



**BRANT HALDIMAND NORFOLK  
Catholic District School Board**

**Agenda**  
Catholic Education Centre  
322 Fairview Drive  
Brantford, ON N3T 5M8

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**Policy Committee  
Tuesday, November 16, 2010 3:00 – 4:30 p.m.  
Trustees' Meeting Room**

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**1. Call to Order**

1.1 Opening Prayer – Bonnie McKinnon, Chair of the Policy Committee

1.2 Attendance

**2. Routine Matters**

2.1 Approval of the Agenda

2.2 Declaration of Interest

2.3 Approval of Minutes from the Policy Committee Meeting – October 13, 2010

Pages 2-3

2.4 Business Arising from Minutes

**3. Presentations and Delegations: Nil**

**4. Committee and Staff Reports**

4.1 Facility Partnership

Pages 4-9

Presenter: Wally Easton, Associate Director, Corp. Services & Treasurer

4.2 Workplace Violence Prevention 300.20 (final)

Pages 10-18

Presenter: Wally Easton, Associate Director, Corp. Services & Treasurer

4.3 Workplace Harassment 300.01 (final)

Pages 19-30

Presenter: Wally Easton, Associate Director, Corp. Services & Treasurer

4.4 Safe Schools Policy 200.25 (final)

Pages 31-36

Student Discipline Policy 200.26 (final)

Pages 37-57

Bullying Prevention & Intervention Policy 200.27 (final)

Pages 58-64

Presenter: Trish Kings, Superintendent of Education

4.5 Equity Policy

Pages 65-69

Presenter: Trish Kings, Superintendent of Education

**5. Information**

5.1 2010-11 Policies chart

Pages 70-71

**5. Moment of Silent Reflection**

**6. Adjournment**

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**Next meeting:** January, Date To Be Determined



**Brant Haldimand Norfolk**  
Catholic District School Board

**Minutes**

Catholic Education Centre  
322 Fairview Drive  
Brantford, ON N3T 5M8

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**Policy Committee**  
**Wednesday, October 13, 2010 2:00 p.m.**  
**Trustees' Meeting Room**

**Present:** Bonnie McKinnon (Chair), Dan Dignard, Cathy Horgan, June Szeman

**Absent:**

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**1. Call to Order**

**1.1 Opening Prayer**

The meeting opened with a prayer led by Bonnie McKinnon.

**2. Routine Matters**

**2.1 Approval of the Agenda**

Moved by: Dan Dignard

Seconded by: June Szeman

THAT the Policy Committee approves the agenda for the October 13, 2010 meeting.

**Carried**

**2.2 Declaration of Interest: Nil**

**2.3 Approval of Minutes from the Policy Committee Meeting of June 9, 2010**

Moved by: June Szeman

Seconded by: Dan Dignard

THAT the Policy Committee approves the minutes from the June 9, 2010 meeting.

**Carried**

**2.4 Business Arising from Minutes: Nil**

**3. Presentations and Delegations: Nil**

**4. Committee and Staff Reports**

**4.1 Review of Board Policies**

Director Cathy Horgan led the review of all existing policies. The committee evaluated every policy to determine if:

- 1) the policy is still applicable and current;
- 2) the policy is applicable, but requires revisions or updating; or
- 3) the policy is outdated and needs to be rescinded.



It was determined that several policies should be rescinded. A summary is listed below:

Policy Name / No.	
Transportation of Students During Inclement Weather (200.02)	The STSBHN has developed specific policies and procedures which govern the details of transporting students within the Consortia. These procedures include Inclement Weather Bus Transportation (024). This policy is now redundant.
Entering School – An Inclusive Approach (200.15)	This policy is outdated. It is now covered in legislation.
Transportation of Students – Expectations and Responsibilities (400.10)	The STSBHN has developed specific policies and procedures which govern the details of transporting students within the Consortia. These procedures include Responsibilities of the Student ( Procedure 004), Responsibilities of Parents and Guardians (Procedure 005), Responsibilities of the School Principal (Procedure 006), Responsibilities of the School Bus Operators and bus Drivers (Procedure 007), and Responsibilities of the STSBHN (Procedure 008). This policy is now redundant.
Transportation of Students – Accident/Incident Reporting (400.13)	The STSBHN has developed specific policies and procedures which govern the details of transporting students within the Consortia. These procedures include accident/incident reporting (Procedure 023). This policy is now redundant.

A schedule for regular review/revision is being developed. All current and future policies will be assigned an automatic review timeline.

Moved by: Dan Dignard  
Seconded by: June Szeman

THAT the Policy Committee recommends that the Committee of the Whole refers the rescinding of the following policies to the Brant Haldimand Norfolk Catholic District School Board for approval:

- 200.02 – Transportation of Students – Inclement Weather
- 200.15 – Entering School – An Inclusive Approach
- 400.10 – Transportation of Students – Expectations and Responsibilities
- 400.13 – Transportation of Students – Accident/Incident Reporting

**Carried**

**5. Moment of Silent Reflection**

**6. Adjournment**

Moved by: Dan Dignard  
Seconded by: June Szeman

THAT the Policy Committee adjourns the meeting of October 13, 2010.

**Carried**

## REPORT TO THE BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD POLICY COMMITTEE

Prepared by: G. Wallace Easton, Associate Director, Corporate Services & Treasurer  
Presented to: Policy Committee  
Submitted on: November 16, 2010  
Submitted by: Cathy Horgan, Director of Education & Secretary

### FACILITY PARTNERSHIPS POLICY

Public Session

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#### **BACKGROUND INFORMATION:**

The purpose of this policy is to comply with the *Facility Partnerships Guideline* issued by the Ministry of Education for school boards. This *Guideline* is based on feedback from school boards and the Association of Municipalities of Ontario. School boards have successful facility partnerships involving coterminous boards and other community partners. Some boards have co-built facilities, while others have successful lease, license and joint-use agreements for partners to utilize part of a school facility. The government expects that school boards across the province will have a more consistent and transparent approach to the development of facility partnerships.

#### **DEVELOPMENTS:**

The attached policy and administrative procedures have been developed to comply with the new legislation. They have been vetted with the following groups:

- Trustees
- Senior Administration
- Principals/Vice-Principals
- Catholic School Council Chairs
- Managers

#### **RECOMMENDATION:**

THAT the Policy Committee recommends that the Committee of the Whole refers the Facility Partnerships Policy to the Brant Haldimand Norfolk Catholic District School Board for approval.



## Brant Haldimand Norfolk Catholic District School Board

### POLICY: FACILITY PARTNERSHIPS

Adopted:	25/05/10	Policy No:	???
Revised:		Policy Category:	Operations

#### Belief Statement:

The Brant Haldimand Norfolk Catholic District School Board believes it is in the best interest of the Board and the community to encourage sharing of its facilities, which are not required for education purposes. Through the sharing of facilities, the Board can reduce costs and provide efficient space to support community partners and improve services to the wider community.

#### Policy Statement:

The Brant Haldimand Norfolk Catholic District School Board will consider partnerships for the use of facilities if:

1. The partner demonstrates respect for Catholic faith;
2. The use of the facility is appropriate for a school setting and will be mutually beneficial to students, the district, the community in which the school is located as well as the partner engaged in the partnership;
3. The use does not compromise the safety of students and staff;
4. The use does not compromise the Board's student achievement strategy;
5. The use will strengthen relationships between the Board, community partners and the public; and
6. All costs associated with the partner's use are recovered through fees or rental.

Entities that provide competing education services such as tutoring, Junior Kindergarten to Grade 12 private schools or private colleges and credit-offering entities that are not government funded are not eligible.

Partnerships will not prevent the Board from building, renovating or closing schools or from disposing of surplus assets when required.

#### Glossary of Key Policy Terms:

**Partnerships** - Partnerships are mutually-beneficial relationships that are designed to enhance a student's development in the community. Partnerships are cooperative relationships in which partners share values, objectives and facility resources.

**Partners** - Partners are community non-profit or profit entities who express interest in participating in Facility Partnership Agreements that are deemed eligible by the Board.

**Facility Partnership Agreement** - A legal, contractual agreement outlining expectations between a school, the Board and a community entity.

**Entities** - Entities are businesses, associations, private and public sector organizations and institutions who express interest in becoming eligible partners.

**Non-Profit Organizations** - Are organizations which do not generate profit, or by the nature of their business function, generate profit on a cost-recovery basis.

**For-Profit Organizations** – Are commercial entities, which by the nature of their business, generate a profit for an individual, groups of individuals or a corporation.

**Statutory/Regulatory/Related Board Policy Linkages:**

Ministry of Education Memorandum 2010:B1: Encouraging Facility Partnerships  
Ontario Regulation 444/98 (Education Act): Disposition of Surplus Real Property  
BHNCDSD Temporary Closure of Schools/Facilities Policy 400.01  
BHNCDSD Community Use of Schools Policy 400.05  
BHNCDSD Pupil Accommodation Review Policy 400.16

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## Brant Haldimand Norfolk Catholic District School Board

### ADMINISTRATIVE PROCEDURES: FACILITY PARTNERSHIPS

Adopted:	Policy No:
Revised:	Policy Category: Operations

#### Purpose

The Ministry of Education encourages school boards to enter into community partnerships. The administrative procedures for Facility Partnerships are based on the guidelines established by the Ministry of Education.

#### Responsibilities

Each year, the supervisory officer responsible for facilities will review potential facility partnership opportunities.

#### Information

Existing schools, which are experiencing declining enrolment, may have surplus space that could be used by community agencies for the benefit of the agency and the school board. The school board should also consider entering into arrangements with community agencies to share space in newly constructed schools.

### PROCEDURES

#### Existing Facilities

1. Each year, the supervisory officer responsible for the Facilities Department will review projected enrolment and determine space in each school that is not anticipated to be required for educational purposes for the subsequent five-year period.
2. Where a school has surplus space, which will not be required for educational purposes for the next five years, the Manager of Facilities and the school principal will review surplus space to determine if the space is suitable for a possible partnership opportunity. Factors to be considered in the analysis of suitable facilities are as follows, but not limited to:
  - a. 60% or less utilization;
  - b. Long- and short-term enrolment projections;
  - c. School facility conditions;
  - d. Ability to separate the space used by partners from the space used by students;
  - e. Facility accessibility;
  - f. Are there dedicated washrooms available for the space or can washrooms be provided;
  - g. Adequate parking;
3. Schools that have space considered suitable for a partnership opportunity will be identified and a report will be made to the Board to approve the schools for potential partnerships.
4. The school principal will advise the School Council that the Board has approved the school for potential partnership opportunities.
5. Each year, the Board will post information on its website and email potential partners inviting them to attend a meeting to discuss partnership opportunities. Those that are interested in being placed on the *Notification List* or those who are interested in partnering with the Board to use existing space within a school are encouraged to contact the Board's Executive Assistant – Community Relations. Prior to the

meeting, the Board will advise which schools have space for partners. The Notification List will consist of the following entities:

- a. Coterminous school board.
  - b. Local municipalities within the Board's jurisdiction.
  - c. Local colleges and universities.
  - d. Provincial government.
  - e. Federal government.
  - f. Diocese of Hamilton, London and St. Catharines.
  - g. United Way.
  - h. Existing child care operators.
  - i. Other entities as requested.
6. If a partner expresses interest in a space at a school, a draft lease will be prepared, including all fees and lease costs.
  7. The lease will include lessee covenants providing for:
    - a. Term of the lease, which must be at least two years but no more than five years;
    - b. Board named as the insured on lessee's insurance;
    - c. Use of the leased premises;
    - d. Hours of operation;
    - e. Compliance with legislation;
    - f. Improvements or alterations to the building;
    - g. Property taxes, if applicable;
    - h. Maintenance;
    - i. Circumstances in which the lease may be terminated by either party;
    - j. Recovery of all costs related to the space, including utilities, snow ploughing, etc.;
    - k. Recovery of caretaking costs, if applicable;
    - l. Administrative costs in the amount of 5% of the above;
    - m. Major repairs and maintenance costs in the amount of 10% of above, excluding administrative costs; and,
    - n. Other clauses as deemed applicable.
  8. The draft lease agreement will be reviewed by the Board's solicitor and the partner.
  9. When the Director of Education and the partner are satisfied with the terms of the lease, the lease will be submitted to the Board for approval.

### **New Facilities and Significant Renovations**

1. When the Board is considering building a new school, an addition to a school or a significant renovation to a school, it will issue a Request for Interest (RFI) to potential partners through the Board's website and local media.
2. Site size, topography and other restrictions may limit partnership opportunities. The Board will evaluate each capital construction opportunity on a case-by-case basis to determine whether a partnership may be appropriate and advantageous to the Board.
3. Parties expressing interest will be invited to an Information Session to discuss the project and their potential involvement.
4. Consideration must be given to the health and safety of students and staff as well as the suitability of the partner and the proposed use.
5. The lease will include lessee covenants providing for:
  - a. Term of the lease, which must be at least two years but no more than five years;
  - b. Board as named insured on lessee's insurance;
  - c. Use of the leased premises;
  - d. Hours of operation;
  - e. Compliance with legislation;

- f. Improvements or alterations to the building;
  - g. Property taxes, if applicable;
  - h. Maintenance;
  - i. Circumstances in which the lease may be terminated by either party;
  - j. Recovery of all costs related to the space, including utilities, snow ploughing, etc.;
  - k. Recovery of caretaking costs, if applicable;
  - l. Administrative costs in the amount of 5% of the above;
  - m. Major repairs and maintenance costs in the amount of 10% of above, excluding administrative costs; and,
  - n. Other clauses as deemed applicable.
6. Ministry of Education approval may be required under the Education Act, authorizing the transaction.
  7. In addition to #3 above, capital costs of construction or renovation must be recovered over a reasonable period of time, not to exceed 25 years.
  8. For new construction or renovation projects, the lease term shall be for a period of no less than five years and no more than ten years. Renewals for periods of up to five years by mutual agreement are permitted.
  9. The draft lease agreement will be reviewed by the Board's solicitor and the partner.
  10. When the Director of Education and the partner are satisfied with the terms of the lease, the lease will be submitted to the Board for approval.

### **Evaluation of Partnerships**

Each partnership will be evaluated using the goals and objectives established in the Partnership Agreement. Evaluation will include feedback from stakeholders, including teaching, administrative and operational staff, the parental community and students, when appropriate.

The process and time frame for evaluating a partnership will be included in the Partnership Agreement. At a minimum, partnerships of long duration will be evaluated every second year.

### **Terminating Partnership Agreements**

Partnership Agreements can be terminated by any of the partnering organizations with appropriate notice of termination. Specifics related to the termination of partnerships must be detailed in the partnership agreement. Termination will be entertained only after the conflict resolution process has been exhausted.

The process and time frame for termination of a partnership will be included in the Partnership Agreement.

### **Key Measures of Success**

A report on partnerships will be submitted to the Board of Trustees on an annual basis. The report will include number and type of new, existing and terminated partnerships and estimated total value provided to students.

### **References**

Ministry of Education Memorandum 2010:B1: Encouraging Facility Partnerships  
 Ontario Regulation 444/98 (Education Act): Disposition of Surplus Real Property  
 BHNCD SB Temporary Closure of Schools/Facilities Policy 400.01  
 BHNCD SB Community Use of Schools Policy 400.05  
 BHNCD SB Pupil Accommodation Review Policy 400.16

## REPORT TO THE BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD POLICY COMMITTEE

Prepared by: G. Wallace Easton, Associate Director, Corporate Services & Treasurer  
Presented to: Policy Committee  
Submitted on: November 16, 2010  
Submitted by: Cathy Horgan, Director of Education & Secretary

# WORKPLACE VIOLENCE PREVENTION POLICY

Public Session

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### **BACKGROUND INFORMATION:**

Bill 168, Workplace Violence and Harassment, received Royal Assent on December 15, 2009. The bill was an amendment to the Occupational Health and Safety Act. This new legislation will help further protect workers from violence and harassment in workplaces.

