



# POLICY COMMITTEE

## AGENDA

Tuesday November 17, 2020  
5:30 p.m. – TEAMS  
Chair: Alex Bradnam

1. Welcome and Introduction
2. Approval of Agenda
3. Business Arising from the Minutes
4. New Business .....Alex Bradnam
  - I-03: Policy Generating Process .....Kelly Pisek
  - E-03: Health and Safety ..... Stacy Veld
  - E-10: Staff Development ..... Lora Courtois
  - E-15: Workplace Violence and Harassment Prevention..... Lora Courtois
  - D-10: Outdoor Education .....Simon Hancox
  - G-28: Student Discipline ..... Mike St. John
5. Adjournment

**Next Meeting: Tuesday, February 9, 2021– 5:30 p.m. – via TEAMS**

District School Board of Niagara

**POLICY**

SECTION:	PREAMBLE	POLICY:	<b>i-03</b>
TOPIC:	<b>POLICY GENERATING PROCESS</b>	PAGE:	1 of 1
		DATE:	January 2016 November 2020
REVIEW DATE:	January 2021 November 2025	REVISED:	

Recommendations for development of Policy may be initiated by a variety of sources: Trustees, students, staff, members of Senior Administration, Ministry of Education or parents/guardians and community. This may occur through individual, group or committee action. Stakeholder input into the agenda may be done through written submission to the Chair who will bring it to the agenda setting meeting.

Recommendations for Policy development will normally be channelled through the Policy Committee for consideration by the Board of Trustees. Where this is not possible or practical, due to short timelines or other constraints, the recommendation may be routed directly to the Board of Trustees and subsequently reviewed by the Policy Committee. The development or approval of some specific Policy matters (e.g., Finance Transportation, Board Governance) may be directed to other District School Board of Niagara Committees.

The Policy Committee may also review any existing Policy and recommend to the Board of Trustees reconsideration, revision, modification, deletion or any other course of action.

Whether generating or reviewing Policy, the District School Board of Niagara is committed to ensuring a learning and working environment, through inclusive programs, curriculum, services, and operations, in which everyone is treated with respect, and no one is subject to discrimination. This commitment confirms and upholds the principles enshrined in the Canadian Charter of Rights and Freedoms, the Constitution Act, 1982, the Ontario Human Rights Code ("the Code" hereafter) and the Education Act.

**POLICY**

SECTION:	HUMAN RESOURCES - GENERAL	POLICY:	<b>E-03</b>
TOPIC:	<b>HEALTH AND SAFETY</b>	PAGE:	Page 1 of 1
		DATE:	<del>November 2019</del> November 2020
REVIEW DATE:	<del>November 2020</del> November 2021	REVISED:	

The District School Board of Niagara (DSBN) is committed to the health and safety of all its employees, by protecting all employees from workplace injury or occupational illness. All supervisors and workers must be dedicated to sharing the responsibility of reducing the risk of injury and illness by working in compliance with the law and with work practices and procedures established by the DSBN.

The DSBN shall:

1. Establish a Multi-Workplace Joint Health and Safety Committee (MWJHSC) consistent with terms of the Ontario Occupational Health and Safety Act and the DSBN MWJHSC Terms of Reference.
2. Make every reasonable effort to ensure that all administrators/supervisors know their responsibilities as described in the Occupational Health and Safety Act, and regulations thereunder, the DSBN MWJHSC Terms of Reference and this policy.

All supervisors\* must:

- a) Maintain safe and healthy work conditions for staff under their authority.
- b) Ensure that staff work in accordance with safe work practices and procedures.
- c) Correct unsafe or unhealthy conditions and acts by initiating appropriate corrective action.
- d) Report and investigate all accidents/incidents.
- e) Instill safety awareness in workers through education and training.

\* NOTE: A supervisor, as defined by the Occupational Health and Safety Act, Section 1. (1) means a person who has charge of a workplace or authority over a worker. A supervisor will be held accountable for the health and safety of the employees under their authority. Supervisors are responsible for ensuring that the workplace is safe and that employees work in compliance with established safe work practices and procedures.

3. Make every reasonable effort to ensure that all staff know their responsibilities as described in the Occupational Health and Safety Act, the DSBN MWJHSC Terms of Reference and this policy.

All staff must:

- a) Follow safe work procedures and practices.
- b) Use protective equipment supplied.
- c) Report any work-related illness or injury immediately to their supervisor.
- d) Report all unsafe and unhealthy acts and conditions to their supervisor.
- e) Complete appropriate training in their specific work tasks to protect their health and safety.

