee will wait for thirty (30) minutes for your arrival on [Month], [Day], [Year] and, should you fail to attend in a timely manner, the Discipline Committee may proceed in your absence.

The Superintendent Responsible for Student Discipline, [Name and Contact Information], will contact you to review the hearing process and answer any questions that you might have.

Sincerely,

[Principal]

Encl.

cc: Superintendent of Education
Superintendent Responsible for Student Discipline
Ontario Student Record

Procedure Pr ST: 05 Student Discipline Procedures

Appendix 11A
Expulsion Decision
[on the letterhead of the Board]

[Date]

[Adult Pupil/Parent/Guardian]

[Address]

Dear [Adult Pupil's Name/ Parent's/Guardian's Name]:

Re: Decision of Discipline Committee
Expulsion Hearing – [Pupil Name], [DOB]
[Name of School]

Re: Expulsion Decision

Attached is the Decision of the Discipline Committee, dated [insert date].

Should you wish to appeal this decision, you may contact the Child and Family Services Review Board at 416-327-4673 or 1-888-728-8823 within 30 days of receipt of this notice.

If the pupil has been expelled: Also attached is the information regarding the educational program offered by the Board at [insert name of alternative school / program for students expelled from all schools of the Board].

Should you have any questions, please contact the undersigned at [insert contact information].

Sincerely,

Superintendent Responsible for Student Discipline

Encl.

cc: Superintendent of Education
Principal
Ontario Student Record

Appendix 11B

Recommendation for Expulsion Decision of the Discipline Committee [on the letterhead of the Board]

RECOMMENDATION for EXPULSION DECISION

[School Board Name]

IN THE MATTER OF Section 311.3
of the *Education Act*, as amended

-and-

IN THE MATTER OF a recommendation by
[Name of Principal], **[School Name]** for the expulsion of
[Pupil Name], a pupil of **[School Name]**

Decision

UPON being satisfied that the Discipline Committee has jurisdiction to conduct the hearing pursuant to section **311.3** of the *Education Act*;

AND UPON being satisfied that the proper parties to the hearing are **[Name of Appellant and relationship to pupil]** and **[Principal Name]**, Principal of **[School Name]**;

AND UPON being satisfied that the parties received reasonable notice of the hearing;

AND UPON having provided an opportunity to the Appellant to make submissions, having heard the submissions of the Principal, having read any materials submitted by the parties, having considered the facts and any mitigating and/or other factors referred to by the parties, and having retired to consider the matter;

THE DISCIPLINE COMMITTEE does hereby impose an expulsion from **[School Name]** and assign the pupil to an educational program at **[School Name]** for the following reasons:**[INSERT REASONS FOR EXPULSION]**

***OR**

THE DISCIPLINE COMMITTEE does hereby impose an expulsion from all schools of the Board; assign the pupil to the program for expelled pupils; and require that the pupil successfully complete and meet the objectives of the program for expelled pupils before being re-admitted to a regular day school program in Ontario for the following reasons:**[INSERT REASONS FOR EXPULSION]**.

***OR**

THE DISCIPLINE COMMITTEE does not hereby impose an expulsion; and does hereby [confirm the suspension imposed by **[Principal Name]** / confirm the suspension imposed by **[Principal Name]** but shorten its duration to **[number]** school days and amend the record accordingly / quash the suspension and expunge the record].

DATED this **[day]** of **[Month]**, **[Year]** and signed on behalf of the Discipline Committee and Board of Trustees by the Chair of the Discipline Committee.

