

## Policy Manual - Schools

### S.M.09 – Code of Student Conduct and Discipline

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*The mission of Catholic Education in Hamilton-Wentworth, in union with our Bishop, is to enable all learners to realize the fullness of humanity of which Our Lord Jesus Christ is the model.*

#### **POLICY STATEMENT**

The Hamilton-Wentworth Catholic District School Board (**HWCDSB**) is devoted to providing its inclusive **Catholic** school community with a safe, secure and nurturing environment **reflective of the mission and vision of the board.**

The Board's Mission and Vision statements remind us that we are **called** to live out our Gospel values by demonstrating esteem, respect and responsibility for self and others. These qualities promote an environment in which individuals can develop their God-given talents and achieve their goals.

All pupils, parents, teachers and staff have the right to be safe and feel safe in their school community. With this right comes the responsibility to be law-abiding citizens and to be accountable for actions that put at risk the safety of others and oneself.

#### **Purpose**

The **provincial Code of Conduct and School Board Codes of Conduct** set clear provincial standards of behaviour. It specifies the consequences for pupil actions that do not comply with these standards.

These provincial standards apply not only to pupils but to all individuals involved in the publicly funded Catholic school system, e.g., parents, pupils, staff, visitors, volunteers. These standards apply whether the individual is on school property, on school buses, at school authorized events or activities and/or in situations where engaging in an activity will have an impact on the school climate.

Individuals experience a sense of security when they believe that they belong to the community; when they believe they can impact on the decisions made within the community; when they believe they are responsible for their own actions and relationships; and when they believe that interpersonal problems can be solved in a positive, constructive and conciliatory manner.

#### **Responsibility**

The Hamilton-Wentworth Catholic District School Board and its schools are responsible for the implementation of this policy. Pupil Standards of Behaviour and associated items are listed below.

## Standards of Behaviour

The **provincial** Code of Conduct identifies standards of behaviour that apply to pupils and the school community. These standards address respect, civility and responsible citizenship; physical safety; alcohol and drugs, and physical aggression. It is expected that pupils (and **in the applicable areas** all members of the school community) must:

- respect and comply with all applicable federal, provincial and municipal laws;
- demonstrate respect for all pupils, staff and parents;
- prepare themselves for the full responsibilities of citizenship;
- come to school prepared, on time and ready to learn;
- show respect for themselves, for others and for those in authority;
- refrain from bringing anything to school that may compromise the safety of others;
- follow the established rules and take responsibility for his or her own action;
- demonstrate honesty and integrity;
- respect differences in people, their ideas and opinions;
- treat one another with dignity and respect at all times, and especially when there is disagreement;
- respect and treat others fairly, regardless of their race, ancestry, place of origin, colour, ethnic origin, creed, sex, gender identity, gender expression, sexual orientation, age, marital status, family status or disability;
- respect the rights of others;
- respect the need of others to work in an environment that is conducive to learning and teaching, including by ensuring that cellphones and other personal mobile devices are ~~only~~ used during instructional time for educational purposes (as directed by an educator), for health and medical purposes, to support special education needs, **and/or used for appropriate reasons during non-instructional times**;
- show proper care and regard for school property and the property of others;
- take appropriate measures to help those in need;
- not be in possession of any weapon, including but not limited to firearms;
- not use any object to threaten or intimidate another person;
- not bully or harass;
- not engage in any form of cyber bullying;
- not cause injury to any person with an object;
- not commit sexual assault;
- not traffic in weapons or illegal drugs;
- not provide others with alcohol or illegal drugs/controlled drugs including cannabis;
- not commit robbery;
- not be in possession of, or under the influence of alcohol or illegal drugs/controlled drugs (unless the individual has been authorized to use medically approved forms of cannabis for medical purposes);
- not inflict or encourage others to inflict bodily harm on another person;

- not swear at a teacher or at another person in authority;
- **not swear, in any language, at any individual, student or adult, in the school community;**
- not engage in hate propaganda and other forms of behaviour motivated by hate or bias;
- not commit an act of vandalism that causes damage to school property or to property located on the premises of the school; and,
- seek staff assistance, if necessary, to resolve conflict peacefully.

### Requirements for Pupils

The Education Act of Ontario, RSO 1990, Regulation 298, Section 23(1) & (4) address the requirements for pupils. A pupil shall:

- be diligent in attempting to master such studies as are part of the program in which the pupil is enrolled;
- **exercise** self-discipline;
- accept such discipline as would be exercised by a kind, firm and judicious parent;
- attend classes punctually and regularly;
- be courteous to fellow pupils and obedient and courteous to teachers;
- be clean in person and habits;
- take such tests and examinations as are required by or under the Education Act or as may be directed by the Minister;
- show respect for school property; and,
- be responsible for his/her conduct to the principal of the school that the pupil attends,
  - a) on the school premises;
  - b) on out-of-school activities that are part of the school program; and,
  - c) while travelling on a school bus that is owned by a board or on a bus or school bus that is under contract to a board.