References

Policy E-15: Workplace Violence and Harassment Prevention  
 Health and Safety Act (OHSA) Workplace Harassment  
 MWJHSC Terms of Reference

**POLICY**

SECTION:	STAFF - GENERAL	POLICY:	<b>E-10</b>
TOPIC:	<b>STAFF DEVELOPMENT</b>	PAGE:	Page 1 of 1
		DATE:	<del>January 2016</del> November 2020
REVIEW DATE:	<del>January 2024</del> November 2025	REVISED:	

The District School Board of Niagara (DSBN) encourages all employees to be life-long learners supported by Staff Development that is based on system, school and individual needs. The following definitions seek to clarify the key components of effective and comprehensive staff development:

- **Training:** Training provides specialized instruction to fulfil the basic needs required for competency in a specific job. Training is either legislated or mandated by DSBN, usually for the purposes of safety or accountability.
- **In-Service:** In-service provides individuals with both self-initiated and DSBN initiated opportunities to broaden their skills and become more effective in their respective, ever-changing jobs.
- **Professional Growth:** Professional Growth encompasses a wide variety of self-initiated activities that enhance growth in the individual's respective fields.

Staff Development is offered and supported at DSBN, area, school and department levels.

The DSBN believes in supporting new staff through processes, including the following:

- **Induction:** Induction is a process for new employees (first two years) that includes all the activities that train and support new employees and it acculturates them to the mission and philosophy of their school/department and the DSBN. Induction encompasses orientation, mentoring, ongoing structured training, and other components.
- **Mentoring:** Mentoring is defined as a non-evaluative process which entails a role model in a "role-alike" position dialoguing to share knowledge, experiences, needs and strategies.
- **Orientation:** Orientation involves familiarization with the operational procedures of the school/department and the DSBN.

The DSBN supports the principle that workers should be multi-skilled, within parameters of Collective Agreements and job descriptions. Cross training helps to implement this principle:

- **Cross Training:** Cross training develops employees who can readily adapt to changes in job requirements and advancing technology. Cross training may be used as a strategy to enable employees to become more productive, prepared for new opportunities, as well as creating more flexibility within departments.

Supervisors/Managers facilitate communication and coordination of Staff Development opportunities for individuals and groups within the scope of their portfolio.

**POLICY**

SECTION:	HUMAN RESOURCES	POLICY:	<b>E-15</b>
TOPIC:	<b>WORKPLACE VIOLENCE AND HARASSMENT PREVENTION</b>	PAGE:	Page 1 of 2
		DATE:	<del>November 2019</del> November 2020
REVIEW DATE:	<del>November 2020</del> November 2021	REVISED:	

The District School Board of Niagara (DSBN) is committed to the prevention of workplace violence and harassment and to ensure the health and safety and dignity of all employees and workers in its workplace. Any threats or acts of violence or harassment by or against employees or workers or the public are unacceptable and will not be tolerated. This includes situations where an employee may be exposed to domestic violence while at work. The DSBN will take steps required to protect their workers from workplace violence from all sources. To better understand workplace violence and workplace harassment, the definitions are listed below:

**Workplace violence:**

- (a) Is the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker.
- (b) Is an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker.
- (c) Is a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

**Workplace harassment:**

- (a) engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or
- (b) workplace sexual harassment.

**Workplace sexual harassment:**

- (a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- (b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

This policy is not intended to limit or constrain the reasonable exercise of management functions in the workplace. Reasonable action or conduct by an employer, manager or supervisor that is part of his or her normal work function would not normally be considered workplace harassment.

This policy recognizes that workplace violence and harassment may occur between co-workers, workers and members of the school community and workers and strangers. This policy applies to all workplace activities that occur both at and away from the workplace. Every individual at DSBN has responsibilities to ensure a healthy, safe and respectful work environment. Everyone is expected to uphold this policy and to work together to prevent workplace violence and harassment.

The DSBN will ensure this policy and the resolution process are implemented and maintained and that workers and supervisors have the appropriate information and instruction to protect them from violence and harassment in the workplace.

All workers will adhere to this policy and the resolution process. School Administrator(s)/Supervisors are responsible for ensuring that measures and procedures are followed by workers and that workers have the appropriate information they need to protect themselves.

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SECTION:	HUMAN RESOURCES	POLICY:	<b>E-15</b>
TOPIC:	<b>WORKPLACE VIOLENCE AND HARASSMENT PREVENTION</b>	PAGE:	Page 2 of 2
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Every worker must work in compliance with this policy and the resolution process. All workers are encouraged to raise any concerns about workplace violence and harassment and to report any violent incidents, threats of violence and workplace harassment as defined above immediately.

The DSBN will investigate and deal with all incidents and complaints of workplace violence and harassment in a fair and timely manner, respecting the privacy of all concerned as much as possible.

Student to Staff

Harassment and risks of workplace violence that may arise because of student behavior towards employees and workers will be dealt with under the Safe Schools legislation.

This policy must be reviewed at least annually.

**POLICY**

SECTION:	EDUCATIONAL PROGRAMS AND STUDENT SERVICES	POLICY:	<b>D-10</b>
TOPIC:	<b>ENVIRONMENTAL AND OUTDOOR EDUCATION</b>	PAGE:	Page 1 of 1
		DATE:	November 2020
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The DSBN recognizes the importance schools have in preparing our students to take their place as informed, engaged and empowered citizens who will be pivotal in shaping our schools, our communities, our country and our global environment.

Environmental education in our school's focuses on teaching and learning, student engagement, community connections and environmental leadership.

