



**DURHAM CATHOLIC
DISTRICT SCHOOL BOARD**
Learning and Living in Faith

POLICY – 611

Student Discipline

Area: Student Conduct and Safety
Source: Superintendent of Education – Safe Schools

Approved: May 12, 2008
Revised: May 13, 2013; May 8, 2017; November 5, 2018 (Interim); May 6, 2019;
November 9, 2020

1. Introduction

In keeping with the mission, vision and values of the Durham Catholic District School Board (the “Board”), the Board of Trustees is committed to promoting and supporting appropriate student behaviours that contributes to a positive school climate and sustains a safe, inclusive and accepting learning and teaching environment.

The Board of Trustees acknowledges that progressive discipline is a whole school approach that involves all members of the school community. This approach includes a continuum of prevention programs, early and ongoing interventions, supports and consequences for inappropriate behaviour.

2. Definitions

Adult Student (*Municipal Freedom of Information and Protection of Privacy Act*) – a student who has reached the age of 18 or is 16 or 17 and has withdrawn from parental control.

Bullying (*Policy and Program Memorandum 144 – Bullying Prevention and Intervention*) – typically a form of repeated, persistent, and aggressive behaviour directed at an individual or individuals that is intended to cause (or should be known to cause) fear and distress and/or harm to another person’s body, feelings, self-esteem, or reputation. Bullying occurs in a context where there is a real or perceived power imbalance.

Guardian (*Education Act*) – a person who has lawful custody of a child, other than the parent of the child.

Harassment (*Ontario Human Rights Commission*) – engaging in a course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome.

Ontario Human Rights Code (the “Code) (*Equity and Inclusive Education in Ontario Schools*) – a provincial law that gives everyone equal rights and opportunities, without Discrimination, in specific areas such as education, jobs, housing, and services. The goal of the Code is to address and prevent discrimination and harassment.

Progressive Discipline (*Policy and Program Memorandum 145 – Progressive Discipline and Promoting Positive Student Behaviour*) – a whole-school approach that utilizes a continuum of prevention programs, interventions, supports, and consequences to address inappropriate student behaviour and to build upon strategies that promote and foster positive behaviours.

3. Purpose

The purpose of this policy and its resulting administrative procedure is to provide guidelines to ensure that principals, their designates and all educators in the Board use appropriate strategies to discipline students in compliance with Ministry and Board direction for progressive discipline.

4. Application / Scope

This policy applies to all students (Kindergarten to Grade 12) and all schools in the Board. This policy is commensurate with the Ontario Human Rights Code, the Provincial Code of Conduct, the Board Code of Conduct, and the Education Act which create expectations for behaviour for all persons on school property, during a school related activity or event, and/or in circumstances where a behaviour has an impact on the school climate.

5. Principles

5.1 The Board of Trustees recognizes:

5.1.1 the behaviour within our school communities should be in accordance with the Gospel values of Jesus Christ, the Board’s Mission Statement, and the requirements set forth by the Education Act and the applicable regulations;

5.1.2 that all inappropriate student behaviour, including bullying, must be addressed;

5.1.3 that the principles of Progressive Discipline, consistent with the Ontario Human Rights Code, Ministry of Education direction and PPM 145 Progressive Discipline and Promoting Positive Student Behaviour, will be applied in circumstances where positive school and classroom climate practices have not been effective or sufficient in addressing inappropriate behaviour;

- 5.1.4 the importance of due diligence and bias-aware investigative practices;
- 5.1.5 that, when progressive discipline measures are implemented, they must be developmentally appropriate based on a student's age and/or learning profile;
- 5.1.6 that some behaviours are a manifestation of specific diagnosed medical or neurological developmental disorders.
- 5.1.7 that the use of suspension and expulsion for infractions as outlined in Part XIII of the Education Act may be necessary, where a student has committed one or more of the infractions on school property, during a school related event and/or in circumstances where the infraction has had an impact on the school climate;
- 5.1.8 the importance of consistency across the system in addressing serious breaches of conduct;
- 5.1.9 the authority of the principal and the teaching staff in discharging their duties as defined by the Education Act and Regulations and respective Board policies and administrative procedures;
- 5.1.10 its duty to establish procedures for the appeal of suspensions in accordance with the Education Act and Regulations;
- 5.1.11 the power of the Child and Family Services Review Board to hear an appeal of the Board's decision to expel a student.

6. Requirements

- 6.1 The Director of Education, or designate, shall issue administrative procedures to support this policy and amend them thereafter as the need may arise.
- 6.2 Schools are required to implement a whole school approach to progressive discipline consistent with this policy, its administrative procedures and the Ontario Human Rights Code. Schools should utilize a range of interventions, supports and consequences that are developmentally appropriate and include learning opportunities for reinforcing and fostering positive behaviour and supporting students in making good choices.
- 6.3 Schools should ensure that communication between the school and home is open, courteous and focused on student success. Principals, vice-principals and teachers who have been delegated authority are expected to engage and collaborate with parents/guardians/caregivers in the progressive discipline approach being used with their children.
- 6.4 Where a student has special education needs, the interventions, supports progressive disciplinary measures must, where appropriate, be reflective of the expectations outlined in the student's Individual Education Plan (e.g., Behaviour goals) and/or Safety Plan.