The new legislation requires employers to:

- develop and communicate workplace violence and harassment prevention policies and programs to workers;
- assess the risks of workplace violence, and take reasonable precautions to protect workers from possible domestic violence in the workplace; and
- allow workers to remove themselves from harmful situations if they have reason to believe that they are at risk of imminent danger due to workplace violence.

### **DEVELOPMENTS:**

The attached policy and administrative procedures have been developed to comply with the new legislation. They have been vetted with the following groups:

- Trustees
- Senior Administration
- Principals/Vice-Principals
- Joint Health and Safety Committee
- Special Education Advisory Committee
- Catholic School Council Chairs
- Managers
- O.E.C.T.A.
- O.S.S.T.F. – Educational Support Staff
- O.S.S.T.F. – Plant Support Staff

This policy covers violence toward employees of the Board, including assault by students. Therefore, Policy 200.3 *Student Assault on Board Personnel* is no longer required as a separate policy. The administrative procedures for assault on Board personnel by students are unique and therefore must be maintained. The procedure will be reformatted to conform with the new “Administrative Procedure” template.

**RECOMMENDATIONS:**

1. THAT the Policy Committee recommends that the Committee of the Whole refers the Workplace Violence Prevention Policy to the Brant Haldimand Norfolk Catholic District School Board for approval.
2. THAT the Policy Committee recommends that the Committee of the Whole refers the rescinding of Policy 200.13 *Student Assault on Board Personnel* to the Brant Haldimand Norfolk Catholic District School Board for approval.



## Brant Haldimand Norfolk Catholic District School Board

### **POLICY: Workplace Violence Prevention**

<b>Adopted:</b>	<b>Policy No:</b>
	<b>Former Policy #:</b>
<b>Revised:</b>	<b>Policy Category:</b>
<b>Subsequent Review Dates: Annually</b>	<b>Pages:</b>

#### **Belief Statement:**

As a Catholic Learning Community we believe in the prevention of workplace violence and promote a violence-free workplace in which all people respect one another and work together to achieve common goals. The Board believes that every employee has the right to freedom from violence while in the workplace.

#### **Policy Statement:**

The Brant Haldimand Norfolk Catholic District School Board recognizes that the inherent right of all individuals to be treated with dignity and respect is central to Catholic values and beliefs. Any act of workplace violence or harassment is unacceptable conduct. Workplace violence or harassment in any form erodes the mutual trust and confidence that is essential to the well-being of our staff.

#### **Glossary of Key Policy Terms:**

##### **Work Refusal**

Under the Occupational Health and Safety Act, an employee can refuse to work if he or she has reason to believe he or she may be endangered by workplace violence [Section 43(3) (b.1)]. However, work cannot be refused on the grounds of workplace harassment.

The Act sets out a specific procedure that must be followed in a work refusal. It is important for employees, employers, supervisors, joint health and safety committees and health and safety representatives to understand and follow this procedure.

However, teachers cannot refuse work when a pupil's life, health or safety is in imminent jeopardy [Section 3(3) of Regulation 857 (Teachers)].

##### **Domestic Violence**

Under the Occupational Health and Safety Act, an employer must take every precaution reasonable in the circumstances for the protection of workers, when they are aware, or ought reasonably to be aware, that domestic violence may occur in the workplace and that it would likely expose a worker to physical injury. *Ministry of Labour*

Employees need to be told that they can report their concerns to the principal/supervisor if they fear domestic violence may enter the workplace. If this occurs, principals/supervisors are responsible for creating an individual safety plan for the employee while they are at work. The safety plan should be developed in consultation with the employee.

We can become aware of domestic violence when an incident takes place at work or when a concern is raised by the employee, co-worker or someone else. Other indications could be threatening emails or phone calls at work or unwanted visits to the workplace by the aggressor (for further information see the Domestic Violence Handout).

The Ministry of Labour states that even if the employee does not want any steps taken, the employer may still be required to take some action to protect the employee, depending on the circumstances. Principals and supervisors should work closely with a targeted employee to develop reasonable precautions to address the situation while attempting to respect the employee's privacy and sensitivity of the issue.

**Personal Information Limits** - The Occupational Health and Safety Act clarifies that employers and supervisors must provide employees with information, including personal information, related to a risk of workplace violence from a person with a history of violent behaviour [Section 32.0.5(3)].

However, this duty is limited and applies only when the:

- employee can be expected to encounter the violent person in the course of his or her work; and the
- risk of workplace violence is likely to expose the employee to physical injury.

Employers and supervisors must not disclose more information than is reasonably necessary for the protection of an employee from physical injury.

### **Workplace Violence**

- The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker.
- An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker.
- 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**

- 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.
- This definition of workplace harassment what is often called *psychological harassment* or *personal harassment*.
- Bill 168 also covers harassment and risks of workplace violence that may arise because of student behaviours. This Policy, therefore, applies in appropriate circumstances.
- For workplace harassment prohibited under the Occupational Health and Safety Act, and harassment prohibited under the Ontario Human Rights Code, please refer to our Workplace Harassment Policy, 300.1, procedure and process.

### **Domestic Violence**

- Involves a person who has a personal relationship with a worker – such as a spouse or former spouse, current or former intimate partner or a family member who may harm, or attempt or threaten to physically harm, that worker at work. In these situations, domestic violence is considered workplace violence.
- Defined as a pattern of coercive behavior that is used by one person in an intimate relationship to gain power and control over another. Domestic violence includes physical, sexual, emotional, psychological and financial abuse.

**References**

Occupational Health & Safety Act and Regulations (Bill 168)

The Ontario Human Rights Code

Education Act

BHNCDSB Code of Conduct Policy 200.05

BHNCDSB Safe Schools Policy 200.25

BHNCDSB Student Discipline Policy 200.26

BHNCDSB Workplace Harassment Policy 300.01

BHNCDSB Emergency Response Plan 400.04

BHNCDSB Security of Schools, Buildings and Grounds Policy 400.06

BHNCDSB Video Security Surveillance 400.11

BHNCDSB Protection of Property 400.15



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**Workplace Violence Prevention  
APxxx001**

<b>Procedure for:</b>	All Staff	<b>Adopted:</b>	Month, dd, yyyy
<b>Submitted by:</b>	Associate Director	<b>Revised:</b>	Month, dd, yyyy
<b>Category:</b>	Human Resources		

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**Purpose**

The Board has a legal, ethical and moral responsibility to investigate threats and acts of violence against any employee. This Administrative Procedure was developed to clarify roles and responsibilities and to assist employees and their supervisors in preventing, responding, reporting and managing workplace violence.

**Responsibilities**

**Every Person Involved With or Working for the Board Must:**

- treat co-workers, students and the public with respect and dignity
- reduce incidents of violence and harassment by practicing principles of prevention
- understand and comply with the violence in the workplace policy and all related procedures
- maintain confidentiality

**The Principal/Supervisor will:**

- ensure an employee works in the manner and with the protective devices, measures and procedures required by the Occupational Health and Safety Act (OH&SA) and its regulations [Section 27(1)(a)];
- ensure an employee uses or wears the equipment, protective devices or clothing that the employer requires to be used or worn [Section 27(1)(b)];
- identify and manage risks, and develop and implement prevention strategies that eliminate or reduce the risk; principals and supervisors are charged with this duty and must create subsequent safe work plans;
- advise an employee of the existence of any actual or potential danger to the health or safety of the employee of which the supervisor is aware [Section 27(2)(a)];
- take every precaution reasonable in the circumstances to protect employees [Section 27(2) (c)]; and
- investigate all cases of alleged violence reported by employees.

Principals and supervisors are reminded to inform their staff about:

- policy and guidelines
- how to access assistance
- potential violent situations (as determined by the risk assessment)
- individuals with a violent past
- safe work plans
- reporting procedures
- investigation procedures

**The Employee will:**

- work in compliance with the Occupational Health and Safety Act and its regulations [Section 28(1)(a)];
- use or wear equipment, protective devices or clothing required by the employer [Section 28(1)(b)];
- report the absence of, or defect in, any equipment or protective device of which the employee is aware [Section 28(1)(c)];

- report any contravention of the Occupational Health and Safety Act or its regulations, or the existence of any hazard the employee knows of to the employer or supervisor [Section 28(1)(d)]; and
- not engage in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct [Section 28(2) (c)]. While this type of behaviour may not constitute workplace violence, it must not be allowed. If allowed to continue, this behaviour may escalate into workplace violence.

#### **AND should**

- know how to summon immediate assistance;
- know how to report incidents of workplace violence to the employer or supervisor;
- know that the employer will investigate and deal with incidents, threats or complaints;
- know, understand and be able to carry-out the measures and procedures that are in place to protect them from workplace violence; and
- be able to carry-out any other procedures that are part of the program.

#### **Information**

The Occupational Health and Safety Act includes workplace violence as a hazard for which employers must develop prevention and response strategies. These procedures support this legislated requirement and the Board's commitment to providing a safe working environment.

#### **Procedures**

##### **1.0 Conducting the Investigation**

- 1.1 The immediate supervisor (principal/supervisor/superintendent) of the employee will conduct the investigation.
- 1.2 Where the immediate supervisor is part of the issue, the next level up of supervision will be responsible for conducting the investigation.
- 1.3 The investigation must be fair and impartial.
- 1.4 The investigation has to be conducted in a private and friendly place.
- 1.5 The investigator has to focus on the issue.

#### **Following a violent event, the investigation process must be implemented immediately.**

It is understood that:

- To the extent legally possible, reports of workplace violence or of potentially violent behaviour will be held in confidence.
- Under this policy, persons are required and encouraged to report an act of violence. Reprisals and any negative consequences will not be condoned because a person has acted in accordance with this policy.
- Reports shall be made to a person's immediate supervisor; in schools, this means to the principal or vice-principal.
- Management is obliged to investigate the report. In most case, the investigation will be done by the immediate supervisor.
- The results of the investigation will be communicated to the person who reported the circumstances and to others involved in the investigation that reasonably ought to be informed of the results.

- The Board will provide such medical and counseling support as necessary in the circumstances consistent with programs described in collective agreements or by Board policy applicable to non-unionized staff.
- In conjunction with any discipline that may be imposed, the Board may reassign staff or students during or after the Board's investigation as reasonable in the circumstances.
- Board-wide and school codes of conduct will be promoted during each school year and staff will receive training appropriate to the tasks they perform to deal with violent acts and their potential.
- The Joint Health and Safety Committee will be provided with information respecting all violent workplace occurrences.

## 2.0 Managing the Investigation

- 2.1 The principal/supervisor will determine whether it is reasonable to reassign employees or students (who may be victims of violent behaviour) while the investigation is in progress. Such transfers and reassignments are administrative measures and are not disciplinary in nature. These decisions may be necessary to ensure the safety of the employee in the workplace and also to ensure the integrity of the investigation.
- 2.2 Until the investigation is completed, the employee shall remain in a safe place as near as possible to his or her work station and be available to the Ministry of Labour Inspector for the purposes of the investigation.
- 2.3 During the investigation, unionized employees will be advised of their collective agreement rights.
- 2.4 It is critical that all relevant information be obtained; this means that a violent incident or unusual and threatening behaviour needs to be investigated with the persons directly involved. This will include the person who reports the violence or the potentially violent circumstances, those to whom the violent behaviour was directed, other witnesses and the person or persons who are alleged to have engaged in the violent conduct.
- 2.5 The investigation results should be able to determine:
  - what happened (series of events)
  - what provoked the incident
  - if the procedures in place were correctly followed
  - if the intervention measures were appropriate
  - if the existing safety procedures were adequate
  - if the lines of communication were effective
  - if other prevention measures should be implemented
  - if the situation could have been prevented

## 3.0 Standard of Proof

- 3.1 The standard of proof is different in criminal and civil cases. In a criminal conviction, the level of certainty is very high, i.e., beyond a reasonable doubt. The civil standard of proof requires that a party prove its case *on the balance of probabilities*, i.e., it is more likely than not.
- 3.2 Administrative tribunals, such as arbitration boards and human rights commissions, use the civil standard of proof or a modified version.

## 4.0 Prompt Response Procedure

The following immediate action needs to be taken:

- 4.1 Control workplace access.
- 4.2 In the case of a critical injury (loss of consciousness, substantial loss of blood, a fracture of the leg or arm, loss of sight, significant burns) as defined by regulation 834 under the OH&SA, immediately report the incident to the Human Resources Department in accordance with the Incident/Accident Reporting procedures. The incident scene is to be preserved until an inspector from the Ministry of Labour has had an opportunity to view it or to instruct you otherwise.
- 4.3 You should call the police when an act of violence has occurred or when someone is threatened with violence in the workplace.
- 4.4 All incidents of violence/threat must be reported to the school's supervisory officer.
- 4.5 All incidents need to be documented. (Report found in Resources)
- 4.6 Consideration must be given as to who needs to be immediately informed (for example, family members).
- 4.7 A list of potential witnesses needs to be developed.
- 4.8 In consultation with the supervisory officer, or with senior management, an initial analysis ought to be conducted which will include a plan for the incident investigation.

### References

Occupational Health & Safety Act and Regulations (Bill 168)  
The Ontario Human Rights Code  
Education Act  
BHNCDSD Code of Conduct Policy 200.05  
BHNCDSD Safe Schools Policy 200.25  
BHNCDSD Student Discipline Policy 200.26  
BHNCDSD Workplace Harassment Policy 300.01  
BHNCDSD Emergency Response Plan 400.04  
BHNCDSD Security of Schools, Buildings and Grounds Policy 400.06  
BHNCDSD Video Security Surveillance 400.11  
BHNCDSD Protection of Property 400.15

## REPORT TO THE BRANT HALDIMAND NORFOLK CATHOLIC DISTRICT SCHOOL BOARD POLICY COMMITTEE

Prepared by: G. Wallace Easton, Associate Director, Corporate Services & Treasurer  
Presented to: Policy Committee  
Submitted on: November 16, 2010  
Submitted by: Cathy Horgan, Director of Education & Secretary

## WORKPLACE HARASSMENT POLICY

Public Session

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### **BACKGROUND INFORMATION:**

The current Workplace Harassment Policy 300.1 was adopted by the Board in 2004. Bill 168, Workplace Violence and Harassment, received Royal Assent on December 15, 2009. The bill was an amendment to the Ontario Occupational Health and Safety Act. This new legislation will help further protect workers from violence and harassment in workplaces.

### **DEVELOPMENTS:**

The existing policy required amendment to comply with the new legislation. The legislation expands the definition of workplace harassment to include:

- bullying
- teasing
- intimidating or offensive jokes or innuendos
- displaying or circulating offensive pictures or materials
- offensive or intimidating telephone calls, email or text messages

The policy has also been amended to reflect recent changes in policy format. The attached policy and administrative procedures have been developed to comply with the new legislation. They have been vetted with the following groups:

- Trustees
- Senior Administration
- Principals/Vice-Principals
- Joint Health & Safety Committee
- Special Education Advisory Committee
- Catholic School Council Chairs
- Managers
- O.E.C.T.A.
- O.S.S.T.F. - Educational Support Staff
- O.S.S.T.F. - Plant Support Staff

### **RECOMMENDATION:**

THAT the Policy Committee recommends that the Committee of the Whole refers the Workplace Harassment Policy to the Brant Haldimand Norfolk Catholic District School Board for approval.



## Brant Haldimand Norfolk Catholic District School Board

### POLICY: Workplace Harassment Policy

Adopted:	23/04/02	Policy No:	300.1
		Former Policy #:	
Revised:	22/06/10	Policy Category:	Human Resources
Subsequent Review Dates:		Pages:	3

#### Belief Statement:

The Brant Haldimand Norfolk Catholic District School Board believes that within the Catholic educational community, all of its employees should work and learn in a respectful, non-threatening environment that is free from harassment and discrimination in all of its forms.