The District School Board of Niagara (DSBN) is committed to the provision of opportunities for all students to experience learning in an outdoor natural environment. In addition to outdoor/educational programs at our schools, DSBN students have the opportunity to visit our DSBN Adventure and Living Campuses. These campuses provide students a broad range of outdoor experiential learning opportunities. The Outdoor programs offered at these facilities empower students through exploration and discovery to develop a connection to nature. Outdoor Education at the DSBN's Living Campus and DSBN Adventure Campus involves students in our natural environment in ways that develop environmental stewardship, encourage healthy living, and provide opportunities for students to develop skills in a variety of outdoor activities that enhance well-being and are environmentally sustainable. Implementation of both Environmental and Outdoor Education programs align to the Strategies and Actions as listed in the "*Acting Today, Shaping Tomorrow*" document.

The DSBN believes that all students should have equal access to these opportunities and there should be no barriers to participation in any of the programs provided at our schools, at the DSBN outdoor campuses or through our community partnerships.

Reference:

*Acting Today, Shaping Tomorrow: A Policy Framework for Environmental Education in Ontario Schools*, Ministry of Education, 2009

**POLICY**

SECTION:	EDUCATIONAL PROGRAMS AND STUDENT SERVICES	POLICY:	<b>D-10</b>
TOPIC:	<b>OUTDOOR/ENVIRONMENTAL EDUCATION</b>	PAGE:	Page 1 of 1
		DATE:	March 2016
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The District School Board of Niagara (DSBN) is committed to the provision of opportunities for all students to experience learning in an outdoor natural environment. The DSBN recognizes the important role Outdoor/Environmental Education plays in helping our students develop critical thinking skills, stimulating innovation and imagination and encouraging students to stretch boundaries and take appropriate chances. Outdoor/Environmental Education encourages students to make personal connections to their world, and fosters environmental stewardship and sustainability.

Appropriate safety planning will always take place for any Outdoor/Environmental Education program.

**Curricular Program**

It is the policy of the DSBN to support Outdoor/Environmental Education as a valuable learning opportunity for students. The DSBN recognizes that the curriculum-linked and/or Outdoor/Environmental Education programs at the Walker Living Campus and the St. Johns Outdoor Studies Centre provides students a broad range of outdoor experiential learning opportunities. The Outdoor/Environmental programs offered at these facilities empower students through exploration and discovery to develop a connection to the earth. They stimulate creativity, imagination and innovation and they encourage the development of group skills such as effective communication, leadership and working together towards a common goal. Outdoor/Environmental Education at the DSBN's Walker Living Campus and St. John's Outdoor Studies Centre involves students in our natural environment in ways that develop environmental stewardship, encourage healthy living, and provide opportunities for students to develop skills in a variety of outdoor activities that enhance well-being and are environmentally sustainable. Implementation of these programs align to the Strategies and Actions as listed in the "Acting Today, Shaping Tomorrow" document.

**Co-curricular Program**

Involvement of students individually or as members of a group in co-curricular Outdoor/Environmental Education activities is encouraged. Outdoor/Environmental Education connects students to our natural environment in ways that encourage personal reflections, critical thinking, environmental stewardship and physical and mental well-being. The cost of a school-based Outdoor/Environmental Education program shall be the responsibility of the school involved. Provision shall be made by the school to obtain, repair and store equipment used for Outdoor/Environmental Education programs and activities.

**Community Partnerships**

The DSBN actively strives to develop community and post-secondary partnerships in order to enhance and expand Outdoor/Environmental Education opportunities for our students. Through these partnerships the District School Board of Niagara is able to enhance our Outdoor/ Environmental Education programs and give our students a greater variety of outdoor and environmental learning opportunities.

**Reference:**

*Acting Today, Shaping Tomorrow: A Policy Framework for Environmental Education in Ontario Schools,*  
Ministry of Education, 2009



**POLICY**

SECTION:	SCHOOL OPERATIONS	POLICY:	<b>G-28</b>
TOPIC:	<b>STUDENT DISCIPLINE</b>	PAGE:	Page 1 of 7
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The District School Board of Niagara (DSBN) is committed to building and sustaining a positive school climate that is safe, inclusive, and accepting for all students in order to support their education so that all students reach their full potential. A positive school climate means everyone – students, parents, staff, and community members – feels safe, welcome, and respected. Everyone has a role to play in promoting healthy relationships and a school climate which encourages appropriate student behaviour. A whole-school approach involving all education and community partners is needed to foster a culture of dignity, mutual respect, and care. DSBN's approach to making schools safe and accepting involves the whole school and focuses on:

- collaboratively promoting positive student behaviour through a code of conduct
- building healthy and respectful relationships throughout the whole school community
- preventing inappropriate behaviour through initiatives like bullying prevention programs
- addressing inappropriate behaviour through progressive discipline.

**Progressive Discipline**

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 DSBN and all schools must be clear, developmentally appropriate, and individually and must include learning opportunities for students in order to reinforce positive behaviours and help students make good choices. Restoration and reconciliation should occur during all stages of discipline and include support for both victims and offenders involved in any school-based incident. For students with special education and/or disability related needs, interventions, supports and consequences must be consistent with the expectations in the student's IEP and/or his/her demonstrated abilities. Through progressive discipline, administrators determine appropriate consequences and/ or supports to help students improve their behaviour, while considering their individual circumstances. The goal is to help prevent inappropriate student behaviour from happening again.