- 6.5 Schools are expected to create positive school and classroom climates by promoting the dignity and worth of all members of the Catholic school community.
- 6.6 Schools are required to use early and ongoing prevention and intervention strategies to address inappropriate behaviour and maintain a positive school environment. Intervention strategies should provide students with the necessary supports to address inappropriate behaviour. Parents/guardians/caregivers should be actively engaged in developing and implementing the prevention and intervention strategies.
- 6.7 The Board supports students who are impacted by serious incidents of behaviour that contravene the provincial, Board, and school Codes of Conduct. School administrators, staff and students will work collaboratively with parents/guardians/caregivers to develop appropriate plans to protect any impacted students.
- 6.8 When early, ongoing, and collaborative strategies are not effective or not sufficient in addressing inappropriate student behaviour, the Board supports the use of consequences, up to and including suspension and/or expulsion.
- 6.9 Schools shall consider and endeavour to facilitate restoration and reconciliation as an integral component of Progressive Discipline. Restoration and reconciliation should occur during all stages of Progressive Discipline.
- 6.10 When a principal or designate's investigation of an incident determines that a student has engaged in one or more of the infractions as outlined in the Student Discipline Administrative Procedure (AP611-1) on school property, during a school-related activity or event and/or in circumstances where the infraction has an impact on the school climate, a principal shall consider whether that student should be suspended or expelled.
- 6.11 The Education Act gives the principal the sole responsibility to suspend or expel a student in grades 4-12 based on the list of infractions for which a principal must consider suspension or expulsion (See Student Discipline Administrative Procedure AP611-1). The principal must, prior to making a decision to suspend/expel, consider the mitigating and other factors as listed in the Safe Schools Act.
- 6.12 Suspension or expulsion of a student in Kindergarten to grade 3 is not permitted in accordance with the Education Act, except where the student has engaged in one or more of the infractions for which a principal must consider expulsion (See Student Discipline Administrative Procedure AP611-1). In these cases, the principal will investigate the allegations and consider the mitigating and other factors to determine if the student should be suspended or expelled.
- 6.13 The principal shall consider whether or not the discipline will have a disproportionate impact on a pupil protected by the Human Rights Code.

- 6.14 Involvement of the police in any school investigations will be consistent with the expectations outlined in the Police/School Board Protocol.
- 6.15 Where a student's parent/guardian/caregiver or the adult student disagrees with the decision of the principal to suspend the student, the adult student or parent/guardian/caregiver may appeal a suspension. All suspension appeals will follow the process outlined in the attendant Administrative Procedure (AP61101).
- 6.16 Following a suspension of six (6) or more school days, a re-entry meeting will be held with school and board staff, the student, and the student's parent(s)/guardian(s)/caregiver(s) if possible, to provide positive and constructive redirection for the student.
- 6.17 Exclusion pursuant to Section 265(1)(m) of the Education Act is not acceptable for discipline purposes or as an alternative to discipline for students enrolled in the school, and may only be imposed in accordance with the Education Act and Board procedures, and must be consistent with the Human Rights Code.
- 6.18 The Board supports students who are negatively impacted by serious incidents of behaviour causing harm contrary to the provincial, Board, and school Codes of Conduct. School administrators will work collaboratively with parents/guardians/caregivers and students to develop appropriate plans to protect any negatively impacted students.
- 6.19 The Board authorizes the creation of a Discipline Committee of no fewer than three (3) Trustees to decide appeals of principal suspensions and principal recommendations for expulsion. For these purposes, the Discipline Committee will conduct the suspension appeals and expulsion hearings in accordance with the Student Discipline administrative procedures, Suspension Appeal Guidelines and Expulsion Hearing Guidelines and Rules.
- 6.19.1 In all cases where suspensions are appealed or expulsions might be imposed, the Discipline Committee will consider the safety and dignity of all pupils, and the impact of the activity on the school climate.
- 6.19.2 The Discipline Committee shall have the powers as set out in the Education Act and any other powers necessary and shall consider the Ontario Human Rights Code prior to implementing any appropriate Order.
- 6.20 The Director of Education shall appoint the Superintendent of Safe Schools to have the powers and duties outlined in the Student Discipline administrative procedures and will act as a Resource to the Discipline Committee.

7. Sources

- 7.1 Ontario Human Rights Code
- 7.2 Education Act
- 7.3 Safe and Accepting Schools Act, 2012

- 7.4 Local Police/School Board Protocol, 2016
- 7.5 PPM 119 – Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools
- 7.6 PPM 120 – Reporting Violent Incidents to the Ministry of Education
- 7.7 PPM 128 – The Provincial Code of Conduct and School Board Code of Conduct
- 7.8 PPM 141 – School Board Programs for Students on Long-term Suspension
- 7.9 PPM 142 – School Board Programs for Students Expelled
- 7.10 PPM 144 – Bullying Prevention and Intervention Policy
- 7.11 PPM 145 – Progressive Discipline and Promoting Positive Student Behaviour Policy

8. Related Policies and Administrative Procedures

- 8.1 Code of Conduct Policy (PO610)
- 8.2 Code of Conduct Administrative Procedure (AP610-1)
- 8.3 Student Discipline Administrative Procedure (AP611-1)
- 8.4 Bullying Prevention and Intervention Policy (PO612)
- 8.5 Bullying Prevention and Intervention Administrative Procedure (AP612-1)
- 8.6 Equity and Inclusive Education Administrative Procedure (AP216-1)