

# Halton District School Board

# Policy

<b>Number:</b>	<i>To be determined</i>
<b>Topic:</b>	<b>Behaviour, Discipline and School Safety</b>
<b>Effective:</b>	February 2010
<b>Cross-Reference:</b>	The Human Rights Code of Ontario The Education Act (Bill 157: Keeping Our Kids Safe at School) PPM 119 (Equity and Inclusive Education) PPM 128 (Provincial/Board/School Code of Conduct) PPM 141 (Programs for Students on Long-term Suspension) PPM 142 (Expulsion Programs) PPM 144 (Bullying Prevention and Intervention) PPM 145 (Progressive Discipline) Ontario Regulation 472/07 (Mitigating Circumstances) Ontario Regulation 474 (Access to School Premises) Occupational Health and Safety Act and Regulations Bill 168: Violence and Harassment in the Workplace, 2009 HDSB Policy: Bullying Prevention and Intervention HDSB Administrative Procedure: Discrimination & Harassment HDSB Policy: Managing Violent and Aggressive Student Behaviour HDSB: Guide to Threat Assessment Halton Region Police-School Board Protocol
<b>Revision Date:</b>	September 2011
<b>Responsibility:</b>	Superintendent of Education – Safe Schools

## POLICY STATEMENT

The Halton District School Board is committed to ensuring safe, caring and inclusive school environments for all students, staff and members of the school community. The Ontario Human Rights Code, the Education Act, the Provincial Code of Conduct, Policy Program Memoranda 119, 128, 141, 142, 144 and 145, and Ontario Regulations 472/07 and 474 together create expectations for behaviour which apply to students, parents, volunteers, community members, teachers and other staff members, administrators, and trustees, whether on school property, on buses, at school-related events or activities, or in other circumstances that could have an impact on school climate. As well, they outline strategies and consequences to be used to reduce incidents of inappropriate behaviour.

The Human Rights Code of Ontario has primacy over provincial legislation and school board policies and procedures, such that the Education Act, Ontario Regulations, Ministry of Education Program Policy Memoranda and Halton District School Board Policies and Procedures are subject to and shall be interpreted and applied in accordance with the Human Rights Code of Ontario.

The Board considers homophobia, gender-based violence, and harassment on the basis of sex, gender identity, sexual orientation, race, colour, ethnicity, culture, citizenship, ancestry, origin, religion, creed, family status, socio-economic status, special needs, disability and/or any other immutable characteristic or ground protected by the Human Rights Code of Ontario, as well as inappropriate sexual behaviour, unacceptable.

### **Principal or Designate**

The Halton District School Board supports the Principal's authority in the school and recognizes that Ministry policy permits the principal to **delegate** his/her powers under the Education Act Part XIII 300.1 (1) in writing to a designate, namely a **Vice Principal**, or a **teacher** in the absence of Principal and Vice Principal. A teacher-in-charge **shall not** be delegated authority to suspend a pupil. *See designate form – Appendix B.*

### **Superintendent of Education Responsible for Student Discipline**

The Halton District School Board authorizes the assignment of responsibility for student discipline to a Superintendent of Education as per the Education Act Part XIII 309(2). The designated Superintendent shall be called '*Superintendent of Education – Safe Schools*'.

### **Discipline Committee**

The Halton District School Board authorizes the creation of a Discipline Committee of no fewer than three (3) Trustees to decide upon principal recommendation for expulsion, and to hear appeals of principal suspensions. The Discipline Committee shall have the powers as set out in the *Education Act* and any other powers necessary and shall consider the *Human Rights Code of Ontario* prior to implementing any appropriate order.

### **Mitigating and Other Factors**

The Halton District School Board, and school administrators, must consider all **mitigating and other factors**, as required by the Education Act, set out in Ontario Regulation 472/07 and reflected in student discipline settlements with the Ontario Human Rights Commission. For students with special education and/or disability related needs, interventions, supports and consequences must be consistent with the expectations in the student's Individual Education Plan (IEP) and/or his/her demonstrated abilities. Before applying discipline, the discriminatory impacts of disciplinary decisions on students protected by the Human Rights Code of Ontario shall be considered.