When schools use progressive discipline, the following is taken into consideration:

- the students' stage of growth and development
- the nature and severity of the behaviour
- the impact of the behaviour on the school climate.

A **progressive discipline approach** is about building and sustaining a positive school climate that involves:

**Building relationships**

- Educators play a vital role in forming positive relationships and creating conditions where students feel valued and safe and have a sense of belonging to the school community.
- It is important to always maintain student dignity and in doing so, increases trust, builds relationships, and makes problems easier to solve.
- Building strong relationships within the school amongst students, staff, and families.

**Proactive Actions**

- Collaborating and engaging with members of the school community by sharing information to develop an awareness of factors that have an impact on the school climate
- Review and reflect on the effectiveness of prevention and intervention strategies, practices, and programs in school.

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**Restorative Practices & Support**

- Recognize and repair how the offender, victim, witnesses, and guiding adults are all impacted by the harm that occurred, and all benefit from the support to feel safe again in the school environment.
- When harm is done, students should have an opportunity to understand the full impact of their actions, to take responsibility for those actions, to do what is necessary to make it right.
- Investing in harm reduction and healing for the student(s) impacted by the behaviour.

**Suspension/Expulsion**

- The DSBN also uses suspension and expulsion as part of progressive discipline.

**Suspension**

A suspension means students are removed from school temporarily for a specific period of time. Students may be suspended for a period of time ranging from one school day up to twenty (20) school days. Students cannot go to school or take part in regular school activities or events while on suspension but are provided with homework packages to complete while on suspension.

**Activities Leading to Suspension**

The administrator must consider suspension if a student from grade 4 to grade 12 has engaged in any of the activities listed below, which are outlined in [subsection 306\(1\)](#) of the *Education Act*. As of September 1, 2020, students in junior kindergarten to Grade 3 can no longer be suspended for these activities:

- uttering a threat to inflict serious bodily harm on another person
- possessing alcohol, illegal and/or restricted drugs, or, unless the pupil is a medical cannabis user, cannabis
- being under the influence of alcohol or, unless the pupil is a medical cannabis user, cannabis
- swearing at a teacher or at any person in a position of authority
- committing an act of vandalism that causes extensive damage to Board property or to property located on the premises
- Bullying or cyber-bullying
- Any act considered by the principal to be injurious to the moral tone of the school
- Any act considered by the principal to be injurious to the physical or mental well-being of members of the school community
- Any act considered by the principal to be contrary to the DSBN's Code of Student Behaviour or school Code of Conduct.
- Any other activity that is an activity for which a principal may suspend a student under a policy of the DSBN.

\* It should be noted that "bullying" and cyber-bullying are defined in the *Education Act* as follows:

"bullying" means aggressive and typically repeated behaviour by a student where, the behaviour is intended by the student to have the effect of, or the student ought to know that the behaviour would be likely to have the effect of,

- causing harm, fear, or distress to another individual, including physical, psychological, social, or academic harm, harm to the individual's reputation or harm to the individual's property, or
- creating a negative environment at a school for another individual

**and**

- the behaviour occurs in a context where there is a real or perceived power imbalance between the student and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status,

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social status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race, disability or the receipt of special education; ("intimidation").

The definition of bullying behaviours includes the use of any physical, verbal, electronic, written, or other means. In addition, the definition of bullying includes bullying by electronic means (commonly known as cyber-bullying) including:

- creating a web page or a blog in which the creator assumes the identity of another person;
- impersonating another person as the author of content or messages posted on the internet; and
- communicating material electronically to more than one individual or posting material on a website that may be accessed by one or more individuals.

A student 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.

An administrator shall consult with the appropriate Superintendent of Education regarding the decision to issue a suspension of more than five (5) days.

**Mitigating Factors**

Before imposing a suspension, the administrator, as required by the *Education Act*, must consider any mitigating and other factors as set out in Ontario Regulation 472/07. The DSBN interprets the provisions of the *Education Act* and Regulations in a broad and liberal manner consistent with the *Human Rights Code*.

For certainty, these expectations of behaviour apply to pupils whether they are on school property, on school buses or other transportation means supplied by the DSBN, at school-related events or activities (e.g., a field trip) or in any other circumstance that could have an impact on the school climate (like cyber-bullying).

**Administrator Notification to Parents**

Where a student has been the alleged victim of a serious incident, the administrator or designate is required to provide information, to the parent/guardian of a student who is less than 18 years of age, is not 16 or 17 and withdrawn from parental control and where the administrator is NOT aware that informing the parent/guardian would put the student at risk of harm and would not be in the student's best interests. The administrator may inform a parent/guardian of a student 18 years or older or who is 16 or 17 and has withdrawn from parental control, if that student consents to the disclosure of information.

Likewise, and under the same parameters and restrictions as above, the administrator is to notify the parent or guardian of any student who the principal believes has engaged in the activity that resulted in the harm.

