


**Windsor-Essex Catholic District School Board**



Section: Students

**POLICY ST: 05**  
**Student Discipline Policy**

<b>NUMBER:</b>	ST: 05
<b>EFFECTIVE:</b>	January 29, 2008
<b>AMENDED:</b>	February 9, 2010
<b>RELATED POLICIES:</b>	See References
<b>REPEALS:</b>	
<b>REVIEW DATE:</b>	2013 - 2014

## 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.

- 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 counselling;
  - 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:

- 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;
  - Review of expectations;
  - Written work assignment with a learning component;
  - Volunteer service to the school community;
  - Peer mentoring;
  - Referral to counselling;
  - 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 counselling;
  - 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;
  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;
- 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.

- 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.
- 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, 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  
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