#### **The Mitigating Factors to be considered are:**

1. Whether the student has the ability to control his or her behaviour;
2. Whether the student has the ability to understand the foreseeable consequences of his/her behaviour;
3. Whether the student's continuing presence in the school does or does not create an unacceptable risk to the safety of any person at the school.

#### **Other Factors to be considered are:**

1. The student's academic, discipline and personal history;
2. Whether a progressive discipline approach has been attempted with the student, 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 student might be disciplined was related to any harassment of the student because of race, colour, 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 student's prospects for further education;
5. The student's age;
6. Where the student has an individual education plan (I.E.P.) or disability-related needs:
  - a. whether the behaviour causing the incident was a manifestation of the student's disability;
  - b. whether appropriate individualized accommodation has been provided, and
  - c. whether a suspension is likely to result in a greater likelihood of further inappropriate conduct;

Whether or not the student's continuing presence at school creates an unacceptable risk to the safety of anyone in the school.

## **Exclusion**

The Board does not support the use of exclusion as a disciplinary measure. However, the Education Act Part X, 265 (1)(m) permits a principal, or delegate, to refuse to admit to the school or to a class, someone whose presence in the school or classroom would, in the principals judgment, be detrimental to the physical or mental well being of others. If the principal, or delegate, does decide that it is necessary to exclude a student from school, s/he is expected to notify the student's parents of the exclusion as soon as possible in the circumstances, and to inform them of their right to appeal under clause 265.(1)(m). Exclusion from school should be temporary and for the purpose of putting in place a plan to promote the student's inclusion while supporting the safety of others.

## **Prevention and Proactive Practices**

The Halton District School Board supports the use of positive practices to prevent inappropriate behaviour, and authorizes principals, or their delegates, to impose consequences in appropriate circumstances, up to and including a referral to the Discipline Committee of the Board for expulsion. The Board also encourages principals to review and amend, as appropriate, Individual Education Plans, Behaviour Management Plans and Safety Plans at regular intervals, and following an incident, to ensure that every student with disability-related needs is receiving appropriate accommodation.

Preventative practices include:

- Ontario Equity and Inclusive Education Strategy pursuant to PPM 119;
- School-based Safety & Wellbeing teams;
- Bullying prevention and violence prevention programs;
- Mentorship programs;
- Differentiated instruction;
- Student success strategies;
- Healthy lifestyles;
- School culture initiatives;
- Character and citizenship development;
- Student leadership;
- Promoting healthy student relationships

Positive behaviour management practices include:

- Program modifications or accommodations;
- Class placement;
- Behaviour management plans;
- Positive encouragement and reinforcement;
- Individual, peer and group counseling;
- Conflict/dispute resolution;
- Collaborative Problem Solving;
- Promotion of healthy student relationships;
- Mentorship programs;
- Restorative practices;
- Sensitivity programs;
- Safety plans;
- School, Board and community support programs; and
- Student success strategies.

## **Progressive Discipline**

The Halton District School Board supports the use of a progressive discipline approach that utilizes a continuum of interventions, supports and consequences that are developmentally appropriate to address inappropriate behaviours, and builds upon strategies that promote positive school climate. Intervention strategies range from early interventions to more intensive interventions, including suspension and expulsion and involvement of police. Discipline should be applied within a framework that shifts the focus from one that is solely punitive to one that is both corrective and supportive, and that includes learning opportunities for reinforcing positive behaviour. All schools must develop and implement a progressive discipline policy that is consistent with Board policy and PPM 145.

Progressive discipline may include early and/or ongoing intervention strategies, such as:

- Reminders/review of expectations (including Code of Conduct);
- Contact with the student's parent(s)/guardian(s);
- Work assignment with a learning component;
- Volunteer service to the school/community;
- Peer mentoring
- Conflict mediation and resolution;
- Collaborative Problem Solving;
- Consultation;
- Involvement of police (school liaison or D.A.R.E. officer) or probation and parole as appropriate;
- Referral to counseling.