When students are suspended, the administrator will make every reasonable effort to let their parents know within 24 hours. This will be followed by a letter notifying them about the suspension as well as an invitation to discuss supports that may be offered to their child. The letter will include important information, such as:

- length of the suspension,
- reason for the suspension,
- the supervisory officer's information,
- information on how and when to appeal the suspension.

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**Supports for Suspended Students**

Students can be suspended for a period of one (1) to twenty (20) school days. Students who are suspended for **more than five school days** are considered to be on a **long-term suspension** and are offered a range of programs to support academics and positive behaviour. These programs will be based on the student's needs, length of the suspension, the nature and severity of the behaviour as well as mitigating and other factors.

**Appeal**

A suspension can be appealed to the school board. Written notice of the request for an appeal must be sent to the Area Superintendent within ten (10) school days of the start of the suspension. The appeal must be heard within fifteen (15) school days of the DSBN receiving the notice of intention to appeal, unless the parents and the DSBN have agreed to an extension. If parents have questions about the appeal, they can contact the Area Superintendent of Schools.

**Expulsion**

Students who are expelled from school must be provided with opportunities to continue their education and must be offered additional non-academic supports, such as counselling, to help promote positive behaviour. An expulsion is different from a suspension. An expulsion does not have a time limit. Expelled students are removed from school for an indefinite time period. Students are suspended first, while expulsion is being considered.

Students can be expelled from their own school or they can be expelled from all schools in the DSBN. After an investigation, the administrator recommends whether a student should be expelled. Only the Student Discipline Committee of the Board of Trustees can make the decision to expel a student.

**What activities can lead to expulsion?****Junior Kindergarten to Grade 3**

Pursuant to [Ontario Regulation 440/20](#), a pupil in **junior kindergarten, kindergarten or grade 1, 2 or 3** shall not be suspended pending expulsion under section 310 of the Act for engaging in an activity described in subsection 310(1) of the Act unless the principal has conducted an investigation respecting the allegations and even where the principal has conducted an investigation, a pupil in **junior kindergarten, kindergarten or grade 1, 2 or 3** cannot be suspended pending expulsion for the condition set out in paragraphs referencing **bullying** in subsection 310(1) of the Act.

**Grade 4 to 12**

If a student in grade 4 to grade 12 has engaged in any of the activities listed below, the administrator will immediately suspend the student and investigate the incident in order to determine whether the student should be expelled.

Activities described in subsection 310(1) of the Act include:

- possessing a weapon, including possessing a firearm
- using a weapon to cause or threaten bodily harm to another person
- committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner
- committing sexual assault
- trafficking in weapons, illegal or restricted drugs
- committing robbery
- giving alcohol or cannabis to a minor

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- **bullying** – if the student (between grade 4 to 12) has previously been suspended for bullying **and** the student's presence in the school creates an unacceptable risk to the safety of another person
- any activity for which a student can be suspended (see section on suspension) that is motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor
- Any other activity that, under a policy of the DSBN, is an activity for which a principal must suspend a student and, therefore in accordance with this Part, conduct an investigation to determine whether to recommend to the Student Discipline Committee of the Board of Trustees that the student be expelled
- An act considered by the principal to be significantly injurious to the moral tone of the school and/or to the physical or mental well-being of others
- A pattern of behaviour that is so inappropriate that the student continued presence is injurious to the effective learning and/or working environment of others
- Activities engaged in by the student on or off school property that cause the student's continuing presence in the school to create an unacceptable risk to the physical or mental well-being of other person(s) in the school or DSBN
- Activities engaged in by the student on or off school property that have caused extensive damage to the property of the DSBN or to goods that are/were on DSBN property
- The student has demonstrated through a pattern of behaviour that they have not prospered by the instruction available to them and that they are persistently resistant to making changes in behaviour which would enable them to prosper
- Any act considered by the principal to be a serious violation of the requirements for student behaviour and/or a serious breach of the DSBN's Code of Student Behaviour or school Code of Conduct
- 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 DSBN or school Code of Conduct

For certainty, these expectations of behaviour apply to pupils and will lead to expulsion whether they are on school property, on school buses or other transportation means supplied by the DSBN, at school-related events or activities (e.g., a field trip) or in any other circumstance that could have an impact on the school climate (like cyber-bullying).

**Expulsion Process****Junior Kindergarten to Grade 3**

If the student is in junior kindergarten to Grade 3, the principal must conduct an investigation regarding the allegations to determine if the student should be suspended pending expulsion.

**Grade 4 to 12**

If the student is in grade 4 to grade 12, they will be suspended immediately. The principal must then investigate the matter in order to determine whether to recommend to the Student Discipline Committee of the Board of Trustees that the student be expelled. As part of the investigation, the administrator must make every reasonable effort to speak to the student who was suspended, their parents, and anyone else who may have relevant information.

**Administrator Notification to Parents**

Where a student has been the alleged victim of a serious incident, the administrator or designate is required to provide information to the parent/guardian of a student who is less than 18 years of age, is not 16 or 17 and withdrawn from parental control and where the principal is NOT aware that informing the parent/guardian would put the student at risk of harm and would not be in the student's best interests. The administrator may inform a parent/guardian of a student 18

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years or older or who is 16 or 17 and has withdrawn from parental control, if that student consents to the disclosure of information.