#### Policy Statement:

This Policy is aimed at preventing, identifying and correcting harassment and discrimination in all work-site locations, schools, Board social functions, work-related conferences or training sessions as well as all forms of verbal, non-verbal, electronic and written communications.

#### Glossary of Key Policy Terms:

##### Harassment

Defined as conduct or a vexatious course of conduct that includes, among other things, disparaging comments (i.e., inappropriate gender-related comments), distribution of discriminatory materials, behaviour intended to incite hatred or other verbal or physical conduct of a nature which is known or ought reasonably to have been known to be unwelcome when such conduct involves any of the following prohibited grounds of discrimination:

- a) race
- b) ancestry
- c) place of origin
- d) colour
- e) ethnic origin
- f) citizenship
- g) creed (religion)
- h) age (in employment - over 18 and under 65)
- i) record of offences (in employment - a conviction for an offence under provincial law or a conviction under the Criminal Code for which a pardon has been granted and not revoked)
- j) sex (includes pregnancy)
- k) sexual orientation
- l) family status (parent and child relationship)
- m) marital status

- n) disability or *perceived* disability (under the Ontario Human Rights Code) *because of handicap* means that the person has or has had, or is believed to have or have had:
- any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the forgoing, including diabetes mellitus, epilepsy, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, or physical reliance on a guide dog or on a wheelchair or other remedial appliance or device,
  - a condition of mental retardation or impairment,
  - a learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
  - a mental disorder, or
  - an injury or disability for which benefits were claimed or received under the Workplace Safety & Insurance Act.

### **Workplace Harassment**

Engaging in a course of vexatious comment or conduct against an employee in a workplace that is known or ought reasonably to be known to be unwelcome.

Behaviours that may be considered workplace harassment:

- Bullying
- Teasing
- Intimidating or offensive jokes or innuendoes
- Displaying or circulating offensive pictures or materials
- Offensive or intimidating telephone calls, email or text messages.

Workplace harassment is broad enough to include what is often called *psychological harassment* or *personal harassment*.

### **Sexual Harassment**

In the case of employment, sexual harassment also includes the following conduct:

- one or a series of incidents involving sexual advances, requests for sexual favours or other verbal or physical conduct of a sexual nature which are known, or ought reasonably to have been known, to be offensive or for reprisal or threat of reprisal for rejection of a sexual solicitation or advance.

### **Poisoned Environment**

The notion/concept of a poisoned environment is one where, for example, inappropriate gender-related or racially-based comments or conduct may be significant or substantial enough to constitute a breach of the Code, by creating a *poisoned environment* for some individuals because of their membership in a group protected under the Code. However, one does not have to be the person targeted by the comments or conduct to experience a poisoned environment. The inappropriate comments or conduct need not occur continuously or repeatedly, but the impact or effect of the negative comments or actions creates a *poisoned environment* for certain individuals by subjecting them to differential terms and conditions in employment and services. Negative comments or conduct which humiliates, demeans and is devaluing of members of groups targeted by the *unwelcome* behaviour can be considered to poison a workplace or academic environment.

## **What is Not Harassment?**

Harassment does not include the normal exercise of supervisory responsibilities, including direction, counseling and discipline, when necessary.

## **No Reprisals**

For the purposes of this policy, *reprisal* against an individual will be treated as harassment when such actions occur for:

- a) having invoked this Policy (whether on behalf of oneself or another individual);
- b) having participated or cooperated in any inquiry under this Policy; or
- c) having associated with a person who has invoked this Policy or participated in these procedures.

In the event that an individual is shown to have initiated proceedings under this Policy in a frivolous or malicious manner, the Board may take formal disciplinary action against the complainant. Documentation regarding the disciplinary action will be placed in the employee's record file.

## **References**

Education Act

Ontario Human Rights Code

Criminal Code of Canada

Canadian Charter of Rights and Freedom

Occupational Health and Safety Act

BHNCDSB Volunteers Policy 200.04

BHNCDSB Workplace Violence Policy



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## Workplace Harassment AP 300.1

<b>Procedure for:</b>	All Staff	<b>Adopted:</b>	April 23, 2002
<b>Submitted by:</b>	Associate Director	<b>Revised:</b>	June 22, 2010
<b>Category:</b>	Human Resources		

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### Purpose:

This Administrative Procedure has been developed to clarify roles and responsibilities regarding workplace harassment, to assist employees with their complaint, and to provide direction to supervisors in receiving and responding to a complaint.

### Responsibilities:

#### The Administration of the Board is responsible for:

- discouraging and preventing employment-related harassment and harassment in the provision of services;
- investigating every complaint of harassment;
- imposing appropriate remedial and preventive measures, which may include discipline up to and including dismissal of an employee(s) when a complaint of harassment is found to have been substantiated;
- providing appropriate procedural assistance to an individual(s) complaining of harassment, as well as to an individual(s) who has been named as harasser(s);
- formally acknowledging to a person found to have been harassed that harassment has taken place and to provide him/her with support and assistance as appropriate;
- formally acknowledging to a person who has been named as a harasser if harassment is not found to have taken place;
- regularly reviewing the procedures of the Workplace Harassment Policy to ensure that they adequately meet the Policy objectives;
- maintaining the records as required by the Workplace Harassment Policy;
- making all those working for and using the services of the Board aware of its commitment to providing a harassment-free environment and the existence of the procedures available under the Policy, and
- providing training and resources for all those working for and using the services of the Board to fulfill their responsibilities under the Workplace Harassment Policy.

#### Employees are responsible for:

- promoting a working and learning environment that is free from harassment and to assist anyone who believes he/she is being or may have been harassed; and
- notifying the supervisor or principal if they believe that a colleague or another person employed by the Board has been the victim of harassment.

### Information

The Ontario Human Rights Code requires that employers have procedures to prevent and respond to violations. The Occupational Health and Safety Act has been amended to include workplace harassment as a hazard for which employers must develop prevention and response strategies. These procedures support the legislated requirements and the Board's commitment to providing a safe working environment.

## Procedure

### 1.0 Complaint from Staff

#### 1.1 Speak Up

A person (Complainant) who considers that he/she has been subjected to harassment or harassment related reprisal is encouraged to bring the matter to the attention of the person responsible for the conduct (Respondent) making direct and clear objection indicating that the comment or conduct is not acceptable. This may resolve the issue. **It is important that the Complainant document (note the details of) any communication he or she has with the Respondent (i.e., date, time, place, witnesses, etc.).**

#### 1.2 Obtain Assistance and Information

Where a person (Complainant) does not feel able to bring the matter directly to the attention of the person responsible (Respondent), or where such an approach is attempted and does not produce a satisfactory result, the Complainant should seek the advice of a resource person (Supervisor, Principal, Manager, Superintendent, Director) of his/her choice for assistance in resolving the matter.

The resource person will advise the Complainant of the following:

- 1.2.1 the option of requesting the assistance of his/her principal or supervisor in resolving the complaint (provided the principal/supervisor is not the person named by the Complainant). If the alleged harasser is the immediate supervisor, the Complainant should contact his/her Supervisory Officer or Director of Education;
- 1.2.2 the availability of counseling and other support services provided by the Board;
- 1.2.3 the right to lay a formal written complaint under this Policy when the alleged harasser is an employee of the Board;
- 1.2.4 the expectation that a formal written complaint would be laid within six months of the incident unless a delay was justified on the basis of extenuating circumstances and will not result in substantial prejudice against any person affected by the delay;
- 1.2.5 a right to be represented or assisted by a person of his or her choice (i.e., a friend, colleague, a union representative) throughout the process;
- 1.2.6 the right to withdraw from any further action in connection with the complaint at any stage (even though the Board may continue to investigate the complaint);
- 1.2.7 other avenues of recourse such as the right to utilize the provisions of the Collective Agreement, to file a complaint with the Ontario Human Rights Commission to take civil action, or where appropriate, the right to lay a charge under the *Criminal Code*.

#### 1.3 Seek Resolution

The complainant may decide not to take any action or to do the following:

- 1.3.1 Request assistance from his/her principal/supervisor; meet with his/her supervisor/principal to discuss the matter; explore the notion of conflict resolution, mediation or any other options to affect a satisfactory solution.  
N.B. - The respondent is not identified unless the solution necessitates such.
- 1.3.2 Seek counseling through the Board's Employee Assistance (EAP) program.

**1.3.3** Lay a formal complaint (refer to 1.4, Formal Complaint Process).

**1.3.4** Take other avenues of recourse:

- utilize any provisions of the Collective Agreement;
- file a complaint with the Ontario Human Rights Commission;
- resolve the issue through federation/union mechanism if both Complainant and respondent are members of the same bargaining unit;
- take civil action;
- report the incident to the police and take action under the Criminal Code.

## **1.4 Formal Complaint Process**

**1.4.1** The Complainant will inform the resource person that she/he wishes to lay a formal written complaint.

**1.4.2.** The resource person will outline the formal complaint process.

## **2.0 Stage 1: Documentation and Notification Process**

**2.1** The resource person may assist the Complainant in drafting a formal, written complaint, detailing the particulars of the allegation. The particulars should include the name(s) of the person involved (Respondent) and a description of the incident(s). The formal written complaint must be signed by the Complainant.

**2.2** The resource person will give copies of the complaint, WITHOUT DELAY, to the Complainant, the Respondent, and to the appropriate Supervisory Officer(s).

**2.3** Both parties will be advised that even if the matter is resolved to the satisfaction of the Complainant, the Board may, nonetheless, be obliged under the Workplace Harassment Policy to continue the inquiry into the complaint and to take whatever remedial action is appropriate.

## **3.0 Stage 2: Investigation**

**3.1** The Supervisory Officer will collect evidence by meeting with the Complainant and Respondent (separately), interview witnesses and otherwise investigate all aspects of the matter which are relevant in determining whether or not the allegations of harassment are substantiated.

**3.2** All individuals who are interviewed will be advised that they may be accompanied by a representative of their choice.

**3.3** Comprehensive, confidential notes must be kept by the Supervisory Officer.

## **4.0 Stage 3: Report and Conclusion**

**4.1** At the conclusion of the inquiry, the Supervisory Officer will prepare a report for the Supervisory Officer responsible for the Workplace Harassment Policy who will review it and authorize its release to all parties to the complaint.

**4.2** The Complainant and Respondent will be given ten working days to respond to the analysis of evidence in the report and to provide new evidence or information that should be considered prior to a final decision being made.

**4.3** Where the results do not support the complaint of harassment, both parties will be informed in writing and the file will be closed.

- 4.4 The appropriate Supervisory Officer will review the responses to the report and will then consider whether or not further investigation is necessary and, if not, whether the complaint or parts of the complaint are substantiated.
- 4.5 The Supervisory Officer will recommend to the Director of Education what remedial action should be taken in the circumstances.
- 4.6 Such rehabilitative or disciplinary action may include, but not be limited to:
- counseling
  - education on harassment
  - formal written apology
  - change of work assignment of the Complainant and/or Respondent
  - disciplinary action up to and including dismissal
- 4.7 The Supervisory Officer will advise both the Complainant and Respondent, in writing, of the results of the inquiry and any disciplinary and/or remedial action to be taken.
- 4.8 All documentation collected during the formal process must be kept confidential and maintained in a filing system in accordance with the *Freedom of Information and Protection of Privacy Act*. All documents must be kept in a sealed envelope in the Office of the Director of Education.

## 5.0 Stage 4: Appeal of the Decision

- 5.1 The Complainant and/or Respondent may appeal the decision to the Director of Education who will review the report and any other supporting documentation.
- 5.2 The Director of Education will confirm or reverse the decision of the report in writing to the Complainant and Respondent.

## 6.0 Consequences of Engaging in Harassment

### 6.1 Under Statute

- 6.1.1 Persons who engage in harassment prohibited by the Human Rights Code are liable under the Code for damages payable to the Complainant. In addition, a person who violates the Code or who obstructs a Human Rights investigation may also be liable to prosecution under the Code and, on conviction, to a fine of not more than \$25,000.
- 6.1.2 Persons who engage in workplace harassment prohibited by the Occupational Health and Safety Act, Bill 168 are liable for disciplinary action up to and including dismissal.
- 6.1.3 Persons who have knowledge of, or who acquiesce in, harassment may be found in violation of the Human Rights Code, or the Occupational Health and Safety Act, as having indirectly engaged in prohibited activity and are subject to the same consequences as those who directly engage in discrimination or harassment.

### 6.2 At Common Law

- 6.2.1 Persons who engage in harassment or discrimination, directly or indirectly, may be sued.

### 6.3 In Employment

- 6.3.1 Employees who engage, directly or indirectly, in discrimination or harassment may be disciplined up to and including dismissal.

## **7.0 Confidentiality**

- 7.1** The Board understands that it is difficult to come forward with a complaint of harassment and recognizes a Complainant's interest in keeping the matter confidential.
- 7.2** To protect the interests of the Complainant, the person complained against and any others who may report incidents of harassment, confidentiality will be maintained throughout the investigation process to the extent practicable and appropriate under the circumstances.
- 7.3** All records of complaints, including contents of meetings, interviews, results of inquiries and other relevant material will be kept confidential by the Board, except where disclosure is required by a disciplinary or other remedial process or required by operation of law or as a consequence of contemplated or actual litigation. These records will be retained in a confidential file in the Office of the Director of Education.

## **Definitions**

### **Types of behaviour which may constitute harassment include, but are not limited to:**

- jokes causing embarrassment or offence, told or carried out after the person telling the jokes has been advised that they are offensive, or that are by their nature clearly embarrassing or offensive;
- racial epithets;
- mimicking of person's accent or pronunciation of words;
- comments ridiculing individuals because of race-related characteristics or religious dress;
- distributing or posting of religious material/pamphlets;
- the display of offensive material and graffiti (including electronic format, fax or voice mail);
- the display of symbols or emblems, including dress, that indicates or incites hatred or notions of supremacy;
- degrading words used to describe a person;
- derogatory remarks directed towards members of a group protected under the Ontario Human Rights Code;
- verbal and non-verbal abuse, intimidation or threats.

### **Types of behaviour associated with sexual harassment include, but are not limited to:**

- leering (prolonged and intense staring);
- sexually suggestive or obscene comments or gestures;
- unwelcome sexual flirtations, advances, propositions;
- sexual solicitation or advance from a person in a position to confer, grant or deny a benefit;
- unwanted gifts;
- unwanted and persistent requests for dates;
- requests for sexual favours;
- unwanted touching;
- verbal abuse or threats of a sexual nature;
- bragging about sexual prowess;
- questions or discussions about sexual activities;
- stalking;
- rating;
- persistent unwanted contact or attention after the end of a consensual relationship;
- sexual assault;
- gay-bashing;
- reprisal or threat of reprisal for rejection of a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit.

**Complainant:**

A person who considers that he/she has been subjected to harassment or harassment related reprisal even though that individual may not lay a formal written complaint. Similarly, a person named as harasser in a complaint will be referred to as the *Respondent*.

**Harrassment:**

Any alleged behaviour that appears to meet the definition of harassment found in the *Glossary of Key Policy Term*” of the Workplace Harassment Policy.

**Resource People:**

Director of Education, Superintendents of Education, Supervisors, Principals and Managers.