[Board Name]
By _____
Chairperson

Appendix 12**Declaration of Performance
[on the Letterhead of the School]**

[Date]

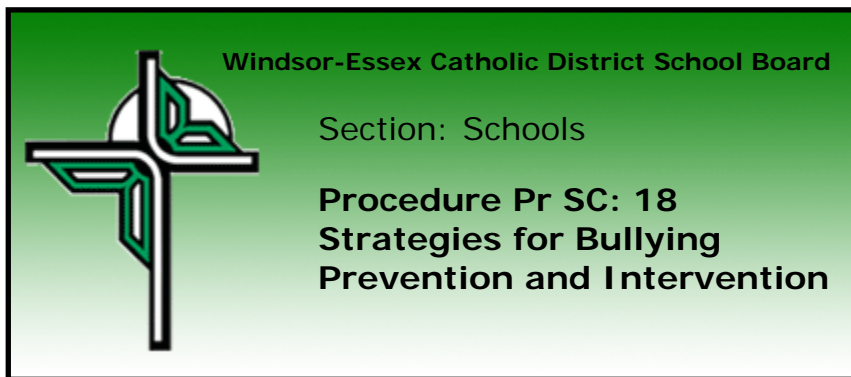
[Pupil Name]

I agree to comply with the following expectations on my return as a student to [insert the name of School]:

1. I agree to comply with the expectations of the [insert name of school] Code of Conduct and the [insert board] Code of Conduct.
2. I agree to work diligently in a positive manner and to be attentive to my teachers and classmates in an effort to accomplish the goals of my educational program.
3. I agree to be punctual and prepared for class.
4. I agree to be active and participate in the extra-curricular life of the School.
5. [insert if applicable] I agree to seek guidance and ask for help from School staff when I feel overwhelmed or anxious.
6. [insert if applicable] I agree to seek assistance from School staff when needed in order to assist me to solve problems in a constructive manner.
7. [insert if applicable] I agree to refrain from [insert one or more: using violence/restricted substances to solve my problems].

Signature [Insert name of student]

Date



PROCEDURE:	Pr SC: 18
EFFECTIVE:	Feb. 1, 2008
AMENDED:	
RELATED POLICIES:	SC: 18
REPEALS:	
REVIEW DATE:	2013-2014

DRAFT

1.0 Principals Roles and Responsibilities

- 1.1 Windsor- Essex Catholic District School Board schools and staff are expected to provide a supportive environment that upholds Gospel values and encourages positive relationships between students, staff and parents.
- 1.2 Each school must have in place a safe schools team responsible for school safety that is composed of at least one student (where appropriate), one parent, one teacher, one support staff member, one community partner, and the principal. The team must have a staff chair. An existing school committee (e.g. healthy schools committee) can assume this role. The chair of the team must be a staff member.
- 1.3 Each school must develop and implement school-wide bullying prevention and intervention plans as part of their School Improvement Plan. Components of these plans must include the following:
 - The definition of bullying as set out in Board Policy SC: 18
 - Prevention and awareness-raising strategies
 - Intervention and support strategies, including plans to protect victims
 - Reporting requirements
 - Training strategies for members of the school community
 - Communication and outreach strategies
 - Monitoring and review processes ~~to include an analysis of the school climate according to Board Policy SC: 18~~
- 1.4 Schools shall assess the type of bullying behaviour reported and select bullying prevention and intervention programs that effectively address the unique situation in each school.
- 1.5 Principals shall be trained in identifying and responding to the different characteristics of bullying.
- 1.6 Principals or designates shall conduct a prompt, thorough and complete investigation of alleged incidents of bullying. The investigation should be documented. The incidents shall be tracked for frequency. This will assist in determining effectiveness of the school’s bullying prevention and intervention strategies.

Procedure Pr SC: 18 Bullying Prevention and Intervention

- 1.7 The Principal may be required to contact the police in certain instances of bullying behaviour. In those instances, the police will be contacted pursuant to the Police and School Response Protocol.
- 1.8 Principals shall encourage students to report incidents of bullying and assist in creating a safe atmosphere for reporting bullying incidents.
- 1.9 The school shall provide a process that empowers students, parents, and members of the school community to confidentially report incidents of bullying to teachers and school administrators.
- 1.10 The Principals shall follow the progressive discipline principles detailed within the Student Discipline Policy when addressing bullying behaviours. Discipline may include the suspension of a pupil if he or she engages in bullying behaviour 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. In considering whether to suspend a pupil, the Principal must consider the mitigating factors as detailed within the Board's Student Discipline Policy and Part XIII of the Education Act.
- 1.11 The Principal shall ensure that all members of the school community are aware of the types of bullying behaviour and the skills and strategies associated with the intervention of bullying, including the promotion of character building, respect, and positive interaction.
- 1.12 Schools must provide support for students who have felt bullied and their parents, members of the school community who have felt bullied, students who have bullied others, and students and members of the school community who have been affected by observing bullying.
- 1.13 Principals shall model appropriate language and actions for students.