Likewise, and under the same parameters and restrictions as above, the administrator is to notify the parent or guardian of any student who the principal believes has engaged in the activity that resulted in the harm. When students are suspended pending a possible expulsion, the administrator will make every reasonable effort to let their parents know within twenty-four (24) hours that the student has been suspended. This will be followed by a letter notifying them about the suspension. The letter will also include important information, such as:

- reason for the suspension
- length of the suspension
- information about the program for suspended students to which the student is assigned
- information on how and when to appeal the suspension.

**Mitigating Factors**

To determine the duration of a suspension pending an investigation to determine whether to recommend expulsion, the administrator must consider any mitigating factors as set out in the Regulations under the *Education Act*.

When the administrator imposes a suspension pending an investigation to determine whether to recommend expulsion, the administrator must consider any mitigating and other factors in determining whether to recommend an expulsion from the student's school or from all schools of the DSBN, as required by the *Education Act*. If the administrator determines it is not appropriate to recommend an expulsion, the administrator must consider mitigating and other factors in deciding whether to shorten the length of the suspension.

For the purpose of the student discipline, the DSBN interprets the provisions of the *Education Act* and Regulations in a broad and liberal manner consistent with the *Ontario Human Rights Code*.

Before recommending an expulsion from the student's school or from all schools of the DSBN, the administrator must complete an investigation, as required by the *Education Act*.

**Supports for Expelled Students**

When students are expelled **only from their school** and moved to another school of the DSBN, the DSBN will make supports and resources available to the student at that school where necessary. These supports could include anger management or individual/family counselling that are intended to help engage and motivate students and encourage positive behaviour.

When students are expelled from **all schools in the DSBN** and agree to participate in the program for expelled students, the administrator will hold a **planning meeting** with school and school board staff, the student, and parents (wherever possible) to identify the objectives of the **Student Action Plan**.

**Student Discipline Committee**

The DSBN authorizes the creation of a Student Discipline Committee of at least three (3) Trustees to decide appeals of administrator suspensions and administrator recommendations for expulsion.

In all cases where consequences might be imposed, teachers, principals/vice-principals and the Student Discipline Committee of the Board of Trustees will consider the safety and dignity of all students, and the impact of the activity on the school climate.

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The Student Discipline Committee shall have the powers as set out in the *Education Act* and any other powers to implement any appropriate Order. For these purposes, the Student Discipline Committee will conduct the suspension appeals and expulsion hearings in accordance with the *Education Act*, its regulation and DSBN policies and procedures.

**Legislative References**

The Provincial Code of Conduct, the District School Board of Niagara (DSBN) Code of Student Behaviour, the *Education Act*, Ontario Regulation 472/07, Ontario Regulation 440/20, Policy Program Memorandum (PPM) 128 (Provincial and school board codes of conduct), 141 (programs for long term suspension), 142 (expulsion programs), 144 (bullying prevention) and 145 (progressive discipline), together with the DSBN's discipline policies create expectations for behaviour for all persons on school property, and outline strategies to be taken to reduce incidents and impose appropriate consequences for students. The *Human Rights Code of Ontario* has primacy over provincial legislation and school board policies and procedures, such that the *Education Act*, regulations, Ministry of Education Program Policy Memoranda, and DSBN's policies and procedures are subject to, and shall be interpreted and applied in accordance with the *Human Rights Code of Ontario*.

**References**

[Policy G-08: DSBN Code of Conduct for Schools](#)

[Policy G-29: Safe and Accepting Schools: Bullying Prevention and Intervention](#)

[Policy E-11: Equity and Inclusive Education](#)

[Policy G-05: Weapons](#)

[Policy G-07: Vandalism](#)

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The Provincial Code of Conduct, the District School Board of Niagara (DSBN) Code of Student Behaviour, the *Education Act* Ontario Regulation 472/07, Policy Program Memorandum (PPM) 128 (Provincial and school board codes of conduct), 141 (programs for long term suspension), 142 (expulsion programs), 144 (bullying prevention) and 145 (progressive discipline), together with the DSBN's discipline policies and procedures create expectations for behaviour for all persons on school property, and outline strategies to be taken to reduce incidents and impose appropriate consequences for students. The *Human Rights Code of Ontario* has primacy over provincial legislation and school board policies and procedures, such that the *Education Act*, regulations, Ministry of Education Program Policy Memoranda, and DSBN's policies and procedures are subject to, and shall be interpreted and applied in accordance with the *Human Rights Code of Ontario*.

It is important that all students have a safe, caring, accepting and inclusive school environment in order to maximize their learning potential and to ensure a positive school climate for all members of the school community.

For the purpose of this Policy, the term "principal" is being used as opposed to "School Administrator(s)" to conform to statutory requirements. Pursuant to the *Education Act*, principals are required to maintain proper order and discipline in schools, and students 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/guardian. A principal may delegate some disciplinary responsibilities to a vice-principal or teacher of the school in accordance with the *Education Act*, Ministry of Education policies and DSBN procedures. In such circumstances, the delegation of authority and the authority delegated will be clearly identified in DSBN procedures, as will the supports available to individuals in receipt of the delegated authority.