**References:**

Education Act  
Ontario Human Rights Code  
Criminal Code of Canada  
Canadian Charter of Rights and Freedom  
Occupational Health and Safety Act  
BHNCDSD Volunteers Policy 200.04  
BHNCDSD Workplace Violence Policy

**RESOLUTION PROCEDURES  
AND OPTIONS**

<b>SPEAK UP</b>	<ul style="list-style-type: none"> <li>• Bring the matter to the attention of the harasser making clear and direct objection.</li> <li>• Document any communication. <b>OBTAIN ASSISTANCE AND INFORMATION.</b></li> <li>• Seek advice of a resource person.</li> </ul>
<b>SEEK RESOLUTION</b>	<ul style="list-style-type: none"> <li>• Take no action.</li> <li>• Request assistance from principal/supervisor.</li> <li>• Seek counseling.</li> <li>• Take other avenues of recourse.</li> <li>• Lay a formal complaint.</li> </ul>
<b>FOLLOW FORMAL COMPLAINT PROCESS</b>	Resource person will outline the formal complaint process.

## FORMAL COMPLAINT PROCESS

<b>CONSULT WITH RESOURCE PERSON</b>	<ul style="list-style-type: none"> <li>• Resource person will outline the formal complaint process.</li> </ul>
<b>STAGE 1: DOCUMENTATION AND NOTIFICATION</b>	<ul style="list-style-type: none"> <li>• A formal written complaint will be drafted with assistance from resource person detailing the particulars of the allegation.</li> <li>• Resource person will provide copies to Complainant, Respondent and their Supervisory Officer(s).</li> </ul>
<b>STAGE 2: INVESTIGATION</b>	<ul style="list-style-type: none"> <li>• Supervisory Officer will collect evidence by meeting with the Complainant and Respondent (separately), interviewing witnesses and investigating all aspects of the matter.</li> <li>• Comprehensive and confidential notes are to be kept throughout the investigation.</li> </ul>
<b>STAGE 3: REPORT AND CONCLUSION</b>	<ul style="list-style-type: none"> <li>• When the inquiry is complete, the Supervisory Officer will prepare a report for the Supervisory Officer responsible for the Workplace Harassment Policy.</li> <li>• The Supervisory Officer responsible for the Workplace Harassment Policy will review the report and authorize its release to all parties of the complaint.</li> <li>• The Complainant and Respondent have ten working days to respond to the evidence in the report and/or provide new evidence.</li> <li>• The Supervisory Officer will review the responses and determine whether or not to accept the conclusion.</li> <li>• If no harassment is found, both parties are informed in writing and the file will be closed. <b>NO WRITTEN RECORD WILL BE KEPT.</b></li> <li>• If the report and responses support the complainant, the Supervisory Officer will determine what rehabilitative and/or disciplinary action is appropriate. <b>FILE TO BE KEPT IN DIRECTOR'S OFFICE.</b></li> </ul>
<b>STAGE 4: APPEAL OF THE DECISION</b>	<ul style="list-style-type: none"> <li>• The Complainant or Respondent may appeal the decision to the Director of Education.</li> <li>• The Director of Education will review the report and any other supporting documentation and confirm or reverse the decision.</li> </ul>

**REPORT TO THE BRANT HALDIMAND NORFOLK CATHOLIC  
DISTRICT SCHOOL BOARD POLICY COMMITTEE**

Prepared by: Trish Kings, Superintendent of Education  
Presented to: Policy Committee  
Submitted on: November 16, 2010  
Submitted by: Cathy Horgan, Director of Education & Secretary

**SAFE SCHOOLS POLICY, STUDENT DISCIPLINE POLICY  
AND BULLYING PREVENTION & INTERVENTION POLICY**

Public Session

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**BACKGROUND INFORMATION:**

On June 22, 2010, the Board approved the following interim policies:

- Safe Schools
- Student Discipline
- Bullying Prevention and Intervention Policy

**DEVELOPMENTS:**

Each of the interim policies have been reviewed by senior administration and vetted through the system. As a result of this review process and consultation, the policies have been revised and also reflect the new formatting for Administrative Procedures.

**RECOMMENDATION:**

THAT the Policy Committee recommends that the Committee of the Whole refers the Safe Schools Policy, Student Discipline Policy and Bullying Prevention and Intervention Policy to the Brant Haldimand Norfolk Catholic District School Board for approval.



**Brant Haldimand Norfolk  
Catholic District School Board**

**Policy: Safe Schools (Interim)**

	<b>Policy Number:</b> 200.25
<b>Adopted:</b> 25/03/08	<b>Former Policy Number:</b> n/a
<b>Revised:</b> 22/06/10	<b>Policy Category:</b> Students
<b>Subsequent Review Dates:</b>	<b>Pages:</b> 2

**Belief Statement:**

The Brant Haldimand Norfolk Catholic District School Board believes that safe **and nurturing** environments maximize pupil potential and ensure a positive school climate for all.

**Policy Statement:**

**The Brant Haldimand Norfolk Catholic District School Board will further ensure that:**

- Safe Schools programming is a shared responsibility of all members of the community – trustees, administrators, teachers, support staff, pupils, parents/guardians, parish, volunteers and bus drivers in creating and maintaining safe learning environments.
- 2. Each school has a Safe Schools Team responsible for the on-going implementation of a Safe Schools Program linked to the annual School Improvement Plan.
- Curricular and program links, as well as strategies, are integrated within the Religion and Family Life Programs, the Ontario Curriculum Documents, and the Board’s Virtues Education Program.
- On-going staff development and training take place at a system and school level regarding Safe Schools Policies, programs, and interventions.
- On-going partnerships with local parishes, police services, and community agencies are in place to support the Board’s goal to create safe and welcoming learning environments.
- A communication strategy is in place which outlines the key elements of the Ministry of Education’s Safe Schools Policy, Keeping Our Kids Safe at School (Bill 157).
- Each school develops and implements school-wide progressive discipline strategies, consistent with the Board Student Discipline Policy and Student Discipline Procedures and the Human Rights Code.
- Each school has a Safe Schools Team comprised of at least one student (where appropriate), one parent, one teacher, one non-teaching staff member, one community partner, and the principal. An existing school committee (e.g. the healthy schools committee) can assume this role. The chair of this team must be a staff member. This team is responsible for the on going implementation of a Safe Schools program linked to the annual School Improvement Plan.
- Safe Schools Teams monitor, review, and evaluate the effectiveness of the Safe Schools Policy every two years through the use of a “School Climate Survey”.



## **Brant Haldimand Norfolk Catholic District School Board**

### **References**

- O.Reg. 472/07 Behaviour, Discipline and Safety of Pupils  
R.SO. 1990, c. T.21 Trespass to Property Act  
O.Reg. 47/4/00 Access to School Premises  
Bill 212 Safe Schools Strategy and Bill 212: Education Amendment Act (Progressive Discipline and School Safety), 2007  
Bill 157 Keeping our Kids Safe at School Act  
PPM 128 The Provincial Code of Conduct and School Board Codes of Contact  
PPM 141 School Board Programs for Students on Long-Term Suspension  
PPM 142 School Board Programs for Expelled Students  
PPM 144 Bullying Prevention and Intervention  
PPM 145 Progressive Discipline and Promoting Positive Student Behaviour  
PPM 119 Developing and implementing equity and inclusive Education policies in Ontario Schools

### **Board Policy**

- Student Discipline 200.26  
Bullying Prevention and Intervention 200.27  
Policy: Student Attendance 200.29  
Transportation of Students – Expectations and Responsibility 400.10  
Equity and Inclusion

### **Links**

<http://www.edu.gov.on.ca/eng/teachers/safeschools.html>



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**Administrative Procedure – Safe Schools (Interim)  
AP200.25**

<b>Procedure for:</b>	Principals/Vice-principals	<b>Adopted:</b>	March 25, 2008
<b>Submitted by:</b>	Trish Kings, Superintendent of Education	<b>Revised:</b>	June 22, 2010
<b>Category:</b>	Safe Schools		

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**Purpose**

To provide direction for superintendents, principals/vice-principals and staff regarding safe school expectations.

**Responsibilities**

**Superintendents of Education will:**

- monitor and advise principals and vice-principals regarding the implementation of all safe school procedures.

**Principals/Vice-principals will:**

- monitor and advise staff regarding the implementation of all safe school procedures.

**Information**

The procedures and expectations within the Safe Schools Policies are informed by the Provincial Code of Conduct, the 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).

**Procedures**

**1.0 Responsibilities of the Superintendent of Education**

The Superintendent of Education will review, monitor and support the Safe Schools components in each of the schools, including the School Improvement Plan and program strategies.

**The Superintendent of Education will:**

- be responsible for staff development training at a system level.
- ensure that appropriate ongoing partnerships are maintained and expanded as needed.
- ensure that curriculum plans and strategies for Safe Schools are linked to the Religion and Family Life Program, the appropriate Ontario Curriculum Documents and the Virtues Education Program.

**2.0 Responsibilities of the Principal/Vice-principal**

**The Principal/Vice-principal will:**

- ~~The principal will~~ Develop and implement a school-wide progressive discipline plan;
- ~~The principal will~~ Ensure that a Safe Schools Team is in place to develop strategies as a part of the School Improvement Plan;



- ~~All members will be~~ **Ensure that all staff are** aware of their responsibilities with respect to the Board's Safe Schools programs, strategies including the Board's Student Discipline Policy and Procedures as well as the Bullying Prevention and Intervention Policy and Procedures; and
- ~~All staff will~~ **Ensure that all staff** participate in staff development training, as required.

## **Definitions**

### **Progressive discipline**

A non-punitive, whole-school approach that uses a continuum of preventative, corrective and supportive interventions, supports and consequences to address inappropriate behaviour and to build upon strategies that promote positive behaviours. Consequences include learning opportunities for reinforcing positive behaviour and assisting pupils to make good choices.

### **Administrator**

A superintendent, principal or vice-principal with responsibility for the school in question.

### **Board employees**

An employee who works with pupils is defined to include administrators, teachers, educational assistants, child and youth workers, social workers, psychologists, speech language pathologists and other professional and para-professional staff who have regular and direct duties with the Board's pupils.

### **Board Expulsion**

Expulsion from all schools of the Board.

### **Disproportionate Impact**

Created when discipline impacts a pupil to a greater degree in comparison to his or her peers as a result of factors related to grounds protected by the Human Rights Code.

### **Emergency Administrator**

A superintendent or principal identified by the principal of the school to which a teacher-in-charge is assigned, as the emergency contact should the administrators of the school not be available in emergency circumstances.

### **Harassment**

Words, conduct or action that is directed at an individual and serves no legitimate purpose and which may include remarks, jokes, threats, name-calling, the display of material(s) touching or other behaviour that an individual knows or ought to know insults, intimidates, offends, demeans, annoys, alarms or causes that individual emotional distress and may constitute discrimination when related to grounds protected by the Human Rights Code.

### **Immutable Characteristics**

Characteristics that an individual cannot change or that an individual cannot alter about themselves, such as height.



### **Primacy of the Code**

A circumstance in which there is a conflict between provincial law, such as the Education Act, regulations, Policy Program Memoranda, school board policies and procedures, and the Human Rights Code of Ontario, the Human Rights Code is deemed to be more important and the inferior law must be applied in a manner consistent with the Human Rights Code (unless there is an explicit exception contained within the other law for such a circumstance). The principle of primacy of the Human Rights Code also requires school board policies and procedures to be interpreted and applied in a manner consistent with the Human Rights Code.

### **Racialized**

A student who experiences social inequities on the basis of race, colour, and/or ethnicity.

### **School Expulsion**

Expulsion from the school of the Board that the pupil was attending at the time of the incident.

### **Teacher-In-Charge**

A teacher delegated authority by the principal to undertake specified duties with respect to pupil discipline in the absence of administration.

### **Undue Hardship**

The standard for the provision of accommodation, or point to which accommodation must be provided, for a specific pupil by the Board.

### **Weapon**

Any object or thing used to threaten or inflict harm on another person and includes, but is not limited to, knives, guns, replica guns and animals.

## **References**

- O.Reg. 472/07 Behaviour, Discipline and Safety of Pupils
- R.S.O. 1990, c. T.21 Trespass to Property Act
- O.Reg. 47/4/00 Access to School Premises
- Bill 212 Safe Schools Strategy and Bill 212: Education Amendment Act (Progressive Discipline and School Safety), 2007
- Bill 157 Keeping our Kids Safe at School Act
- PPM 128 The Provincial Code of Conduct and School Board Codes of Contact
- PPM 141 School Board Programs for Students on Long-Term Suspension
- PPM 142 School Board Programs for Expelled Students
- PPM 144 Bullying Prevention and Intervention
- PPM 145 Progressive Discipline and Promoting Positive Student Behaviour
- PPM 119 Developing and implementing equity and inclusive Education policies in Ontario schools

## **Board Policy**

- Student Discipline Administrative Procedures 200.26
- Bullying Prevention and Intervention Administrative Procedures 200.27
- Student Attendance Policy 200.29

## **Links**

<http://www.edu.gov.on.ca/eng/teachers/safeschools.html>



**Policy: Student Discipline (Interim)**

	<b>Policy Number:</b> 200.26
<b>Adopted:</b> 26/02/08	<b>Former Policy Number:</b> n/a
<b>Revised:</b> 22/06/10	<b>Policy Category:</b> Students
<b>Subsequent Review Dates:</b>	<b>Pages:</b> 4

**Belief Statement:**

The Brant Haldimand Norfolk Catholic District School Board believes that all pupils should have a safe ~~secure and affirming Christ-centred~~ and **nurturing** environment in order to maximize their learning potential within a positive school climate.

**Policy Statement:**

**The Brant Haldimand Norfolk Catholic District School Board will ensure that:**

- Principals 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.
- Expectations for pupil behaviour are made explicit whether on school property, on buses, at school-related events or activities, or in other circumstances that could have an impact on school climate in accordance with the Ontario Human Rights Code, the Education Act, Ontario Regulations, the Provincial and Board Code of Conduct and Policy/Program memoranda.
- Discipline is applied within a framework that shifts the focus from one that is solely punitive to one that is both corrective and supportive and that includes learning opportunities for reinforcing positive behaviour.
- Interventions, supports and consequences for pupils with special needs are consistent with the pupil's strengths, needs, goals and expectations outlined in the Individual Education Plan, Behaviour Management Plan and/or Safety Plan.
- There is a clear ~~communication~~ **understanding** of the principal's authority in the school, although s/he may delegate this authority, in writing, to a designate.
- ~~Exclusion from the school is not used as a disciplinary measure, but rather in keeping with the spirit of the Education Act Part X265(1) (m), clause 265 (1) (m).~~
- All Board employees who work directly with pupils – including principals, teachers, and non-teaching staff (including staff in social work, child and youth workers, psychology and related areas, and educational assistants) – respond to any pupil behaviour that is likely to have a negative impact on the school climate.
- All employees of the Board, and transportation providers report to the principal, or designate, at the earliest safe opportunity, and in writing using the Safe Schools Incident Reporting Form 1, any pupil behaviour that requires the Principal to consider suspension or expulsion.
- Principals respond in writing using the Safe Schools Incident Reporting Form – Part II whenever an employee submits in writing a Safe Schools Incident Reporting Form – Part I.
- ~~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. Suspension appeals will not be conducted in accordance with or be subject to the Statutory Powers Procedure Act.~~
- ~~Before recommending an expulsion from the pupil's school or from the schools of the Board, the principal completes 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. If the principal imposes a~~



## Brant Haldimand Norfolk Catholic District School Board

suspension pending an investigation to determine whether to recommend expulsion, the principal considers 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.

- 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 Procedures, Suspension Appeal Guidelines, Expulsion Hearing Guidelines and Rules.

### Glossary of Key Policy Terms

**Administrator** – includes a superintendent, principal or vice-principal with responsibility for the school in question.

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

**Board Employees who Work with Pupils** – is defined to include principals, teachers, educational assistants, child and youth workers, social workers, psychologists, speech language pathologists and other professional and para-professional staff who have regular and direct duties with the Board's pupils, including bus drivers.