2.0 Teachers/School Staff Roles and Responsibilities

- 2.1 Staff must be trained in identifying, responding to, and preventing different kinds of bullying behaviours.
- 2.2 Staff shall participate in school climate surveys and have good lines of communication with the Principal to support a Bullying Prevention and Intervention Plan that meets the needs of the school community.
- 2.3 Staff must address bullying issues immediately and help all students recognize and respond appropriately to incidents of bullying behaviour.
- 2.4 All staff must report bullying incidents to the Principal or designate as soon as possible in accordance with the reporting requirements set out within the Student Discipline Policy/Procedure.
- 2.5 When teachers and staff identify bullying issues, it is essential that Principals and Vice- Principals consider the appropriate support needed. The Principal's and Vice-

Procedure Pr SC: 18 Bullying Prevention and Intervention

- Principal's support reinforces a message to the school community that bullying prevention action is being taken.
- 2.6 Teachers shall implement proactive and anti-bullying strategies and/or programs in their classrooms as directed by the Principal to prevent bullying behaviour.
- 2.7 In all possible ways, bullying prevention must be embedded into daily classroom teaching. A reading list, for instance, could include books that deal appropriately with bullying.
- 2.8 Teachers shall use resources that will assist in developing appropriate social skills, positive relationships and discourage bullying as unacceptable behaviours.
- 2.9 Staff shall encourage students to report incidents that the student perceives to be bullying and support them in dealing with conflict resolution.
- 2.10 Staff shall follow the progressive discipline principles detailed within the Student Discipline Policy when addressing bullying behaviours.
- 2.11 Staff shall model appropriate language and action for students.

3.0 Students Roles and Responsibilities

- 3.1 Students are expected to:
- Promote a positive and caring environment for all by developing an awareness of bullying issues.
 - Refuse to bully others or to be a bystander to acts of bullying.
 - Report all acts bullying that they may experience or observe to appropriate school personnel.
 - Assist and co-operate in the implementation of school-wide anti-bullying initiatives.
 - Participate in school climate surveys that will assist in evaluating the effectiveness of the school's Bullying Prevention and Intervention Plan.

4.0 Parents Roles and Responsibilities

- 4.1 Parents are expected to:
- Promote a positive and caring environment for all by developing an awareness of bullying issues.
 - Inform the school if bullying is suspected.
 - Encourage their children to discuss any incidents of bullying and reinforce the need to speak about their feelings with an adult they trust.
 - Partner with the school to assist in the resolution of identified incidents of bullying behaviour.
 - Support the school through Catholic School Councils, in promoting local school anti-bullying initiatives.



1325 California Avenue
Windsor, ON N9B 3Y6
CHAIRPERSON: Fred Alexander
DIRECTOR OF EDUCATION: Joseph Berthiaume

Meeting Date:
February 9, 2010

BOARD REPORT

/

Public **In-Camera**

PRESENTED FOR: Information Approval

PRESENTED BY: Senior Administration

SUBMITTED BY: Joseph Berthiaume, Director of Education
Paul Picard, Superintendent of Education
Colleen Norris, Manager of Human Resources & Policy Development

SUBJECT: **POLICY DEVELOPMENT AND REVIEW:**
– **AMENDED POLICY A:23 MICROWAVE OVENS IN
ELEMENTARY SCHOOL CLASSROOMS**

RECOMMENDATION:

**That the Board approve, in principle, Draft Amended Board Policy
A:23 Microwave Ovens in Elementary School Classrooms.**

SYNOPSIS: Draft Policy A:23 Microwave Ovens in Elementary School Classrooms amends the existing Board Policy and is recommended for approval in principle.