Progressive discipline may also include a range of interventions, supports and consequences with a focus on improving behaviour, such as one or more of the following:

- Referral to a community agency for anger management, substance abuse, or other;
- Detention;
- Withdrawal of privileges;
- Withdrawal from class;
- Meeting with the student's parent(s) / guardian(s), teacher(s), support staff (student as appropriate);
- Restitution for damages;
- Restorative practices;
- Transfer;
- Involvement of police (school liaison or DARE officer) and/probation and parole as appropriate.

The Halton District School Board recognizes that in some circumstances, positive practices may not be sufficient to address inappropriate student behaviour. In such circumstances, the Board supports the use of consequences, including **suspension** and **expulsion**. In circumstances where a student will receive a consequence, the Board and school administrators must consider mitigating and other factors, as required by the Education Act and as set out in Ontario Regulation 472/07.

#### **Duty to Respond – All Staff Who Work Directly with Students**

The Halton District School Board expects all 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) – to respond to any 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. These behaviours include racist, sexist, or homophobic comments, slurs, and jokes and graffiti, as well as activities for which suspension or expulsion may be considered. The Board expects that the response provided for students with known special needs will be consistent with the student's strengths, needs, goals and expectations contained in the IEP. The response required for students in alternative education should be as per direction of the Principal.

#### **Duty to Report – All Halton District School Board Employees and Transportation Providers**

The Halton District School Board requires any employee of the Board, and/or transportation provider, who becomes aware that a student at a school of the board may have engaged in an activity for which suspension or expulsion must be considered shall report the matter to the Principal, or designate, as soon as reasonably possible. The employee/transportation provider 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 end of the transportation route. In cases where an immediate action is required, a verbal report to the principal may be made. A written report must be made when it is safe to do so using the Safe Schools Incident Reporting Form (Appendix A).

The Halton District School Board expects all employees, and transportation providers, to take into consideration any mitigating or other circumstances which may explain the behaviour before deciding whether or not to report the behaviour for students with known special needs, or students who require alternative education as per direction of the Principal. The duty to report and subsequent filling out of the Safe Schools Incident Report Form would not be necessary or appropriate for an incident involving a student with known special needs, or where mitigating circumstances are known. These incidents still require appropriate follow up by the employee/transportation provider with notice to the principal, and completion of Employee Incident Reports if a safety risk to the employee occurs.

### **Incident Reporting Forms – Maintaining Records**

When a Safe Schools Incident Reporting Form is provided by an employee/transportation provider, the principal will complete Part II Acknowledgement of Receipt of Report, make a copy of page one, and redact the student's name on the copy and return the copy to the staff member/transportation provider who completed the report.

Forms are to be numbered and kept in the office binder for the balance of the school year and the following school year, unless the copy is removed from the OSR. Where suspension or expulsion applies, a copy of the Safe School Incident Reporting Form bearing the same number as the original in the office binder, with the name of the reporting person redacted, will be placed in the student's OSR attached to the suspension/expulsion letter. The information relating to suspension for violent behaviour (police involved and Violent Incident Report completed and attached) shall not be removed from the OSR unless three consecutive years have passed during which no further suspensions for serious violent incidents have taken place. The information related to expulsion may be removed five years after the date on which the school board expelled the student. These letters and forms are confidential and subject to MFIPPA.

### **Principal (or designate) Notification to Parents of Students Who May Have Been Harmed**

The Halton District School Board expects that, if the principal, or designate, believes that a student has been harmed as a result of an activity for which suspension or expulsion may be considered, the principal, or designate, must contact the parent/guardian of a student

- who is less than 18 years of age;
- who is 18 years of age or older and consents to such contact;
- who is 16 or 17 and withdrawn from parental control, and consents to such contact; except where, in the opinion of the principal, informing the parent/guardian would put the student at risk of harm and would not be in the student's best interests; in this case the principal or designate is required to document their decision and the rationale for same.

The principal, or designate, shall disclose

- the nature of the activity that resulted in harm to the student;
- the nature of the harm to the student; and
- the steps taken to protect the student's safety.