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

The DSBN does not support discipline measures that are solely punitive. Schools are encouraged to implement proactive positive practices and corrective supportive practices when necessary.

This policy authorizes the creation of procedures for implementation, which might include requirements described in Ministry of Education PPMs as matters of policy, and any such procedures shall be considered guidelines pursuant to the *Education Act* and other relevant and/or related Ministry of Education materials, all of which will be sufficient for the purposes of implementing the requirements of Ministry of Education Policy Program Memoranda.

### **Positive Practices**

In order to promote and support appropriate and positive student 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 DSBN supports the use of positive practices for: (1) prevention, and (2) positive behaviour management. The DSBN also encourages principals/designates to review and amend as appropriate, Individual Education Plans, Positive Behaviour Support Plans and Safety Plans, at regular intervals.

Examples of preventative practices may include:

- Anti-bullying and violence prevention programs
- Mentorship programs
- Student success strategies
- Character education
- Citizenship development
- Student leadership



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- Healthy lifestyles; and
- Promoting healthy student relationships

Examples of positive behaviour management practices may include:

- Program modifications or accommodations
- Class placement
- Positive encouragement and reinforcement
- Individual, peer and group counselling
- Conflict resolution / Dispute resolution
- Mentorship programs
- Sensitivity programs
- Safety Plans
- School, DSBN and community support programs
- Student success strategies; and
- Promotion of healthy student relationships

The DSBN recognizes that, in some circumstances, positive practices might not be effective or sufficient to address inappropriate student behaviour. In such circumstances, the DSBN supports the use of consequences.

In circumstances where a student will receive a consequence for his/her behaviour, it is the expectation of the DSBN that the principle of progressive discipline, consistent with Ministry of Education direction and PPM 145, will be applied, if appropriate.

**Progressive Discipline**

The goal of this policy, with respect to progressive discipline, is to support a safe learning and teaching environment in which every student can reach his or her full potential. Appropriate action must consistently be taken by schools and the DSBN to address behaviours that are contrary to provincial Code of Conduct and the DSBN Code of Student Behaviour.

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 students in order to reinforce positive behaviours and help students make good choices. For students with special education and/or disability related needs, interventions, supports and consequences must be consistent with the expectations in the student's IEP and/or his/her demonstrated abilities.

**Duty to Report to Principal**

An employee of DSBN who becomes aware that a student of a school of the DSBN may have engaged in an activity that could lead to a possible suspension or possible expulsion shall, as soon as reasonably possible, report to the principal of the school about the matter.

**Responding to Behaviour That Causes a Negative School Climate**

It is the expectation of the DSBN that, provided that there is no immediate risk of physical harm to any individual, staff members who work directly with students on a regular basis, including but not limited to principals/vice-principals, teachers, educational assistants, social workers, attendance counsellors, designated early childhood educators, youth counsellors, psychologists, and speech and language pathologists, shall, in accordance with DSBN procedures, respond

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to any such inappropriate and disrespectful behaviour or any other behaviour that causes a negative school climate or for which a suspension or expulsion may be imposed, which they have observed or heard during the course of their duties or otherwise while on school property or during a school related event.

The DSBN, and school principals/vice-principals, must consider all mitigating and other factors, as required by the *Education Act* and as set out in Ontario Regulation 472/07.

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

- Contact with the student's parent(s)/guardian(s)
- Oral 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

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 student's parent(s)/guardian(s), student and principal/vice-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

Progressive discipline is most effective when dialogue between the school and home regarding student achievement, behaviour and expectations is open, courteous and focused on student success.

When addressing inappropriate behaviour, school staff should consider the particular student and circumstances, including any mitigating and other factors, the nature and severity of the behaviour, and the impact on the school climate.

The DSBN also supports the use of suspension and expulsion as outlined in Part XIII of the *Education Act* where a student 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 (as outlined in Section 306 of the *Education Act*)**

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:

1. Uttering a threat to inflict serious bodily harm on another person.
2. Possessing alcohol, illegal and/or restricted drugs, or unless the pupil is a medical cannabis user, cannabis.

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3. Being under the influence of alcohol, or unless the pupil is a medical cannabis user, cannabis..
4. Committing an act of vandalism that causes extensive damage to DSBN property or to property located on DSBN premises.
5. Swearing at a teacher or at another person in a position of authority.
6. Bullying or Cyber-Bullying.\*
7. Persistent Opposition to Authority.
8. Any act considered by the principal to be injurious to the moral tone of the school.
9. Any act considered by the principal to be injurious to the physical or mental well-being of members of the school community.
10. Any act considered by the principal to be contrary to the DSBN's Code of Student Behaviour or school Code of Conduct.
11. Any other activity that is an activity for which a principal may suspend a student under a policy of the DSBN.