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

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

**Daily Care** – a person with daily care is an adult person (18 years or older) who is not the custodial parent/guardian of a pupil who is less than 18 years old, but is a person who cares for the pupil on a daily basis and is known by the school to provide daily care, for example a grandparent, aunt, uncle, older brother or sister.

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

**Disproportionate Impact** – is created when discipline impacts a pupil to a greater degree in comparison to his or her peers as a result of factors related to grounds protected by the Human Rights Code.

**Emergency Administrator** – is a superintendent or principal identified by the principal of the school to which a teacher-in-charge is assigned, as the emergency contact should the administrators of the school not be available in emergency circumstances.

**Harassment** – is words, conduct or action that is directed at an individual and serves no legitimate purpose and which may include remarks, jokes, threats, name-calling, the display of material(s), touching or other behaviour that an individual knows or ought to know insults, intimidates, offends, demeans, annoys, alarms or causes that individual emotional distress and may constitute discrimination when related to grounds protected by the Human Rights Code.

**Immutable Characteristics** – are characteristics that an individual cannot change or that an individual cannot alter about themselves, such as height

**Impact on School Climate** – an incident or activity which has a negative impact on the school community.

**Manifestation of a pupil's disability** – is behaviour that results from a pupil's disability and that a pupil does not intend.

**Mitigating and Other Factors (Regulation 427/07)** – include, but are not limited to,



## **Brant Haldimand Norfolk Catholic District School Board**

the pupil's ability to control his or her behaviour, the pupil's ability to understand the foreseeable consequences of his or her behaviour, and whether or not the pupil's continuing presence in the school creates an unacceptable risk to the safety of any other person.

Parent/guardian—where there is a reference to involving or informing a parent/guardian it means the custodial parent or guardian of a minor child who is not an adult pupil.

Primacy of the Code—in a circumstance in which there is a conflict between provincial law, such as the Education Act, regulations, Policy Program memoranda, school board policies and procedures, and the Human Rights Code of Ontario, the Human Rights Code is deemed to be more important and the inferior law must be applied in a manner consistent with the Human Rights Code (unless there is an explicit exception contained within the other law for such a circumstance). The principle of primacy of the Human Rights Code also requires school board policies and procedures to be interpreted and applied in a manner consistent with the Human Rights Code.

Racialized student—is a pupil who may experience social inequities on the basis of race, colour, and/or ethnicity.

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

School Community—the school community is composed of staff, pupils, parents, and volunteers of the school and feeder schools/family of schools, as well as the community of people and businesses that are served by or located in the greater neighbourhood of the school.

School Expulsion—is an expulsion from the school of the Board that the pupil was attending at the time of the incident.

Superintendent—shall be consistent with and have the meaning attributed to Supervisory Officer in the Education Act and regulations.

Superintendent Responsible for Student Discipline—means the supervisory officer delegated authority regarding procedural issues related to suspension appeals and expulsions.

Suspension—suspension is the withdrawal of a pupil from a specific school and from engaging in school-related activities if the pupil commits any infraction for which suspension must be considered under section 306 of the Education Act. Suspensions act as deterrent, provide an opportunity for a pupil to think about his/her actions and hopefully encourage the pupil and/or his/her family to seek necessary assistance.

Teacher in Charge/Designate—is a teacher delegated authority by the principal to undertake specified duties with respect to pupil discipline in the absence of administration.

Undue Hardship—is the standard for the provision of accommodation, or point to which accommodation must be provided, for a specific pupil by the Board.

Weapon—is any object or thing used to threaten or inflict harm on another person and includes, but is not limited to, knives, guns, replica guns and animals.



## **Brant Haldimand Norfolk Catholic District School Board**

### **References**

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R.SO. 1990, c. T.21 Trespass to Property Act  
O.Reg. 47/4/00 Access to School Premises  
Bill 212 Safe Schools Strategy and Bill 212: Education Amendment Act  
(Progressive Discipline and School Safety), 2007  
Bill 157 Keeping our Kids Safe at School Act  
PPM 128 The Provincial Code of Conduct and School Board Codes of Contact  
PPM 141 School Board Programs for Students on Long-Term Suspension  
PPM 142 School Board Programs for Expelled Students  
PPM 144 Bullying Prevention and Intervention  
PPM 145 Progressive Discipline and Promoting Positive Student Behaviour  
PPM 119 Developing and implementing equity and inclusive  
Education policies in Ontario schools

### **Board Policy**

- Safe Schools 200.25  
Student Discipline 200.26  
Bullying Prevention and Intervention 200.27  
Student Attendance 200.29  
Transportation of Students – Expectations and Responsibilities 400.10

### **Links**

<http://www.edu.gov.on.ca/eng/teachers/safeschools.html>



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## Administrative Procedure - Student Discipline AP200.26

<b>Procedure for:</b>	All staff	<b>Adopted:</b>	Month, dd, yyyy
<b>Submitted by:</b>	Trish Kings, Superintendent of Education	<b>Revised:</b>	
<b>Category:</b>	Safe Schools		

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### Purpose

To provide direction for superintendents, principals, vice-principals and staff regarding student discipline. The process set out in these procedures shall be informed by and implemented in accordance with the principles of equity and inclusion articulated in PPM 119.

### Responsibilities

#### Superintendents of Education will:

- support the schools administration with student discipline and ensure that policies and procedures are adhered to.

#### Principals/Vice-principals will:

- implement plans for the local code of conduct and oversee all issues dealing with student discipline using relevant policy and procedures.

### Information

On June 4, 2007, the Education Amendment Act (Progressive Discipline and School Safety), 2007 was passed, amending Part XIII of the Education Act dealing with behaviour, discipline and safety.

The Education Amendment Act (Keeping Our Kids Safe at School) 2009, further amends Part XIII of the Education Act dealing with behaviour, discipline, and safety, effective February 1, 2010. (Bill 157). Significant changes are found in the reporting of, and responding to, issues related to bullying and other student behaviours that may have a significant impact on school climate. A new section addresses the Delegation of Authority regarding discipline.

### Procedures

#### 1.0 Progressive Discipline

Each school is required to develop and implement a school-wide progressive discipline process which includes preventative measures, early and on-going intervention strategies, positive behaviour and management practices up to and including suspension and expulsion.

The progressive discipline continuum is a stepped approach to support a positive change in behaviour. However, as indicated, if an incident is serious in nature and after a full consideration of circumstances affecting a pupil's behaviour, it is recognized that a step, such as a suspension or expulsion, which is further along in the progressive discipline continuum, may be necessary.

In some circumstances, short-term suspension may be a useful tool. In the case of a serious incident, long-term suspension or expulsion, which is further along the continuum of progressive discipline, may be the appropriate response.



## **1.1 Items to Consider**

### **Prevention Practices and Positive Behaviour Management Practices may include:**

- student success strategies;
- anti-bullying and violence prevention;
- *Virtues Education*;
- differentiated instruction;
- mentorship programs;
- program modifications or accommodations;
- conflict/dispute resolution;
- Behaviour Management Plans and *Safety Plans*;
- individual, peer and group counseling;
- class placement.

Principals may also use community agencies as resources to deliver prevention or intervention programs. Partnerships with community agency protocols facilitate the delivery of prevention and intervention programs, the use of referral processes, and the provision of services and supports for pupils, their parents and families.

### **Before deciding to utilize a progressive discipline approach the principal must consider:**

- the particular pupil and circumstances;
- the nature and severity of the behaviour; and,
- the impact of the inappropriate behaviour on the school climate.

### **The principal must also consider Mitigating Factors:**

- Whether the pupil has the ability to control his or her behaviour.
- Whether the pupil has the ability to understand the foreseeable consequences of his or her behaviour.
- Whether the pupil's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school.

### **Other factors include:**

- The pupil's academic, discipline and personal history.
- Whether other progressive discipline has been attempted with the pupil, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure.
- Whether the infraction for which the pupil might be disciplined was related to any harassment of the pupil because of race, colour, ethnic origin, place of origin, religion, creed, disability, gender or gender identity, sexual orientation, immutable characteristic or harassment for any other reason.
- The impact of the discipline on the pupil's prospects for further education.
- The pupil's age.
- Where the pupil has an Individual Education Plan or disability related needs:
  - Whether the behaviour causing the incident was a manifestation of the pupil's disability.



- Whether appropriate individualized accommodation has been provided to the point of undue hardship.
  - Whether a suspension is likely to result in aggravating or worsening the pupil's behaviour or conduct or whether a suspension is likely to result in a greater likelihood of further inappropriate conduct.
  - Whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.
- If the principal deems that a pupil's continuing presence in the school creates an unacceptable risk to the safety of others in the school, then a progressive discipline approach may not be appropriate.
  - The principal must also consult with the parent/guardian (unless the pupil is an adult) throughout the process.
  - The principal or vice principal must keep a record for each pupil with whom progressive discipline approach(es) are utilized. The record should include:
    - Name of pupil;
    - Date of the incident or behaviour;
    - Nature of the incident or behaviour;
    - Considerations taken into account;
    - Progressive discipline approach used;
    - Outcome; and
    - Contact with the pupil's parent/guardian (unless the pupil is an adult pupil).

## **2.0 Suspension of a Pupil Under the Education Act**

Suspension is the withdrawal of a pupil from a specific school and from engaging in school-related activities. A principal must consider suspension when a pupil commits any infractions listed under Section 306 of the Education Act.

### **2.1 Suspension Infractions**

#### **Suspension Infractions:**

- Uttering a threat to inflict serious bodily harm on another person;
- Possessing alcohol, illegal and/or restricted drugs;
- Being under the influence of alcohol;
- Swearing at a teacher or at another person in a position of authority;
- 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;
- 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 any member of the school community; or
- Any act considered by the principal to be the contrary to the Board or School Code of Conduct.



**Suspension infractions for which a pupil may be suspended under Board Policy include:**  
~~Suspension Infractions which:~~

- Use of improper or profane language;
- Persistent truancy;
- Opposition to authority;
- Habitual neglect of duty;
- Discrimination and harassment;
- Use and possession of tobacco, as appropriate;
- Extortion;
- Theft;
- **The supporting, encouraging, participating, and/or assisting in activities which violate the safe school policy;**
- **Inciting other students to act with physical violence upon another person.**

**Upon the thorough investigation of an incident that is suspendable, the principal must:**

- consult with the pupil, the pupil's parent'/guardian or the adult pupil;
- review any progressive strategies that have been utilized;
- take into account any mitigating and other factors that might be applied in the circumstances;
- consult with his/her Superintendent of Education when the suspension is five
- (5) days or more regarding:
  - The investigation undertaken;
  - The circumstances of the incident;
  - Whether or not one or more of the factors outlined above are applicable in the circumstances; and
  - The appropriate length of the suspension.
- ~~▪ whether or not accommodation pursuant to the Human Rights Code has been considered, and where applicable, applied to the point of undue hardship.~~

### **3.0 Imposing a Suspension**

#### **3.1 Imposing a Suspension**

1. Within 24 hours of the decision to suspend the principal must make all reasonable efforts to orally inform the adult pupil or the pupil's parent/guardian of the suspension.
2. The principal must inform the pupil's teacher(s) of the suspension.
3. The principal in conjunction with the pupil's teacher(s) must organize school work to be provided for the pupil to be completed during the duration of the student's suspension.
4. The principal must provide written notice of the suspension to the pupil, the pupil's parent/guardian (unless the pupil is an adult student) and the School Superintendent of Education.



5. The written notice of suspension will include:

- The reason for suspension;
- The duration of the suspension;
- Information about the Alternative Suspension Program ~~the pupil is assigned to, where~~ **when** the pupil is suspended six (6) or more school days;
- Information about the right to appeal the suspension, including the relevant policies and guidelines and the contact information for the Director of Education. ~~(see appendix)~~

Every effort should be made to include the school work with the letter of suspension to the pupil and the pupil's parent/guardian (unless the pupil is an adult pupil) on the day the pupil is suspended if the letter is provided to the pupil to take home. If it is not possible to provide the letter because the pupil and/or his/her parent/guardian is not available, the letter should be mailed, couriered, faxed or emailed to the home address that day and school work should be made available for the adult pupil's designate or pupil's parent/guardian or designate to pick-up from the school the following school day.

- If notice is sent by mail or courier, it will be deemed to have been received on the fifth school day after it was sent.
- If notice is sent by fax or email, it is deemed to have been received the first school day after it was sent.

Where the incident is a serious violent incident, including a credible threat to inflict serious bodily harm or vandalism causing extensive damage to Board property or property located on Board property, consideration should be given to filling out and filing a Violent Incident form in the pupil's Ontario School Record. (see Board's Violent Incident Form).

### **3.2 Supports for Suspended Students/Academic Program (5 or fewer school days)**

A pupil who is subject to a suspension of five (5) or fewer school days must be provided with school work to complete at home while serving the suspension. The school work must be available to the adult pupil's designate or the pupil's parent/guardian or designate the day the pupil is suspended, if the pupil is suspended for one(1) school day. If this is not possible, the pupil must be given the opportunity to catch-up on missed school work as part of the re-entry process.

### **3.3 Alternative Suspension Program**

A Student Action Plan shall be developed for every pupil subject to a suspension of six (6) or more school days who agrees to participate in an Alternative Suspension Plan. (see Appendix for Student Action Plan framework)

Where a pupil has been suspended for six (6) or more school days the pupil will be provided with school work for the first five (5) school days or until the Student Action Plan is implemented, whichever is earlier, and will be assigned an alternative program for pupils subject to lengthy suspension (Alternative Suspension Program). The principal or vice-principal shall communicate to the adult pupil or parent/guardian the purpose and nature of the Alternative Suspension Program.

Admission to the Alternative Suspension Program is obtained by **contacting the School Superintendent**.

Where there is a serious violent incident leading to a suspension or expulsion or a call to the police, the principal will complete a Violent Incident Form and inform his/her superintendent.

Agreement or refusal to participate to an Alternative Suspension Plan may be communicated to the school orally by the adult pupil or the pupil's parent/guardian. Where the adult pupil or pupil's



parent/guardian declines the offer to participate in an Alternative Suspension Plan, the principal or vice-principal shall record the date and time of such refusal.

A pupil cannot be compelled to participate in an Alternative Suspension Plan. Should the adult pupil or a pupil's parent/guardian choose not to have the pupil participate in an Alternative Suspension Plan, the pupil will continue to be provided with school work consistent with the Ontario curriculum or that pupil's modified or alternative curriculum to be completed at home for the duration of his/her suspension. This school work will be available at the school for pick-up by the adult pupil's designate or the pupil's parent/guardian or designate at regular intervals during the suspension period. In circumstances where the school work is not picked up, the principal should contact the adult pupil or the pupil's parent/guardian to determine whether the school work will be picked up. The principal should record the follow-up and response.

### **3.4 Planning Meeting**

For pupils subject to a suspension of six (6) or more school days who choose to participate in an Alternative Suspension Program, the principal or vice principal of the school shall hold a planning meeting for the purpose of developing the Student Action Plan.

The adult pupil or pupil's parent/guardian and the pupil (where appropriate) as well as any appropriate teaching and support staff will be invited to participate in the planning meeting. The adult pupil or pupil's parent/guardian shall be invited for the purpose of providing input.

The planning meeting will be scheduled to occur within two (2) school days of the adult pupil or the pupil's parent/guardian informing the school that the pupil will participate in an Alternative Suspension Program. If the adult pupil or the pupil's parent/guardian are not available to participate in the planning meeting, the meeting will proceed in their absence and a copy of the Student Action Plan will be provided to them following the meeting.

During the planning meeting the principal or vice-principal shall review the issues to be addressed in the pupil's Student Action Plan.

### **3.5 Student Action Plan**

A pupil subject to suspension for eleven (11) or more school days shall be provided with both academic and non-academic supports, which shall be identified in the pupil's Student Action Plan. Pupils subject to a suspension of fewer than eleven (11) school days may be offered non-academic supports where such supports are appropriate and available.