As per MFIPA (Municipal Freedom of Information and Protection of Privacy Act), the principal, or designate shall not disclose the name or any other identifying or personal information about a pupil who engaged in the activity that resulted in the harm, but may inform the parent/guardian of the victim that

***“Disciplinary action has been taken within the scope of progressive discipline as prescribed in legislation and Board policy”***

as follows:

- that the matter has been dealt with appropriately by the school;
- as to whether police have been notified, but may not disclose whether or not charges have been laid;
- if the student who engaged in the activity that resulted in the harm will not be returning to school;
- what, if any, steps are being taken to ensure the safety of other students;
- what supports are available for students who are victims of bullying or other harm.

### **Victims of Serious Incidents**

The Board supports students who are victims of serious incidents of student behaviour causing harm contrary to the provincial, Board, and school Code of Conduct. The principal, or designate, will provide information to parent/guardian(s) of victims and/or refer to a School Social Workers, Child Youth Counselor, or Safety and Wellbeing staff member who may be helpful in ensuring supports for victims as needed. Contact information and referrals to appropriate community agencies and services to address the needs of victims and their families are to be facilitated. Information on services may also be found at

<http://www.hdsb.ca/CommunityResources/Pages/CommunityContactforSupportServices.aspx>

Parents/guardians of victims who are dissatisfied with steps taken to provide support to the victim may bring their dissatisfaction to the attention of the principal. The parents/guardians may contact the Superintendent of Education responsible for the school if they continue to be dissatisfied after speaking with the principal.

### **SUSPENSION and/or EXPULSION**

The Board supports the use of **suspension** and **expulsion** where a student has engaged in one or more of the activities outlined in the Education Act under Part XIII Sections **306(1)** and **310(1)** and in **Board Policy**, on school property, during a school-related activity or event (on or off schools property), and/or in circumstances where the activity (on or off school property) has an impact on the school climate. In all cases where consequences may be imposed, teachers, administrators and the Board will consider the safety and dignity of all students, and the impact of the activity on the school climate. The principal and/or Discipline Committee of the Board shall consider whether or not the discipline will have a disproportionate impact on a student protected by the Human Rights Code and/or exacerbate the student's disadvantaged position in society.

### **Principal Investigation**

Before determining appropriate supports and/or consequences, the principal, or designate, must complete an investigation consistent with the expectations of the Human Rights Code and as required by the Education Act, which is consistent with the expectations for principal investigations and must take into consideration any mitigating and other factors.

### **Mitigating and Other Factors**

Before imposing a suspension, or a suspension pending an investigation to determine whether to recommend expulsion, the principal, or designate, must consider any mitigating and other factors and their application for the purpose of mitigating the discipline to be imposed. For the purpose of the Student Discipline Policy and Procedures, the Board interprets the provisions of the Education Act and Regulations in a broad and liberal manner consistent with the Human Rights Code. The principal or designate shall consider whether or not the discipline will have a disproportionate impact on a student protected by the Human Rights Code and/or exacerbate the student's disadvantaged position in society.

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 above and in the Student Discipline Procedures, for the purpose of mitigation when determining whether to recommend an expulsion from the student'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.

**SUSPENSION: Activities leading to possible suspension under the Education Act Section 306. (1)**

A principal shall consider whether to suspend a student if he or she believes that the student has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

1. \* Uttering (verbalizing, writing or sending) a threat to inflict serious bodily harm on another person.
2. Possessing alcohol or illegal 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 student's school or to property located on the premises of the student's school.
6. Bullying.

Any other activity that is an activity for which a principal may suspend a student under a **policy of the Board. Halton District School Board Code of Conduct** includes the following:

7. Disorderly conduct, persistent opposition to authority, conduct injurious to the moral tone of the school or to the physical or mental well-being of others in the school.
8. \*\* Possession or use of explosive devices, including fireworks.
9. \*\* Fire setting, initiating a false alarm, making a bomb threat, or an act that places individuals, property or community at risk.
10. Extortion – attempting to take money or property under threat of harm or duress.
11. Harassment – repeated comments or conduct that is known or ought to be known as unwelcome; on the basis of sex, gender identity, sexual orientation, race, colour, ethnicity, culture, citizenship, ancestry, origin, religion, creed, family status, socio-economic status, special needs, disability and/or any other immutable characteristic or ground protected by the Human Rights Code, as well as inappropriate sexual behaviour.
12. Hate crimes – words or actions considered offensive in reference to a person's gender identity, sexual orientation, race, colour, ethnicity, culture, citizenship, ancestry, origin, religion, creed, family status, socio-economic status, disability and/or any other grounds protected by the Human Rights Code of Ontario.
13. Smoking on school property – violation of the Tobacco Control Act, 1998.
14. Theft – taking, possessing property without the permission of the owner.
15. Vandalism of school or Board property.
16. Reckless or dangerous use of a vehicle (e.g. car, motorcycle, bicycle, etc.) on school property.

\* Police **must** be notified and a Violent Incident Form must be completed and filed for students age twelve (12) and over. The Parent/guardian(s) of the student should be notified whenever possible before police speak with specific students in the course of an investigation.

\*\* Fire Department **must** be notified when students engage in activities that include incendiary devices (lighters, matches, fireworks, etc.) or when fire alarms are falsely initiated.

All teachers of a student who is suspended must provide school work. Parent(s)/Guardian(s) must arrange with the school to pick up materials provided, and return completed work regularly during the suspension period.

### **Suspension Appeals**

The Discipline Committee will conduct suspension appeals as required by the Education Act 309 in accordance with the Student Discipline Procedures, Suspension Appeal Guidelines and Rules.

Parties to the hearing/appeal shall include:

- Principal/Vice principal(s) of the school in which the student is registered;
- Superintendent of Education responsible for the school in which the student is registered;
- Student if 18 years old, or if 16 or 17 and has withdrawn from parental control; and/OR
- Student's parent(s)/guardian(s);
- Legal representative.

### **Suspension Appeal Process**

Note: Appeals do not stay the suspension.

Where a student's parent/guardian(s) OR the student, if 18 or older, (or 16 or 17 and has withdrawn from parental control) **disagree(s) with the decision of a principal to suspend**, they may appeal the principal's decision to suspend as follows:

**Step 1: Notice of Appeal:** A person(s) who is/are entitled to appeal, described above, must give **written notice** of intent to appeal to the Superintendent of Education responsible for student discipline, as identified in the suspension letter, **within 10 (ten) days** of the commencement of the suspension.

The notice must identify

- the reason for appealing the suspension
- the remedy sought
- the names and relationships of all persons to be present at the appeal

Receipt of this notice will be confirmed by the Superintendent of Education responsible for Safe Schools.

### **Step 2: Meeting with the Principal:**

The person(s) who is/are entitled to appeal **must** meet with the principal to discuss the suspension. If an agreement is not reached through meeting with the principal, proceed to Step 3.

### **Step 3: Superintendent Review:**

The person(s) who is/are entitled to appeal may **request a review of the suspension** by the Superintendent of Education with responsibility for the school. If an agreement is not reached through the Superintendent's Review, the person(s) who is/are entitled to appeal and the Superintendent of Education with responsibility for the school will notify the Superintendent of Education responsible for student discipline.

### **Step 4: Appeal to the Board**

The Superintendent of Education responsible for student discipline will arrange for the Discipline Committee of the Board to hear the appeal and contact the person(s) who is/are entitled to appeal to confirm. The Discipline Committee of the Board shall hear and determine the appeal **within 15 school days** of receiving the notice of appeal, unless the parties agree on a later deadline.

## **The Appeal Hearing**

The Discipline Committee will be made up of a minimum of three trustees who will conduct hearings and appeals as required by the Education Act 309.(6). (Suspension Appeals will not be conducted in accordance with or be subject to the *Statutory Powers Procedure Act*). Parties to the Appeal Hearing shall include:

- Principal and/or designate of the school in which the student is registered;
- Student, if 18 years old (or if 16 or 17 and has withdrawn from parental control); and/or
- Student's parent/guardian(s)
- Legal counsel or other as per notification

The Discipline Committee shall take into account:

- submissions and views of all parties
- mitigating and other factors
- the discriminatory impacts of disciplinary decisions on students protected by the Human Rights Code of Ontario

The Discipline Committee may, in its decision:

- uphold the decision of the principal regarding the suspension;
- overturn the decision of the principal regarding the suspension;
- decrease the number of days provided for in the suspension.