BACKGROUND COMMENTS:

Proposed Changes to Existing Policy/Procedure: Amendments and new language contained within the draft has been underlined for highlighting purposes.

Source and Rationale for the Proposals: Board Policy A:23 Microwave Ovens in Elementary School Classrooms was first approved by the Board on May 25, 2004. The policy was scheduled for review in the policy review cycle and was reviewed by a Policy Working Subcommittee. Out of that review, the Subcommittee proposes the highlighted amendments noted in the attached draft policy that are intended to ensure compliance with regulations and ministry guidelines including, the *Education Act*, the *Occupational Health and Safety Act*, and the Ontario School Board Insurance Exchange (OSBIE) recommendations.

Results of Public Consultation Process: The draft policy was forwarded to principals and vice principals on October 26, 2009, with a request to forward to school council chairs and staff for their suggestions and comments. The draft policy was also presented to the

Board’s Risk Assessment Manager for input, and forwarded to union and association representatives, trustees, and posted to the Board’s website.

Impact On Other Policies and Procedures: The draft amended policy is consistent with existing board policy and procedure.

Timetable For Implementing Policy and Procedure: The draft amended policy will be presented for final Board approval at the February 23, 2010 Regular Board Meeting and shall be implemented upon final approval.

Benefits of the Policy Proposals: The further development of a policy that reinforces the Board’s commitment to providing a safe learning and working environment.

Risks of Policy Direction and Mitigation Strategies: – N/A

Impact on Stakeholders and Plan For Communicating the Policies: Upon final approval, the Policy will be forwarded to Principals and Vice-Principals and posted to the Board’s website.

FINANCIAL IMPACT: N/A

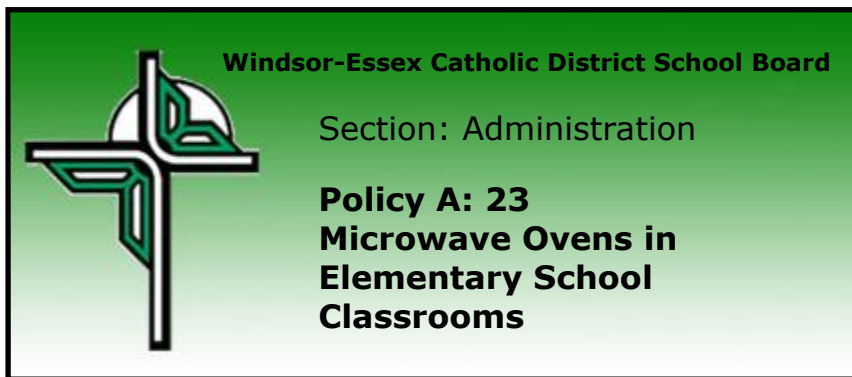
TIMELINES: The draft amended policy will be presented for final Board approval at the February 23, 2010 Regular Board Meeting.

APPENDICES:

- Draft Amended Policy A:23 Microwave Ovens in Elementary School Classrooms

REPORT REVIEWED BY:

<input checked="" type="checkbox"/>	EXECUTIVE COUNCIL	Review Date:	January 25, 2010
<input checked="" type="checkbox"/>	SUPERINTENDENT	Approval Date:	January 25, 2010
<input checked="" type="checkbox"/>	DIRECTOR OF EDUCATION:	Approval Date:	January 25 2010



POLICY:	A: 23
EFFECTIVE:	May 25,2004
AMENDED:	
RELATED POLICIES:	H:06
REPEALS:	
REVIEW DATE:	2013-2014

1.0 Objective

DRAFT

1.1 The Windsor-Essex Catholic District School Board undertakes to provide a healthy and safe work environment for all its students and employees. To this end, the Board shall strive to reduce the likelihood of fires or injuries in elementary classrooms by eliminating the use of microwave ovens.