The Student Action Plan shall be developed under the direction of the principal of the school with assistance, as appropriate, from the principal of alternative programs, vice-principal of the school, guidance counselor, special education teacher, classroom teacher, Child Youth Worker and/or Social Worker.

The principal will make every effort to complete the Student Action Plan within five (5) school days following the adult pupil or the pupil's parent/guardian informing the school that the pupil will participate in an Alternative Suspension Program.

This timeline will be communicated to the adult pupil and/or the pupil's parent/guardian if they are unable to attend the planning meeting for the purpose of providing input.

The principal must ensure that the pupil is provided with school work until the Student Action Plan is in place.



Once completed, the Student Action Plan will be shared with the adult pupil, or the pupil's parent/guardian and the pupil and all necessary staff to facilitate implementation.

A copy of the Student Action Plan will be stored in the pupil's Ontario Student Record until such time as it is no longer conducive to the improvement of instruction of the pupil.

**The Student Action Plan will identify:**

- The incident for which the pupil was suspended;
- The progressive discipline steps taken prior to the suspension, if any;
- Any progressive discipline measures imposed in addition to the suspension;
- Any other disciplinary issues regarding the pupil that have been identified by the school;
- Any learning needs or other needs that might have contributed to the underlying infraction resulting in discipline;
- Any program(s) or service(s) that might be provided to address those learning or other needs;
- The academic program to be provided to the pupil during the suspension period and details regarding how that academic program will be accessed by the pupil;
- Where the pupil has an Individual Education Plan and/or disability related needs, information regarding how the accommodations/modifications of the pupil's academic program will be proven during the period of suspension.
- The non-academic program and services to be provided to the pupil, if applicable, during the suspension and details regarding how that non-academic program and those services will be accessed; and,
- The measurable goals the pupil will be striving to achieve during the period of suspension.

**4.0 Re-Entry**

Following a suspension of six (6) or more school days, a re-entry meeting will be held with appropriate staff, the pupil, and the pupil's parent/guardian if possible, to provide positive and constructive redirection for the pupil. Where the pupil has participated in an Alternative Suspension Program, the pupil's success in achieving the goals outlined in the Student Action Plan will be reviewed with the adult pupil or the pupil's parent/guardian and pupil. Further programs and services might be recommended by the principal for the purpose of achieving additional or greater success in meeting the goals outlined in the Student Action Plan.

**5.0 Suspension Appeal Process**

**Notes:**

- A person who intends to appeal a suspension must give written notice of his/her intention to appeal the suspension within ten (10) school days of the commencement of the suspension.
- The adult pupil or the pupil's parent/guardian may appeal a suspension.
- All suspension appeals will be received by the Director of Education.
- An individual who appeals a suspension may argue that his/her rights pursuant to the Human Rights Code have been infringed.
- In addition, a separate right to apply to the Human Rights Tribunal of Ontario exists where an individual believes his/her rights pursuant to the Human Rights Code have been infringed.



- An appeal of a suspension does not stay the suspension.
- The Board must hear and/or determine the appeal within fifteen (15) school days of receiving the notice of intention to appeal (unless the parties agree to an extension).

**5.1 Upon receipt of written notice of the intention to appeal the suspension, the appropriate Superintendent of Education will:**

1. promptly advise the school principal of the appeal;
2. promptly advise the adult pupil or the pupil's parent/guardian that a review of the suspension will take place and invite the parent/guardian or adult to contact the Superintendent of Education responsible for discipline to discuss any matter respecting the incident and/or appeal of the suspension; ~~(see Appendix)~~
3. review the suspension (reason, duration, any mitigating or other factors, whether or not the Human Rights Code should be or was appropriately applied);
4. consult with the principal regarding modification or expunging the suspension;
5. request a meeting with the adult pupil or the pupil's parent/guardian and the principal to narrow the issues and try to effect a settlement, and arrange a date for the appeal before the Discipline Committee;
6. where a settlement is not effected, provide notice of the review decision to the adult pupil or pupil's parent/guardian (see Appendix).

**5.2 Where the suspension is upheld on review and the adult pupil or pupil's parent/guardian chooses to continue with the appeal, the Superintendent of Education responsible for student discipline will:**

1. **Arrange a date for the appeal before the Discipline Committee** and coordinate the preparation of a written report for the Board.
2. This report will contain at least the following components:
3. A report prepared by the principal regarding the incident, the rationale for suspension and how the principles of equity and inclusion were applied;
4. A copy of the original suspension letter;
5. A copy of the letter requesting the Suspension Appeal; and
6. A copy of the correspondence with respect to the decision of the Superintendent of Education regarding the suspension review.
7. Inform the adult pupil or the pupil's parent/guardian of the date of the Suspension Appeal,
8. Provide a guide to the process for the appeal, and a copy of the documentation that will go to the Discipline Committee (see Appendix).
9. Ensure that the item is placed on the Discipline Committee's agenda.

**5.3 Parties Involved**

**The parties in an appeal to the Discipline Committee shall be:**

1. the principal; and,
2. the adult pupil or the pupil's parent/guardian, if they appealed the decision.



## **6.0 Discipline Committee of the Board and the Appeal Process**

Suspension appeals will be heard orally, in camera, by the Discipline Committee of Trustees. The Discipline Committee may grant a person with daily care authority to make submissions on behalf of the pupil. An adult pupil or pupils parent/guardian may bring/be represented by legal counsel or attend with an advocate/agent or the support of a community member. Legal counsel for the Board may be present at the appeal if the parent/guardian is represented by legal counsel or an agent.

### **6.1 Appeal Process**

**The process is ordered as follows:**

1. The parent/guardian and/or the person with daily care will proceed first by making oral submissions and/or providing written submissions regarding the reason for the appeal and the result desired.
2. The pupil will be asked to make a statement on his/her own behalf, if appropriate.
3. The Superintendent of Education for the school and/or the principal will make oral submissions on behalf of the administration, including a response to any issues raised in the parent/guardian's submissions. The Superintendent/principal may rely on the report prepared for the Discipline Committee.
4. The parent/guardian may make further submissions addressing issues raised in the administration's presentation that were not previously addressed by the parent/guardian.
5. The Discipline Committee may ask any party, or the pupil, where appropriate, questions of clarification.

The Discipline Committee may make such orders or give such directions at an appeal as it considers necessary for the maintenance of order at the appeal. Should any person disobey or fail to comply with any such order and/or direction, a Trustee may call for the assistance of a police officer to enforce any such order or direction.

Where any party who has received proper notice of the location, date and time of the appeal fails to attend the appeal or comply with the necessary time lines, the appeal may proceed in the absence of the party and the party is not entitled to any further notice of the proceedings.

The Discipline Committee will consider, based on the written and/or oral submissions of both parties, whether or not the consequence might have a disproportionate impact on a pupil protected by the *Human Rights Code*, including but not limited to race and disability, and/or exacerbate the pupil's disadvantaged position in society and shall either:

- Confirm the suspension and its duration; or
- Confirm the suspension but shorten its duration and amend the record, as necessary; or
- Quash the suspension and order that the record be expunged; or
- Make such other appropriate order.

The decision of the Discipline Committee is final. The decision shall be communicated to the parent/guardian in writing (see Appendix).



## **7.0 Transfer to Another School**

Following an incident at the school, it might be necessary to transfer to another school the pupil who has been disciplined or the victim for safety reasons and/or for compliance with an Order of the Court or police restrictions. To the extent possible, the pupil who has been disciplined rather than the victim should be transferred.

### **7.1 Decision to Transfer**

The decision to transfer a student to another school shall be made only by a superintendent in consultation with the sending and receiving school principals and shall be made only where it is consistent with the Human Rights Code.

When it has been determined that a pupil will be transferred to another school, the principal or vice principal shall ensure that a Transition Plan is developed identifying any additional supports and resources required in the principal/vice principal's opinion to ensure a successful transition, which might include where appropriate, referrals for social work support, Child and Youth Worker support and/or support from community agencies as well as the development of a transitional Individual Education Plan. Where the pupil has been subject to suspension, the Transition Plan shall be consistent with and co-ordinated with the Student Action Plan (SAP) developed for suspension purposes.

The principal or vice principal of the sending school shall invite the adult pupil or parent/guardian and the pupil, where appropriate, to a meeting with representatives from both schools for the purpose of reviewing the Transition Plan, including the timeline for transition and the provision of school work prior to transition in circumstances where the pupil is not subject to a Student Action Plan and will not be attending school during the intervening period, to obtain any necessary consents for support services, and to respond to any questions or concerns identified by the receiving school and/or the parent/guardian or pupil. Teaching and support staff of the receiving school who will be working with the pupil once the pupil has transferred should be in attendance, where possible.

All individuals attending the meeting must be informed by the principal or vice principal at the outset that the information shared during the meeting is personal information that must be kept confidential pursuant to the Municipal Freedom of Information and Protection of Privacy Act and/or Education Act.

## **8.0 Expulsion of a Pupil Under the Education Act**

The Board recognizes that the conduct of a pupil may be so refractory that his/her presence in the school may be injurious to the mental and physical well-being of pupils and staff. Every effort will be made to support and assist the pupil, however, to maintain a safe environment for all, a permanent remedy may be required resulting in expulsion.

### **8.1 Infractions**

**The infractions for which an expulsion may be recommended to the Board include:**

- Possessing a weapon, including possessing a firearm;
- Using a weapon to cause or to 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 and/or restricted drugs;
- Committing robbery;



- Giving alcohol to a minor;
- 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 pupil's continued presence is injurious to the effective learning and/or working environment of others;
- 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;
- 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;
- 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
- Any act considered by the principal to be a serious violation of the Board or school Code of Conduct.

The principal will also contact the police consistent with the Protocol between the Police and the Brant Haldimand Norfolk Catholic District School Board if the infraction the pupil is suspected of committing requires such contact. When in doubt, the principal will consult with his or her School Superintendent.

## **8.2 Suspension Pending Recommendation for Expulsion**

If the pupil is to be suspended pending an investigation, the pupil should be suspended for twenty (20) school days. If the pupil has been suspended pending an investigation to determine whether the pupil will be recommended for expulsion, the principal must assign the pupil to a program for suspended pupils. (Alternative Suspension Program)

If the pupil has been suspended for twenty (20) school days, the principal must undertake an investigation to determine whether to recommend to the Discipline Committee that the pupil be expelled.

## **8.3 Factors to Consider Before Deciding to Impose a Suspension Leading to an Expulsion**

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

## **8.4 Procedural Steps When Imposing a Suspension Pending Recommending Expulsion**

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

1. **Within 24 hours** of the decision, the principal must make all reasonable efforts to orally inform the adult pupil's parent/guardian of the suspension.
2. The principal must inform the pupil's teacher(s) of the suspension.
3. The principal must provide written notice of the suspension to the adult pupil or the pupil's parent/guardian and the pupil and the School Superintendent of Education. The written notice of suspension will include:
  - The reason for suspension;
  - The duration of the suspension;
  - Information about the program for suspended pupils the pupil is assigned to;



- Information about the investigation the principal is conducting to determine whether to recommend expulsion;
  - A statement that there is no immediate right to appeal the suspension. Any appeal must wait until the principal decides whether to recommend an expulsion, and if the principal decides not to recommend an expulsion, a statement that the suspension may be appealed to the Discipline Committee, and if the principal decides to recommend an expulsion that the suspension may be addressed at the expulsion hearing. (see the template letter at Appendix 7)
4. Every effort should be made to include the school work with the letter of suspension to the pupil and the pupil's parent/guardian (unless the pupil is an adult pupil) on the day the pupil is suspended if the letter is provided to the pupil to take home. If it is not possible to provide the letter because the pupil and/or his/her parent/guardian is not available, the letter should be mailed, couriered, faxed or emailed to the home address that day and school work should be made available for the adult pupil's designate or the pupil's parent/guardian or designate to pick-up from the school the following school day.
    - If notice is sent by mail or courier, it will be deemed to have been received on the Fifth school day after it was sent.
    - If notice is sent by fax or email, it is deemed to have been received the first school day after it was sent.
  5. Where the incident is a serious violent incident, such as possession of weapons, physical assault causing serious bodily harm, sexual assault, robbery, extortion or hate motivated violence; consideration should be given to filling out and filing a Violent Incident Form in the pupil's Ontario Student Record. (see the Board's Violent Incident Form Appendix).

## **9.0 Alternative Suspension Program**

Where a pupil has been suspended for six (6) or more school days the pupil will be provided with school work for the first five (5) school days or until the Student Action Plan is implemented and will be assigned an alternative program for pupils subject to lengthy suspension. (Alternative Suspension Program).

A pupil cannot be compelled to participate in an Alternative Suspension Program. Should the adult pupil or a pupil's parent/guardian choose not to have the pupil participate in an Alternative Suspension Program, the pupil will continue to be provided with school work consistent with the Ontario Curriculum or that pupil's modified or alternative curriculum to be completed at home or the duration of his/her suspension. This school work will be available at the school for pick up by the adult pupil's parent/guardian or a designate at regular intervals during the suspension period beginning the school day after the adult pupil or the pupil's parent/guardian refuses to participate in an Alternative Suspension Program.

A Student Action Plan will be developed for every pupil who agrees to participate in an Alternative Suspension Program.

Agreement or refusal to participate in an Alternative Suspension program may be communicated to the school orally by the adult pupil or the pupil's parent/guardian. Where the adult pupil or pupil's parent/guardian declines the offer to participate in an Alternative Suspension program, the principal shall record the date and time of such refusal.



### **9.1 Planning Meeting**

For pupils subject to a suspension pending expulsion who choose to participate in an Alternative Suspension Program, the principal of the school or designate will hold a planning meeting for the purpose of developing the Student Action Plan.

The adult pupil or pupil's parent/guardian and the pupil (where appropriate) as well as any appropriate teaching and support staff, will be invited to participate in the planning meeting.

The planning meeting will be scheduled to occur **within two (2) school days** of the adult pupil or the pupil's parent/guardian informing the school that the pupil will participate in an Alternative Suspension Program.

If the adult pupil or the pupil's parent/guardian is not available to participate in the planning meeting, the meeting will proceed in their absence and a copy of the Student Action Plan will be provided to them following the meeting.

During the planning meeting the principal or designate will review the issues to be addressed in the pupil's Student Action Plan.

### **9.2 Student Action Plan**

A pupil, subject to suspension pending an investigation whether to recommend an expulsion, will be provided with both academic and non-academic supports, which will be identified in the pupil's Student Action Plan.

The Student Action Plan will be developed under the direction of the principal of the school with assistance, as appropriate, from the principal of alternative programs, vice principal of the school, guidance counselor, special education resource teacher, classroom teacher, Child and Youth Worker and/or social worker.

The principal will make every effort to complete the Student Action Plan within five (5) school days following the adult pupil or the pupil's parent/guardian informing the school that the pupil will participate in an Alternative Suspension program.

This timeline will be communicated to the adult pupil and/or the pupil/s parent/guardian if they are unable to attend the planning meeting for the purpose of providing input.

Once completed, the Student Action Plan will be shared with the adult pupil, or the pupil's parent/guardian and the pupil and all necessary staff to facilitate implementation.

A copy of the Student Action Plan will be stored in the pupil's Ontario Student Record until such time as it is no longer conducive to the improvement of instruction of the pupil.

#### **The Student Action Plan will identify:**

- The incident for which the pupil was suspended;
- The progressive discipline steps taken prior to the suspension, if any;
- Any alternative discipline measures imposed in addition to the suspension;
- Any other disciplinary issues regarding the pupil that have been identified by the school;
- Any learning needs or other needs that might have contributed to the underlying infraction resulting in discipline;
- Any program(s) or service(s) that might be provided to address those learning or other needs;



- The academic program to be provided to the pupil during the suspension period and details regarding how that academic program will be accessed by the pupil;
- Where the pupil has an Individual Education Plan, information regarding how the Accommodations/modifications of the pupil's academic program will be provided during the period of suspension;
- The non-academic program and services to be provided to the pupil, if applicable, during the suspension and details regarding how that non-academic program and those services will be accessed; and,
- The measurable goals the pupil will be striving to achieve during the period of suspension.