The decision of the Discipline Committee is **final** and will be communicated to all parties to the hearing in writing by the Superintendent of Education responsible for student discipline.

## **EXPULSION Activities leading to possible expulsion under the Education Act Section 310. (1)**

As per the *Education Act*, Section 310(1) the infractions for which a principal **shall** suspend, and may consider recommending to the Board that a student be expelled from the student's school or from all schools of the Board, include:

1. \*Possessing a weapon, including possessing a firearm or knife.
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 - touching of a sexual nature that is known or should be known and unwanted.
5. \*Trafficking in weapons, illegal or restricted drugs.
6. \*Committing robbery.
7. \*Giving alcohol to a minor.

Any other activity that, under a policy of the Board, is an activity for which a principal must suspend a student and conduct an investigation to determine whether to recommend to the board that the student be expelled. **Halton District School Board Code of Conduct** includes the following:

8. An act considered by the principal to be significantly injurious to the moral tone of the school and/or the physical or mental well-being of others.
9. A pattern of behaviour that is so inappropriate that the student's continued presence is injurious to the effective learning and/or working environment of others;
10. Activities engaged in by the student on or off school property that cause the student's continuing presence in the school to create an unacceptable risk to the physical or mental well-being of other person(s) in the school or Board;
11. Activities engaged in by the student on or off school property that have caused extensive damage to the property of the Board, or to goods that are/were on Board property.

\* Police **must** be notified and a Violent Incident Form must be completed and filed for students age twelve (12) and over. Parent/guardian(s) of the student should be notified whenever possible before police speak with specific students in the course of an investigation.

Where a student has no history of discipline or behaviour intervention, or no relevant history, a single act, incident or infraction considered by the principal to be a serious violation of the expectations of student behaviour and/or a serious breach of the School/Board Code of Conduct may result in the principal suspending a student and conducting an investigation to determine whether to recommend to the board that the student be expelled.

### **Expulsion**

The student's parent/guardian(s), OR the student, if 18 or older, (or 16 or 17 and has withdrawn from parental control) may elect to a hearing by the Discipline Committee of the Board or, if in agreement with the principal's decision, may elect to sign a **consent** to expel together with the principal to be arranged by the Superintendent responsible for Safe Schools.

### **Expulsion Hearing Before the Discipline Committee**

The Discipline Committee will conduct expulsion hearings as required by the Education Act 311.3 in accordance with the Student Discipline Procedures, Suspension Appeal Guidelines, Expulsion Hearing Guidelines and Rules.

. Parties to the hearing/appeal shall include:

- Principal/Vice principal(s) of the school in which the student is registered;
- Superintendent of Education responsible for the school in which the student is registered;
- Student if 18 years old, or if 16 or 17 and has withdrawn from parental control; and/OR
- Student's parent(s)/guardian(s);
- Legal representative.

### **Expulsion Appeal Process**

Expulsion appeals shall be directed to:

#### **The Child and Family Services Review Board**

2 Bloor St. West, 24th Floor,  
Toronto, Ontario M4W 3V5

Fax: (416) 327-4379 Phone: (416) 327-4673 or 1-888-728-8823 Website: [www.cfsrb.ca](http://www.cfsrb.ca)

### **Halton Opportunities Programs for Suspended/Expelled Students (H.O.P.E.S.)**

The Halton District School Board authorizes the operation of programs for students who are suspended for six to twenty days, and for students who are expelled from all schools as required by PPMs 141 and 142.

Attendance is voluntary for suspended students. A student who does not participate in H.O.P.E.S. may return to his/her school following the suspension period.

Students who are expelled from all schools of the Board must attend H.O.P.E.S., and must complete a Student Action Plan (S.A.P.) prior to being allowed to return to any school, including schools operated by other public boards of education in the Province of Ontario.