\* It should be noted that "bullying" and cyber-bullying are defined in the *Education Act* as follows:

"bullying" means aggressive and typically repeated behaviour by a student where,

- (a) the behaviour is intended by the student to have the effect of, or the student ought to know that the behaviour would be likely to have the effect of,
  - (i) causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual's reputation or harm to the individual's property, or
  - (ii) creating a negative environment at a school for another individual, and
- (b) the behaviour occurs in a context where there is a real or perceived power imbalance between the student and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race, disability or the receipt of special education; ("intimidation").

The definition of bullying behaviours includes the use of any physical, verbal, electronic, written or other means. In addition, the definition of bullying includes bullying by electronic means (commonly known as cyber-bullying) including:

- (a) creating a web page or a blog in which the creator assumes the identity of another person;
- (b) impersonating another person as the author of content or messages posted on the internet; and
- (c) communicating material electronically to more than one individual or posting material on a website that may be accessed by one or more individuals.

A student 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.

A principal shall consult with the appropriate Superintendent of Education regarding the decision to issue a suspension of ten (10) days or more.

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 DSBN interprets the provisions of the *Education Act* and Regulations in a broad and liberal manner consistent with the *Human Rights Code*.

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**Principal Notification to Parent(s)/Guardian(s)**

Where a student has been the alleged victim of a serious incident, the principal or designate is required to provide information, in accordance with DSBN procedures, to the parent/guardian of a student who is less than 18 years of age, is not 16 or 17 and withdrawn from parental control and where the principal is NOT aware that informing the parent/guardian would put the student at risk of harm and would not be in the student's best interests. The principal may inform a parent/guardian of a student 18 years or older or who is 16 or 17 and has withdrawn from parental control, if that student consents to the disclosure of information.

Likewise, and under the same parameters and restrictions as above, the principal is to notify the parent or guardian of any student who the principal believes has engaged in the activity that resulted in the harm.

**Appeal**

Where a student's parent/guardian or the student, 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 student that student'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 DSBN's Student Discipline Procedures and Suspension Appeal Guidelines.

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

**Expulsion (as outlined in Section 310 of the Education Act)**

The infractions for which a principal must suspend a pupil pending a possible recommendation for expulsion from the student's school or from all schools of the DSBN 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 or cannabis to a minor.
- 7.1 Bullying, if,
  - (i) the student has previously been suspended for engaging in bullying; and
  - (ii) the student's continuing presence in the school creates an unacceptable risk to the safety of another person.
- 7.2 Any activity listed in s. 306(1) of the *Education Act* (as a potential suspendable behaviour) that is motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor.
8. Any other activity that, under a policy of the DSBN, is an activity for which a principal must suspend a student and, therefore in accordance with this Part, conduct an investigation to determine whether to recommend to the Board of Trustees that the student be expelled.
9. An act considered by the principal to be significantly injurious to the moral tone of the school and/or to the physical

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or mental well-being of others.

10. A pattern of behaviour that is so inappropriate that the student continued presence is injurious to the effective learning and/or working environment of others.
11. 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 DSBN.
12. Activities engaged in by the student on or off school property that have caused extensive damage to the property of the DSBN or to goods that are/were on DSBN property.
13. The student 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
14. Any act considered by the principal to be a serious violation of the requirements for student behaviour and/or a serious breach of the DSBN's Code of Student Behaviour or school Code of Conduct.
15. 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 DSBN or school Code of Conduct.

**Mitigating Factors**

To determine the duration of 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.

When 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 student's school or from all schools of the DSBN, 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.

For the purpose of the Student Discipline Procedures, the DSBN interprets the provisions of the *Education Act* and Regulations in a broad and liberal manner consistent with the *Human Rights Code*.

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

**Principal Notification to Parent(s)/Guardian(s)**

Where a student has been harmed as a result of an activity in section 306(1) or 310(1) of the *Education Act*, the principal or designate is required to provide information, in accordance with DSBN procedures, to the parent/guardian of a student who is less than 18 years of age, is not 16 or 17 and withdrawn from parental control and where the principal is NOT aware that informing the parent/guardian would put the student at risk of harm and would not be in the student's best interests. The principal may inform a parent/guardian of a student 18 years or older or who is 16 or 17 and has withdrawn from parental control, if that student consents to the disclosure of information.

Likewise, and under the same parameters and restrictions as above, the principal is to notify the parent or guardian of any student who the principal believes has engaged in the activity that resulted in the harm.

**Superintendent of Education**

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The appropriate Superintendent of Education shall have the powers and duties outlined in the Student Discipline Procedures.

**Student Discipline Committee**

The DSBN authorizes the creation of a Student Discipline Committee of no fewer than three (3) Trustees to decide appeals of principal suspensions and principal recommendations for expulsion. For these purposes, the Student Discipline Committee will conduct the suspension appeals and expulsion hearings in accordance with the Student Discipline Procedures, Suspension Appeal Guidelines, Expulsion Hearing Guidelines and Rules.

In all cases where consequences might be imposed, teachers, principals/vice-principals and the Board of Trustees will consider the safety and dignity of all students, and the impact of the activity on the school climate.

The Student Discipline Committee shall have the powers as set out in the *Education Act* and any other powers to implement any appropriate Order.

References

- Policy G-05: Weapons
- Policy G-07: Vandalism