### **9.3 Principal's Investigation Following a Suspension Pending Expulsion**

The principal will conduct an investigation **promptly** following the suspension of the pupil to determine whether to recommend to the Discipline Committee that the pupil be expelled.

~~As part of the investigation,~~ The principal will consult with the School Superintendent of Education and/or Superintendent(s) Responsible for Student Discipline regarding any issues of process and/or timing for conducting the investigation, which must be completed at the earliest opportunity as well as the substantive decision whether or not to recommend that the pupil be expelled.

~~Before referring a pupil to the Discipline Committee of the Board for expulsion~~ The principal shall consider whether or not the recommendation might have a disproportionate impact on a pupil protected by the *Human Rights Code*, including but not limited to race and disability, and/or exacerbate the pupil's disadvantaged position in society and whether or not accommodation is required.

Should the decision be made to refer the pupil to the Discipline Committee with a recommendation for expulsion, the pupil must be referred to and dealt with by the Discipline Committee within **twenty(20) school days from the date of suspension (unless timelines are extended on consent)**.

#### **As part of the investigation, the principal will:**

- Make all reasonable efforts to speak with the adult pupil or the pupil's parent/guardian and the pupil;
- Include interviews with witnesses who the principal determines can contribute relevant Information to the investigation.
- Make every reasonable effort to interview any witnesses suggested by the pupil, or the pupil's parent/guardian; and,
- Consider the mitigating and other factors when determining whether to recommend to the Discipline Committee that the pupil be expelled.
- Consider whether or not the pupil is protected by the *Human Rights Code*, including but not limited to race and disability, and/or is in a disadvantage position in society and evaluate the appropriateness or the accommodation if any was provided.
- Any police investigation will be conducted separately from the principal's inquiry.



#### **9.4 Identification of Progressive Discipline Strategies Used Previously**

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

**Whether the teacher, principal or designate has utilized early and/or ongoing intervention strategies to prevent unsafe or inappropriate behaviours, such as:**

- contract with the pupil's parent(s)/guardian(s);
- oral reminders;
- review of expectations;
- written work assignments with a learning component;
- assigning the pupil to volunteer services to the community;
- conflict mediation and resolution;
- peer mentoring;
- referral to counseling; and/or
- consultation.

**Whether the principal or designate has used a progressive discipline approach to address inappropriate behaviour for which a suspension could have been imposed, such as:**

- meeting(s) with the pupil's parent(s)/guardian(s), pupil, and principal;
- referral of pupil to a community agency for anger management or substance abuse counseling;
- detentions;
- withdrawal of privileges;
- withdrawal from class;
- restitution for damages;
- restorative practices; and/or
- transfer with support.

#### **~~7.11 Consultation~~**

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



## 9.5 Decision Not To Recommend Expulsion

**Following the investigation and consideration of the mitigating and other factors, and the application of the code, if the principal decides not to recommend to the Discipline Committee that the pupil be expelled, the principal must:**

- Consider whether progressive discipline is appropriate in the circumstances;
- Uphold the suspension and its duration;
- Uphold the suspension and shorten its duration and amend the record accordingly; or
- Withdraw the suspension and expunge the record.

**If the principal has decided not to recommend an expulsion of the pupil, the principal will provide Written notice of this decision to the adult pupil or the pupil's parent/guardian and pupil. The notice shall include:**

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

## 10.0 Recommendation to the Board for an Expulsion Hearing

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

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

### 10.1 Prepare a report to be submitted to the Discipline Committee and provide the report to the pupil and the pupil's parent or guardian (unless the pupil is an adult pupil) prior to the hearing.

**The report will include:**

- A summary of the findings the principal made in the investigation;
- An analysis of which, if any, mitigating or other factors or *Human Rights Code* related grounds might be applicable;
- A recommendation of whether the expulsion should be from the school or from the Board; and



- A recommendation regarding the type of school that would benefit the pupil if the pupil is subject to a school expulsion, or the type of program that might benefit the pupil if the pupil is subject to a Board expulsion.

**10.2 Inquire with the Superintendent of Education(s) Responsible for Student Discipline as to the date and location of the hearing and provide written notice of the expulsion hearing to the adult pupil or the pupil's parent/guardian and pupil.**

**The notice shall include:**

- A statement that the pupil is being referred to the Discipline Committee to determine whether the pupil will be expelled for the activity that resulted in suspension;
- A copy of the Board's guidelines and rules governing the hearing before the Discipline Committee;
- A copy of the Board Code of Conduct and School Code of Conduct;
- A copy of the suspension letter;
- A statement that the pupil and/or his or her parent/guardian has the right to respond to the principal's report in writing;

**10.3 Provide Information about the procedures and possible outcomes of the expulsion hearing, including that:**

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

**10.3 The Superintendent of Education will:**

- Advise the Superintendent(s) Responsible for Student Discipline and the Trustee(s) for the school involved **Advise the Discipline Committee** of the general details of the incident, including actions taken or pending; and,
- Submit the principal's report for the Discipline Committee to the Superintendent **of Education** ~~Responsible(s) for Student Discipline~~.
- May arrange a meeting with the adult pupil of the pupil's parent/guardian and pupil and the principal as appropriate.
  - If a meeting is arranged, the Superintendent **of Education** ~~(s) Responsible for Student Discipline~~ will review the Discipline Committee process for expulsion hearings, as well as respond to any questions or concerns the pupil or the pupil's parent/guardian may have regarding the process or incident; and
  - If a meeting is arranged, during the meeting, the **Superintendent of Education** ~~Superintendents Responsible for Student Discipline~~ may assist to narrow the issues and identify agreed upon facts.



**Policy: Bullying Prevention and Intervention (Interim)**

	<b>Policy Number:</b> 200.27
<b>Adopted:</b> 25/03/08	<b>Former Policy Number:</b> n/a
<b>Revised:</b> 22/06/10	<b>Policy Category:</b> Students
<b>Subsequent Review Dates:</b>	<b>Pages:</b> 2

**Belief Statement:**

The Brant Haldimand Norfolk Catholic District School Board is committed to supporting safe learning and teaching environments in which every pupil can reach his or her full potential. As bullying disrupts the learning, teaching, social and spiritual environment in a school community, it will not be tolerated.

**Policy Statement:**

The Brant Haldimand Norfolk Catholic District School Board’s policy on Bullying Prevention and Intervention **will ensure** that:

- All members of the school community, including staff, students, parents/guardians, and visitors are respectful to one another and are responsible for helping to create safe, caring, and inclusive environments free from bullying.
- All schools have a Bullying Prevention and Intervention Program which empowers all pupils and the entire school community to create schools free from bullying.
- All Board employees take all allegations of gender based violence, homophobia, sexual harassment, and inappropriate sexual behaviour and bullying seriously and act in a timely manner.
- Disciplinary action **is** consistently taken to address bullying behaviours.
- Board employees working directly with pupils will support all pupils, including those who disclose/report such incidents by providing contact information about professional supports.
- All Board employees **are** provided with training strategies on bullying prevention and interventions. The training includes: principals, teachers, and non-teaching staff including staff in social work, child and youth work, psychology, as well as related areas, such as transportation providers.
- Policies and procedures on bullying prevention and intervention be actively communicated to pupils, parents, teachers and other school staff, the Special Education Advisory Council, school councils, and school bus operators and drivers.
- Consideration **is** given to separate pupils to preserve or protect the safety of a pupil. It is preferable that the victim not be moved in these situations. The principal will co-ordinate a transition meeting with the administration of the new school to support the pupil who is being moved.

**Definitions**

**Bullying**

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

Pupils may attain or maintain power over others in the school through real or perceived differences. Some areas of difference may be size, strength, age, intelligence, economic status, social status, solidarity of peer group, religion, ethnicity, disability, need for special education, sexual orientation, family circumstances, gender, and race.



## **Brant Haldimand Norfolk Catholic District School Board**

Bullying is a dynamic of unhealthy interaction that can take many forms. It can be physical (e.g., hitting, pushing, tripping), verbal (e.g., name calling, mocking, or making sexist, racist, or homophobic comments), or social (e.g., excluding others from a group, spreading gossip or rumours). It may also occur through the use of technology (e.g., spreading rumours, images, or hurtful comments through the use of email, cell phones, text messaging, Internet websites, or other technology).

Children who suffer prolonged victimization through bullying, as well as children who use power and aggression as bullies, may experience a range of psycho-social problems that may extend into adolescence and adulthood.

### **Key Policy Terms**

#### **Board Employee**

An employee who works with pupils is defined to include administrators, teachers, educational assistants, child and youth workers, social workers, psychologists, speech language pathologists and other professional and para-professional staff who have regular and direct duties with the Board's pupils.

### **References**

- O.Reg. 472/07 Behaviour, Discipline and Safety of Pupils
- R.SO. 1990, c. T.21 Trespass to Property Act
- O.Reg. 47/4/00 Access to School Premises
- Bill 212 Safe Schools Strategy and Bill 212: Education Amendment Act (Progressive Discipline and School Safety), 2007
- Bill 157 Keeping our Kids Safe at School Act
- PPM 128 The Provincial Code of Conduct and School Board Codes of Contact
- PPM 141 School Board Programs for Students on Long-Term Suspension
- PPM 142 School Board Programs for Expelled Students
- PPM 144 Bullying Prevention and Intervention
- PPM 145 Progressive Discipline and Promoting Positive Student Behaviour
- PPM 119 Developing and implementing equity and inclusive Education policies in Ontario schools

### **Board Policy**

- Safe Schools 200.25
- Student Discipline 200.26
- Bullying Prevention and Intervention 200.27
- Student Attendance 200.29
- Transportation of Students – Expectations and Responsibilities 400.10

### **Links**

<http://www.edu.gov.on.ca/eng/teachers/safeschools.html>



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## Administrative Procedure - Bullying Prevention and Intervention (Interim) AP200.27

<b>Procedure for:</b>	Principals/Vice-principals	<b>Adopted:</b>	March 25, 2008
<b>Submitted by:</b>	Trish Kings, Superintendent of Education	<b>Revised:</b>	June 22, 2010
<b>Category:</b>	Safe Schools		

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### Purpose

To provide direction for principals/vice-principals regarding bullying prevention and intervention.

### Responsibilities

**Superintendents of Education will:**

- monitor and advise principals and vice-principals regarding bullying prevention and intervention procedures.

**Principals/Vice-principals will:**

- to implement procedures regarding bullying and intervention.

### Information

School boards in Ontario are required to have and implement policies on bullying and intervention. All employees of the board must take seriously all allegations of bullying behaviour and act in a timely, sensitive, and supportive manner when responding to students who disclose or report bullying incidents.

### Procedures

#### 1.0 Responsibilities of the Principal/Vice-principal

Each school principal is responsible for the development and implementation of a Bullying Prevention and Implementation Program.

**The Principal/Vice-principal will ensure:**

- the program is based on the Ontario Catholic Graduate Expectations, the Religion and Family Life programs, Virtues Education as well as the Ontario Curriculum Documents;
- the school level program is part of the School Improvement Plan, assessed and updated on a yearly basis.

#### 2.0 Incidents of Bullying

##### 2.1 Respond to the Incident(s) of Bullying

All Board employees who work directly with pupils – including administrators, teachers, and non-teaching staff (including staff in social work, child and youth work, psychology, and related areas, and educational assistants, and staff who are contracted to provide services to the Board) must take seriously all allegations of bullying behaviour and act in a timely, sensitive and supportive manner when responding to pupils who disclose or report bullying incidents, and respond to any pupil behaviour that is likely to have a negative impact on the school climate.



**Respond to incidents of bullying by:**

- asking the pupil to stop the behaviour;
- identifying the behaviour as inappropriate and disrespectful;
- explaining the impact of the behaviour on others and the school climate;
- modeling appropriate communication;
- asking the pupil for a correction of his/her behaviour by restating or rephrasing their comments;
- asking the pupil to apologize for his/her behaviour;
- asking the pupil to promise not to repeat his/her behaviour;
- asking the pupil to explain why and how a different choice with respect to his/her behaviour would have been more appropriate and respectful; and,
- where applicable, identifying the application of the Human Rights Code.

A response by the staff to the incident shall not prevent or preclude the principal or vice-principal from imposing appropriate progressive discipline, up to and including a recommendation for expulsion from all schools.

**2.2 Reporting the Incident(s) of Bullying**

All Board employees and the transportation providers must report to the principal or designate at the earliest safe opportunity, bullying behaviours that have a negative impact on the victim and the school climate, whether on school property, on buses, or at school-related events or activities.

**When reporting incidents of bullying:**

- The report must be accompanied in writing using the Safe Schools Incident Report Form I not later than the end of the school day or end of the transportation route.
- The principal or designate must acknowledge the receipt of the form, in writing, using the Safe Schools Incident Form II.

**2.3 Notifying the Parent/Guardian**

Following an incident for which the principal is considering imposing a suspension or making a recommendation for expulsion, the principal shall provide information to the victim's parent/guardian. Where the victim is an adult pupil, the principal shall inform the parent/guardian only with the victim's consent.

**Principal notification information should include:**

- The nature of the incident that caused the pupil harm, the nature of the harm to the pupil and its impact on the pupil.
- An outline of the steps being taken by the school to protect the pupil's safety.
- Contact information with respect to professional supports for the victim.
- Any school wide initiatives or preventative progressive discipline measures that have been or will be implemented as a result of the incident and/or other similar incidents.
- Whether or not formal discipline was imposed on the pupil(s).



- The principal may confirm that the pupil(s) disciplined shall no longer be attending the same school as the victim.
- The principal shall provide a written summary of the supports for the pupils, including a copy of a Safety Plan, if appropriate, to the parent/guardian and the School Superintendent.

**Principal notification may include:**

- The principal may confirm that the pupil(s) disciplined shall no longer be attending the same school as the victim.

**Principal notification shall not include:**

- The identify or confirmation of the names of the pupil(s) disciplined nor provide other personal information such that his/her identity might be determined or confirmed.
- Disclose the specific disciplinary measures that might have been imposed.

## **2.4 Not Notifying the Parent/Guardian**

If, in the opinion of the principal providing information to the victim's parent/guardian would put the victim at risk of harm and would not be in the best interests of the pupil, then the principal would not notify the parent.

**The principal shall:**

- Consider, as a result of the victim's disclosure, whether or not the victim is a child in need of protection and, if so, reporting to the Children's Aid Society, and if in doubt, the principal shall consult with the CAS to inquire about the appropriateness of making a report.
- Document in the Student Information System why the parent/guardian was not notified.
- Inform his/her superintendent that the parent/guardian was not informed and why.
- Inform the teacher or other professional or para-professional staff person, if that individual informed the principal or vice principal of the potential for harm, that the parent/guardian was not informed and why.
- Inform other staff working to support the pupil, as appropriate.

## **3.0 Supports for Students Involved in Bullying Situations**

The principal shall inform the victim of the steps being taken by the school to protect his/her safety and may provide contact information about professional supports as appropriate. **The principal shall involve the appropriate professional supports for the bully.**

## **4.0 Record Keeping**

**The principal must ensure that incidents of bullying are recorded and filed as outlined in the Student Discipline Procedures.**



## **Definitions**

### **Administrator**

A superintendent, principal or vice-principal with responsibility for the school in question.

### **Board employees**

An employee who works with pupils is defined to include administrators, teachers, educational assistants, child and youth workers, social workers, psychologists, speech language pathologists and other professional and para-professional staff who have regular and direct duties with the Board's pupils.