Upon a decision to suspend for more than five days, the principal will provide the parent(s)/guardian(s) with information regarding the H.O.P.E.S. program.



Ministry of Education

School: \_\_\_\_\_

APPENDIX A

Report No: _____	<b>CONFIDENTIAL - SAFE SCHOOLS INCIDENT REPORTING FORM – PART I</b>
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)	<p><b>Activities for which suspension must be considered under section 306(1) of the Education Act</b></p> <input type="checkbox"/> 1. Uttering a threat to inflict serious bodily harm on another person <input type="checkbox"/> 2. Possessing alcohol or illegal drugs <input type="checkbox"/> 3. Being under the influence of alcohol <input type="checkbox"/> 4. Swearing at a teacher or at another person in a position of authority <input type="checkbox"/> 5. Committing an act of vandalism that causes extensive damage to school property at the student's school or to property located on the premises of the student's school <input type="checkbox"/> 6. Bullying <input type="checkbox"/> Any other activity for which a student may be suspended under board policy (see back of form) Namely # _____
	<p><b>Activities for which expulsion must be considered under section 310(1) of the Education Act</b></p> <input type="checkbox"/> 1. Possessing a weapon, including possessing a firearm or knife <input type="checkbox"/> 2. Using a weapon to cause or to threaten bodily harm to another person <input type="checkbox"/> 3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner <input type="checkbox"/> 4. Committing sexual assault <input type="checkbox"/> 5. Trafficking in weapons or in illegal or restricted drugs <input type="checkbox"/> 6. Committing robbery <input type="checkbox"/> 7. Giving alcohol to a minor <input type="checkbox"/> Any other activity for which a student may be expelled under board policy (see back of form) Namely # _____
5. Report Submitted By: Name: _____	
Contact Information: Location: _____ Telephone: _____	
6. Report Received by: Name: _____ Signature: _____ Date: _____ Time Submitted: _____	

**PART II ACKNOWLEDGEMENT OF RECEIPT OF REPORT**

Action Taken       No Action Required      Date: \_\_\_\_\_

Name of Principal/Vice Principal: \_\_\_\_\_ Signature: \_\_\_\_\_

Principal or delegate is to complete, sign and copy (this side only), remove student name from copy and return copy to the person who made the report.

This form is to be retained for a minimum of one year

As per the Education Act, Section 306 (1) 7 Any other activity that is an activity for which a principal may **suspend** a student under a **policy of the board**. **Halton District School Board Code of Conduct** includes the following:

7. Disorderly conduct, persistent opposition to authority, conduct injurious to the moral tone of the school or to the physical or mental well-being of others in the school.
8. Possession or use of explosive devices, including fireworks.
9. Fire setting, initiating false alarm, making a bomb threat, an act that places individuals, property or community at risk.
10. Extortion – attempting to take money or property under threat of harm or duress.
11. Harassment – repeated comments or conduct that is known or ought to be known as unwelcome on the basis of sex, gender identity, sexual orientation, race, colour, ethnicity, culture, citizenship, ancestry, origin, religion, creed, family status, socio-economic status, disability and/or any other immutable characteristic or ground protected by the Human Rights Code, as well as inappropriate sexual behaviour.
12. Hate crimes – words or actions considered offensive in reference to a person’s gender identity, sexual orientation, race, colour, ethnicity, culture, citizenship, ancestry, origin, religion, creed, family status, socio-economic status, disability and/or any other grounds protected by the Human Rights Code of Ontario.
13. Smoking on school property – violation of the Tobacco Control Act, 1998.
14. Theft – taking, possessing property without the permission of the owner.
15. Vandalism of school or Board property.
16. Reckless or dangerous use of a vehicle (e.g. car, motorcycle, bicycle, etc.) on school property.