2.0 Specific Directives

- 2.1 Microwave ovens are prohibited from all elementary school classrooms.
- 2.2 The Principal shall on a regular basis check all of the classrooms at his or her school to ensure that there are no microwave ovens present.

3.0 Responsibility for Implementation

3.1 It is the responsibility of the elementary principal to ensure there are no microwave ovens in elementary classrooms.

4.0 Review and Evaluation

4.1 The policy shall be reviewed during the 2013-2014 policy review cycle.

5.0 References

- 5.1 The Education Act
- The Occupational Health and Safety Act
- Ontario School Board Insurance Exchange (OSBIE) recommendations



1325 California Avenue
 Windsor, ON N9B 3Y6
 CHAIRPERSON: Fred Alexander
 DIRECTOR OF EDUCATION: Joseph Berthiaume

Meeting Date:
 February 9, 2010

BOARD REPORT

Public **In-Camera**

PRESENTED FOR: Information Approval

PRESENTED BY: Senior Administration

SUBMITTED BY: Joseph Berthiaume, Director of Education
 Paul Picard, Superintendent of Education
 Colleen Norris, Manager of Human Resources & Policy Development

SUBJECT: **POLICY DEVELOPMENT AND REVIEW:**
 – **AMENDED POLICY H:04 CRIMINAL BACKGROUND CHECKS AND OFFENCE DECLARATION FOR EMPLOYEES**

RECOMMENDATION:

That the Board approve, in principle, Draft Amended Board Policy H:04 Criminal Background Checks and Offence Declaration for Employees.

SYNOPSIS: Draft Board Policy H:04 Criminal Background Checks and Offence Declaration for Employees amends the existing Board Policy and is recommended for approval in principle.

BACKGROUND COMMENTS:

Proposed Changes to Existing Policy/Procedure: Amendments include:

- i. Establishment of clear objectives
- ii. Clarification on language
- iii. Provisions for exceptional circumstances
- iv. Requirements for Offence Declarations
- v. Action for failure to submit or false statements.

Source and Rationale for the Proposals: Board Policy H:04 Criminal Background Checks and Offence Declaration for Employees was first approved by the Board on June 23, 1998. The policy was scheduled for review in the policy review cycle and was reviewed by a Policy Working Subcommittee. Out of that review, the Subcommittee proposes the amended draft policy to ensure compliance with regulations and ministry guidelines including, the *Education Act*, and Ontario Regulation 521/01 Collection of Personal Information.

Results of Public Consultation Process: The draft policy was forwarded to principals and vice principals on October 26, 2009, with a request to forward to school council chairs and staff for their suggestions and comments. The draft policy was also presented to the Board’s Human Resources Department for input, and forwarded to union and association representatives, trustees, and posted to the Board’s website.

Impact On Other Policies and Procedures: The draft amended policy is consistent with existing board policy and procedure.

Timetable For Implementing Policy and Procedure: The draft amended policy will be presented for final Board approval at the February 23, 2010 Regular Board Meeting and shall be implemented upon final approval.

Benefits of the Policy Proposals: The further development of a policy that reinforces the Board’s commitment to providing a safe learning and working environment.

Risks of Policy Direction and Mitigation Strategies: – N/A

Impact on Stakeholders and Plan For Communicating the Policies: Upon final approval, the Policy will be forwarded to Principals and Vice-Principals and posted to the Board’s website.