### **Board Expulsion**

Expulsion from all schools of the Board.

### **Disproportionate Impact**

Created when discipline impacts a pupil to a greater degree in comparison to his or her peers as a result of factors related to grounds protected by the Human Rights Code.

### **Emergency Administrator**

A superintendent or principal identified by the principal of the school to which a teacher-in-charge is assigned, as the emergency contact should the administrators of the school not be available in emergency circumstances.

### **Harassment**

Words, conduct or action that is directed at an individual and serves no legitimate purpose and which may include remarks, jokes, threats, name-calling, the display of material(s) touching or other behaviour that an individual knows or ought to know insults, intimidates, offends, demeans, annoys, alarms or causes that individual emotional distress and may constitute discrimination when related to grounds protected by the Human Rights Code.

### **Immutable Characteristics**

Characteristics that an individual cannot change or that an individual cannot alter about themselves, such as height.

### **Primacy of the Code**

A circumstance in which there is a conflict between provincial law, such as the Education Act, regulations, Policy Program Memoranda, school board policies and procedures, and the Human Rights Code of Ontario, the Human Rights Code is deemed to be more important and the inferior law must be applied in a manner consistent with the Human Rights Code (unless there is an explicit exception contained within the other law for such a circumstance). The principle of primacy of the Human Rights Code also requires school board policies and procedures to be interpreted and applied in a manner consistent with the Human Rights Code.

### **Progressive Discipline**

A non-punitive, whole-school approach that uses a continuum of preventative, corrective and supportive interventions, supports and consequences to address inappropriate behaviour and to build upon strategies that promote positive behaviours. Consequences include learning opportunities for reinforcing positive behaviour and assisting pupils to make good choices.



**Racialized**

A student who experiences social inequities on the basis of race, colour, and/or ethnicity.

**School Expulsion**

Expulsion from the school of the Board that the pupil was attending at the time of the incident.

**Teacher-In-Charge**

A teacher delegated authority by the principal to undertake specified duties with respect to pupil discipline in the absence of administration.

**Undue Hardship**

The standard for the provision of accommodation, or point to which accommodation must be provided, for a specific pupil by the Board.

**Weapon**

Any object or thing used to threaten or inflict harm on another person and includes, but is not limited to, knives, guns, replica guns and animals.

**References**

- O.Reg. 472/07 Behaviour, Discipline and Safety of Pupils
- R.S.O. 1990, c. T.21 Trespass to Property Act
- O.Reg. 47/4/00 Access to School Premises
- Bill 212 Safe Schools Strategy and Bill 212: Education Amendment Act (Progressive Discipline and School Safety), 2007
- Bill 157 Keeping our Kids Safe at School Act
- PPM 128 The Provincial Code of Conduct and School Board Codes of Contact
- PPM 141 School Board Programs for Students on Long-Term Suspension
- PPM 142 School Board Programs for Expelled Students
- PPM 144 Bullying Prevention and Intervention
- PPM 145 Progressive Discipline and Promoting Positive Student Behaviour
- PPM 119 Developing and implementing equity and inclusive Education policies in Ontario schools

**Board Policy**

- Student Discipline Administrative Procedure 200.26
- Bullying Prevention and Intervention Administrative Procedure 200.27
- Student Attendance Policy 200.29

**Links**

<http://www.edu.gov.on.ca/eng/teachers/safeschools.html>

**REPORT TO THE BRANT HALDIMAND NORFOLK CATHOLIC  
DISTRICT SCHOOL BOARD POLICY COMMITTEE**

Prepared by: Trish Kings, Superintendent of Education  
Presented to: Policy Committee  
Submitted on: November 16, 2010  
Submitted by: Cathy Horgan, Director of Education & Secretary

**EQUITY AND INCLUSIVE EDUCATION POLICY (Interim)**  
Public Session

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**BACKGROUND INFORMATION:**

In 2009, the Ministry of Education introduced the Ontario Equity and Inclusive Education Strategy and required Boards to develop policies and procedures in eight focus areas.

Several Catholic Boards across the province formed a consortium and provided a common template for the use of all Catholic Boards.

**DEVELOPMENTS:**

The template for Catholic Boards was utilized to develop the draft Equity and Inclusive Education Policy for the Brant Haldimand Norfolk Catholic District School Board. It has yet to be vetted through the consultation process.

**RECOMMENDATION:**

THAT the Policy Committee recommends that the Committee of the Whole refers the Equity and Inclusive Education Policy (Interim) to the Brant Haldimand Norfolk Catholic District School Board for approval.



## Brant Haldimand Norfolk Catholic District School Board

### POLICY: EQUITY AND INCLUSIVE EDUCATION (Interim)

<b>Adopted:</b>	Interim	<b>Policy No:</b>	
		<b>Former Policy #:</b>	
<b>Revised:</b>		<b>Policy Category:</b>	
<b>Subsequent Review Dates:</b>		<b>Pages:</b>	

#### **Belief Statement:**

The Brant Haldimand Norfolk Catholic District School Board (the “Board”) recognizes that all people are created equal, in the image of God, each with inimitable characteristics deserving of dignity (Genesis: 1:27). In accordance with the Church’s teachings, it is the policy of the Board to provide in all its operations an educational environment which supports and enables diversity within its Catholic community.

The Board recognizes that any form of social or cultural discrimination is incompatible with Catholic moral principles and is in violation of the Ontario Human Rights Code. The Board recognizes that the school system gives pre-eminence to the tenets of the Catholic faith, congruent with the protection afforded in the Ontario Human Rights Code, the Constitution Act, 1982 and confirmed in the Canadian Charter of Rights and Freedoms.

The Board and its staff are committed to the elimination of discrimination as outlined in Ontario’s Equity and Inclusive Education Strategy and the Ontario Ministry of Education (the “Ministry”) Policy/Program Memorandum No. 119, in a manner which is consistent with the exercise of the Board’s denominational rights under section 93 of the Constitution Act, 1982 and as recognized at section 19 of the Ontario Human Rights Code.

#### **Policy Statement:**

Equity and Inclusive Education in Ontario Schools: Guidelines for Policy Development and Implementation, Ontario’s Equity and Inclusive Education Strategy and Policy/Program Memorandum No.119 (2009) “Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools” identify eight areas of focus for implementing equity and inclusive education.

Based on the eight areas of focus, and in accordance with the above policy documents, applicable legislation that outlines the denominational rights of the Catholic school system and with adherence to the Guiding Principles of the Equity and Inclusive Education Strategy, and consistent with the Code, the Board will:

#### **1.0 Board Policies, Programs, Procedures and Practices:**

- Ensure that principles of equity and inclusive education permeate and are explicitly stated in all Board policies, programs, guidelines, operations, practices, and Board Improvement Plans.
- Ensure all persons with disabilities are accommodated appropriately and in a manner consistent with the Code.
- Provide opportunities for the diverse school community, including students, staff, parents, trustees and community members, to provide active input into Board policies and improvement plans on an ongoing basis.
- Ensure that staff will investigate in a thorough and timely manner any claims of discrimination and/or racism and take appropriate action consistent with the principles of the Code.

- Extend, develop, and implement strategies to actively engage students, parents, families and the wider community in the review, development, and implementation of initiatives to support and promote equity and inclusive education.

## **2.0 Shared and Committed Leadership:**

- Establish and maintain partnerships with all members of our diverse Catholic community so that the perspectives and experiences of all students are recognized and their needs are met.
- Ensure that members of communities that are underserved and/or marginalized are included in the shared leadership.
- Establish a collaborative culture where the collective capabilities and voices of all stakeholders are used to develop and implement equity and inclusive education goals.
- Promote equity minded student leadership related to issues of social justice.

## **3.0 School-Community Relationships:**

- Collaborate with students, parents, staff and other Catholic community partners to create and sustain a positive school climate reflective of Catholic values that supports student achievement.
- Examine and remove any barriers that exist, that are part of systemic discrimination under the Code, and that prevent full participatory school-community relations.
- Establish and maintain partnerships with all members of our diverse Catholic community so that the perspectives and experiences of all students, families, and employees are recognized.
- Establish processes to identify and address systemic barriers that limit or prevent all sectors of the school community from benefiting from enhanced opportunities for Board representation and greater access to Board initiatives.
- Identify under-represented communities and facilitate their participation and involvement in Board activities.

## **4.0 Inclusive Curriculum and Assessment Practices:**

- Ensure that staff will review student assessment and evaluation policies and practices to identify and address systemic bias that may exist in the way students' work is assessed and evaluated in order to reduce the achievement gap. The principles of such a review will be consistent with the Code.
- Support the schools' review of classroom strategies that promote school-wide equity and inclusive education policies and practices specifically addressing areas of discrimination (e.g., race, gender, disability).

## **5.0 Religious Accommodation:**

- Support freedom of religion and an individual's right to manifest his/her religious beliefs and observances. The right to freedom of religion, however, is not absolute and religious accommodation in the Board is carried out in the larger context of the Catholic education system and denominational rights of Catholic schools.
- Seek to accommodate an individual's right to freedom of religion in a manner that not only respects the individual's beliefs but the principles of the Catholic Church.
- Ensure that an appropriate space or classroom, other than the chapel, for religious celebrations celebrated by other Christian denominations or faith traditions is available.
- Consult with their respective local Ordinary on such accommodations.

## **6.0 School Climate and the Prevention of Discrimination and Harassment:**

- Create a climate in which excellence is continually strived for and respect for all permeates the environment.
- Ensure that codes of conduct are revised to address all forms of racism, discrimination, and harassment.
- Ensure the use of progressive discipline.

## **7.0 Professional Learning:**

- Support the school's review of classroom strategies that promote school-wide equity and inclusive education policies and practices.
- Allocate adequate resources to provide ongoing opportunities for students, administrators, teachers, support staff, and trustees to participate in equity and inclusive education training and leadership initiatives.
- Provide anti-racism and anti-discrimination training that examines power and privilege, including training and prevention and early intervention strategies. This training should include information on cross-cultural differences, and promote a deeper understanding of exceptionalities and of how to mitigate discipline in light of its effect on students with disabilities.
- Identify a board equity and inclusive education contact to liaise with the Ministry of Education and other boards in order to share challenges, promising practices and resources.

## **8.0 Accountability and Transparency:**

- Embed the principles of equity and inclusive education into all Board policies, programs, guidelines and practices.
- Communicate the equity and inclusive education policy to students, teachers, parents, staff, school councils, community partners, and volunteers and post it on the Board's website.
- Seek and use feedback to improve the Equity and Inclusive Education Policy, in the spirit of continuous improvement.
- Engage Board and school teams in school improvement planning.
- Establish processes to monitor progress and assess effectiveness of policies, programs, and procedures.
- Report on the progress of implementation of the Strategy and its impact on student achievement using specific criteria.
- Ensure the transparency of the Identification, Placement and Review committee (IPRC) process, inform, and support parents through this process.

## **Glossary of Key Policy Terms:**

### **Equity**

A condition or state of fair, inclusive, and respectful treatment of all people. Equity does not mean treating people the same without regard for individual differences.

### **Inclusive Education**

Education that is based on the principles of acceptance and inclusion of all students. Students see themselves reflected in their curriculum, their physical surroundings, and the broader environment, in which diversity is honoured and all individuals are respected.

### **Ontario Human Rights Code (“the Code”)**

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 ultimately prevent discrimination and harassment (available at [www.ohrc.on.ca](http://www.ohrc.on.ca)).

### **Religious Accommodation**

An obligation under the Ontario Human Rights Code to provide reasonable accommodation for students and employees who wish to observe the tenets or practices of their faith, as well as for those who wish not to participate in any form of religious observance.

### **References:**

#### **Statutory/Regulatory**

Canadian Charter of Rights and Freedoms [http://laws.justice.gc.ca/en/charter/Constitution Act, 1982](http://laws.justice.gc.ca/en/charter/Constitution%20Act,%201982) [http://www.solon.org/Constitutions/Canada/English/ca\\_1982.html](http://www.solon.org/Constitutions/Canada/English/ca_1982.html)

Ontario Human Rights Code

[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90h19\\_e.ht](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90h19_e.ht)

Ontario's Equity and Inclusive Education Strategy

Policy/Program Memorandum No. 119 (2009)

Policy/Program Memorandum No. 108

#### **Related Board Policy**

Opening and Closing Exercises 200.11

Safe Schools 200.25

Student Discipline 200.26

Bullying Prevention and Intervention 200.27

DRAFT

**POLICIES (BEING DEVELOPED OR REVISED)  
2010-11**

Policy Name	Resp.	Proposal to ACM	Draft Reviewed by ACM	Draft Reviewed by Senior Advisory	Date sent to Trustees	Vetted to System	To Policy Ctte.	To Ctte. of the Whole	Approved by Board	Posted on Web & Comm. Sent
Bullying Prevention and Intervention 200.27 <b>(FINAL)</b> R	Kings	DONE	DONE	Interim Policy was reviewed	Sept. 14	Sept. 14 (due Oct. 5)	Nov. 16			
Community Partnerships & Tenets of the Faith	Roehrig	January	April							
Educational Field Trip 500.01 <i>(tied to Volunteer &amp; Trip Drivers Policy 200.21)</i> R	Roehrig	DONE	Dec.				(Feb)			
Equity Policy	Kings						Nov. 16			
Facility Partnerships	Easton	DONE	DONE	Sept. 27	Oct. 18	Oct 18	Nov. 16			
Fundraising 700.05 & 700.06 <i>(awaiting Ministry legislation)</i> R R	Easton	Spring 2011								
Hiring – Academic Staff 300.10 R	Easton	DONE	Final Sept 20/10	Sept. 27			January			
Hiring – Support Staff 300.11 R	Easton	DONE	Final Sept 20/10	Sept. 27			January			
Nutrition Policy	Chopp	January								
Safe Schools 200.25 Bill 157 <b>(FINAL)</b> R	Kings	DONE	DONE	Interim Policy was reviewed	Sept.14	Sept. 14 (due Oct. 5)	Nov. 16			
Student Attendance 200.29 R	Roehrig	DONE	(Dec)				(March)			
Student Discipline 200.26 <b>(FINAL)</b> R	Kings	DONE	DONE	Interim Policy was reviewed	Sept. 14	Sept. 14 (due Oct. 5)	Nov. 16			

*As of November 12, 2010*

Policy Name	Resp.	Proposal to ACM	Draft Reviewed by ACM	Draft Reviewed by Senior Advisory	Date sent to Trustees	Vetted to System	To Policy Ctte.	To Ctte. of the Whole	Approved by Board	Posted on Web & Comm Sent
Trustees' Code of Conduct 100.04 R	Horgan	N/A	N/A	N/A	Being revised at Trustee retreat in Dec	N/A				
Volunteers <del>300.12</del> 200.04 R	Horgan (Austin)	N/A	Oct. 12	via system vetting	10/21	10/22	January			
Volunteer & Trip Drivers 200.21 ( <i>tied to Educ. Field Trip Policy 500.01</i> ) R	Roehrig	DONE	Dec.				(Feb)			
Workplace Harassment 300.01 (FINAL) R	Easton	DONE	DONE	N/A	11/5	11/5	Nov. 16			
Workplace Violence Prevention – Bill 168 300.20 (FINAL)	Easton	DONE	DONE	N/A	11/5	11/5	Nov. 16			

#### Policy Review Process

1. Policy begins as an idea and is proposed to ACM at 2<sup>nd</sup> meeting of the month – at this time a timeline is presented – use the Policy/Development Proposal (Form).
2. ACM to review first draft (minimum one month).
3. Revised First Draft is vetted at Senior Advisory Council.
4. Policy is vetted by the system (two weeks) and trustees (two days).
5. Policy Committee reviews the policy.
6. Policy is presented at Committee of the Whole.
7. Policy is passed at a Board Meeting.

As of November 12, 2010