As per the Education Act Section 310(1) 8 Any other activity that, under a policy of the board, is an activity for which a principal must suspend a student and conduct an investigation to determine whether to recommend to the board that the student be **expelled**. **Halton District School Board Code of Conduct** includes the following:

8. An act considered by the principal to be significantly injurious to the moral tone of the school and/or the physical or mental well-being of others.
9. A pattern of behaviour that is so inappropriate that the student's continued presence is injurious to the effective learning and/or working environment of others;
10. Activities engaged in by the student on or off school property that cause the student's continuing presence in the school to create an unacceptable risk to the physical or mental well-being of other person(s) in the school or Board;
11. Activities engaged in by the student on or off school property that have caused extensive damage to the property of the Board, or to goods that are/were on Board property:

**ACTION TAKEN**

***(PRINCIPAL OR DELEGATE TO COMPLETE)***

- Reminders/review of expectations (including Code of Conduct);
- Contact or meeting with the student’s parent(s)/guardian(s), teachers, support staff
- Work assignment with a learning component;
- Volunteer service to the school/community;
- Referral to community agency or counseling;
- Conflict mediation and resolution, restorative practices
- Collaborative Problem Solving;
- Involvement of police (or school liaison/D.A.R.E. officer) \_\_\_ probation and parole if appropriate;
- Detention;
- Withdrawal of privileges;
- Withdrawal from class;
- Restitution for damages;
- Restorative practices;
- Other \_\_\_\_\_
- Suspension \_\_\_\_\_ days
- Suspension pending recommendation to expel from:  current school  
 from all schools

**Delegation of Authority – Teacher in Charge**

(on school letterhead)

Memo

To [insert name of teacher-in-charge]

Date [insert date]

From [insert name of administrator]

Re Delegation of Authority

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You will be delegated authority as teacher-in-charge pursuant to section 300.1(1)(b), consistent with this memo on the dates set out below and initialed by me when the principal (and vice-principal) will be away from the school.

The principal can be reached by cell phone at [insert cell #], and the vice-principal may be reached by cell phone at [insert cell #]. The superintendent of education / supervisory officer may be reached at [insert phone #].

The emergency superintendent of education / supervisory officer may be reached at [insert phone #] or, in the alternative, the principal of [insert name of school], [insert individual's name], may be reached at [insert number].

As part of the duties of teacher-in-charge, you are being delegated responsibility for the following:

- (1) receiving reports from Board employees and transportation providers about serious incidents for which suspensions or a recommendation to expel might be made and communicating this information to an administrator at the earliest opportunity;
- (2) conducting an investigation to determine the nature of an incident to determine whether or not the incident is one for which a suspension or expulsion might be imposed;
- (3) reporting incidents for which a suspension or expulsion might be imposed to an administrator at the earliest opportunity;
- (4) providing information to a parent / guardian of a pupil about an incident causing the pupil harm, provided that the pupil is not an adult pupil (over 18 or 16 or 17 and withdrawn from parental consent) and you are not of the opinion that reporting the information might put the pupil at risk of harm and not be in the pupil's best interest;
- (5) contacting the police and/or fire department in an emergency;
- (6) contacting the police and/or fire department in accordance with the Police and School Board Protocol, and
- (7) implementing progressive discipline measures following the investigation of an incident that is unlikely to lead to suspension or expulsion as a consequence. Teachers may not determine suspension or expulsion.

You must exercise your authority in accordance with the *Education Act*, Board policies and procedures, including the principles of equity set out in Ontario’s Equity and Inclusive Education Strategy and the *Human Rights Code* of Ontario, which has primacy over the *Education Act* and the Board policies and procedures.

*OSBIE, The Ontario School Boards’ Insurance Exchange provides commercial general liability coverage to any teacher who acts as a designate for the principal or vice principal as per the Education Act, Bill 157 and Halton District School Board Policy, Behaviour, Discipline and School Safety.*

Your authority with respect to these matters shall not apply when a school administrator is in the school building.

Principal

DATE OF DELEGATION

Date	Principal Initials

Note: Principals may choose to issue one form for each date or occasion upon which all administrators will be out of the school building, or they may choose to issue one form showing the dates for the beginning and end of the school year. When choosing to issue one form for the entire school year, Principals must ensure that the teacher designate is always made aware when all administrators will be out of the building. It is also advisable to have a secondary designate in the event that the primary designate is absent from the building for any reason.