FINANCIAL IMPACT: N/A

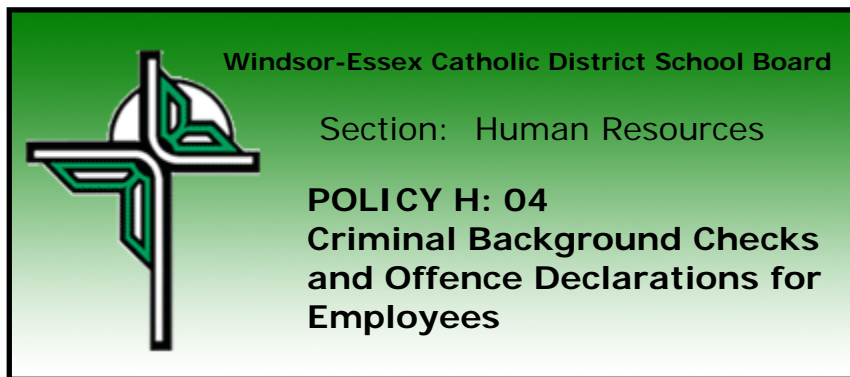
TIMELINES: The draft amended policy will be presented for final Board approval at the February 23, 2010 Regular Board Meeting.

APPENDICES:

- Draft Amended Policy H:04 Criminal Background Checks and Offence Declaration for Employees

REPORT REVIEWED BY:

<input checked="" type="checkbox"/>	EXECUTIVE COUNCIL	Review Date:	January 25, 2010
<input checked="" type="checkbox"/>	SUPERINTENDENT	Approval Date:	January 25, 2010
<input checked="" type="checkbox"/>	DIRECTOR OF EDUCATION:	Approval Date:	January 25, 2010



POLICY:	H: 04
EFFECTIVE:	June 23, 1998
AMENDED:	
RELATED POLICIES:	A:24
REPEALS:	
REVIEW DATE:	2013-2014

1.0 Objective **DRAFT**

1.1 The Windsor-Essex Catholic District School Board shall implement appropriate measures to ensure that the Board does not hire or continue to employ persons who have criminal records and/or exhibit patterns of behavior which may place a student at risk.

2.0 Guiding Principles

2.1 The Board is in a position of trust with regard to students and must strive to protect their intellectual, physical, mental and emotional well-being.

3.0 Specific Directives

3.1 All offers of employment with the Board shall be conditional upon the receipt of an acceptable and comprehensive Criminal Background Check (including Vulnerable Sector Screening as required) and all candidates for employment will be required to provide, at their own expense, a current original Criminal Background Check.

3.2 In exceptional circumstance it may be necessary for an individual to begin employment with the Board before an acceptable Criminal Background Check is collected. In such circumstances, the Board will require the individual to submit an Offence Declaration, pending submission of the acceptable Criminal Background Check. Before any exception is made, a binding agreement shall be entered into between the employee and the Board, ensuring that the Criminal Background Check will be provided without delay. This agreement will preserve the Board’s power to revoke the offer of employment and dismiss the employee, should the information provided by the employee prove to be false or misleading in any respect, or should the background check be determined unacceptable.

3.3 All Board employees must complete a standardized Offence Declaration by September 1st of each year in which the Board employs the individual.

Policy H: 04 Criminal Background Checks and Offence Declarations for Employees

- 3.4 Employees who fail to submit either a Criminal Background Check or an Offence Declaration by the required date may be subject to:
- a) Suspension without pay until the Offence Declaration/ Criminal Background Check is received;
 - b) Withdrawal of offer of employment; or
 - c) Discharge from employment.
- 3.5 It is a serious employment offence to make a false statement on an Offence Declaration. Where an employee is found to have knowingly made a false statement on the Declaration, the Board will consider discipline up to and including discharge from employment.
- 3.6 Where evidence is received of a criminal conviction, the Superintendent of Human Resources, in consultation with the Director of Education, shall consider the circumstances surrounding the conviction when determining an appropriate course of action. The course of action may include dismissal and/or withdrawal of an employment offer.
- 3.7 Criminal Background Checks and Offence Declarations shall be maintained in a secure location with the utmost respect for the confidential nature of the material.

4.0 Responsibility for Implementation

- 4.1 The Superintendent of Human Resources shall be responsible for the implementation of this policy

5.0 Review and Evaluation

- 5.1 The policy shall be reviewed during the 2013-2014 policy review cycle.

6.0 References

Education Act, section 315

Ontario Regulation 521/01 Collection of Personal Information

A:24 Criminal Background Checks for Service Providers and Others (Non-Employees)