**In addition, the pupil in the HWCDSB also adheres to the Ontario Catholic School Graduate Expectations.**

### Rights and Responsibilities

All involved in Catholic education in **the** Hamilton-Wentworth **community, including** pupils, families, staff, trustees, parish and other community members, have the responsibility to ensure the Mission and Vision of the Hamilton-Wentworth Catholic District School Board is brought to life in the schools of the Board. To this end, pupils can expect the following rights:

### Pupils' Rights and Responsibilities

Pupils have the right:

- to be treated with respect and courtesy by their fellow pupils, teachers and administrators, **and other persons in the school environment;**
- **to be treated fairly and equitably by their fellow pupils, teachers and administrators, and other persons in the school environment, and not experience bias or discrimination**

**based on race, ancestry, place of origin, colour, ethnic origin, creed, sex, gender identity, gender expression, sexual orientation, age, marital status, family status or disability;**

- to expect the classes in which they are enrolled to commence at the proper time and finish on time;
- to receive instruction that is effective;
- to be provided within normal school hours with the support they will need from time to time to overcome problems encountered in their studies;
- to participate in the decisions within the school relating to pupil activities, athletics, pupil social affairs, the development and formulation of rules of conduct, and behaviour;
- to a clear statement of the levels of understanding, competence and skills required for satisfactory performance in each school program and activity;
- to facilities which are clean, properly maintained, safe and generally conducive to good health;
- to a system of administrative fairness and necessary advice in the event of disciplinary action, dissatisfaction with examination or test results, decisions of teachers or administrators;
- to learn in an environment that is physically and psychologically conducive to learning and that is safely maintained; and,
- to learn in an environment that is free from violence and/or threats or fear of violence.

Pupils also share, with teachers and parents, the responsibility for maintaining the special spirit and character of the Catholic school. The welfare of the whole community depends upon the cooperation of its members, the mutual support rendered and the commitment of all to promoting its special mission as a school within the Catholic community.

Each pupil; therefore, has a responsibility:

- to help each individual within the school community develop according to the Christian model promoted within the Catholic school;
- to show respect for all individuals;
- **to demonstrate care for all individuals;**
- **to demonstrate the Gospel values and actions reflective of a pupil within the distinctive Catholic school environment:**
- **to develop in a call to service, and to grow in social consciousness by engaging in acts of charity, and by giving witness to social justice and environmental stewardship;**
- to accept the direction of the teachers and/or authorized supervising adults;
- to show respect for and obey school rules;
- to show respect for school property; **and,**
- **to show respect for the Catholic school community through the responsible use of digital and all forms of media, reflective of Gospel values and Catholic teachings, in communications to and about the school community.**

### Pupil Discipline

The provincial Code of Conduct, the Hamilton-Wentworth Catholic District School Board Code of **Student Conduct and Discipline**, and the Education Act create expectations for behaviours of all persons on school property.

It is incumbent upon the Hamilton-Wentworth Catholic District School Board to provide and maintain an environment that is safe for all members of the school community. While the vast majority of pupils are well behaved and responsible, some pupils occasionally have difficulty adhering to school guidelines and rules. Schools should not and cannot tolerate behaviour which threatens the rights and **well-being** of individuals or groups. In an effort to promote the safety and security of its school community, the Hamilton-Wentworth Catholic District School Board ascribes to a **Student Code of Conduct and Discipline** where there is a non-acceptance of those behaviours that are in opposition to established rules of acceptable conduct. It also takes into account relevant situational factors and is accompanied by a range of progressive disciplinary actions.

### Discipline

Discipline must recognize the inherent dignity and rights of each individual. When disciplining, actions must be taken into account with each individual's best interest while considering the welfare of the **entire school body**.

While school-based discipline is normally associated with actions by a pupil that take place in a school, within a school setting or while engaged in a school-related activity, unacceptable behaviour by a pupil outside of school, the school setting or school-related activities may also be cause for school disciplinary action especially if such behaviour is adjudged, by the school Principal in consultation with her/his Superintendent, to have an impact on the school climate.

### Progressive Discipline

Progressive discipline is a whole school approach that utilizes a continuum of interventions, supports and consequences to address inappropriate pupil behaviour and to build upon strategies that promote positive behaviours. When inappropriate behaviour occurs, disciplinary measures shall be applied within a framework that shifts the focus from one that is solely punitive to one that is both corrective and supportive. Schools shall utilize a range of interventions, supports and consequences that include learning opportunities for reinforcing positive behaviours while helping pupils make good choices.

The Hamilton-Wentworth Catholic District School Board **believes in each individual being accountable for his/her actions, and in the importance of repentance, forgiveness, and reconciliation. The HWCDSB supports and actively promotes the practice of progressive discipline as a means for prevention, support, and correction, and for opportunities for learning. The HWCDSB, in applying progressive discipline measures is following Catholic**

**Church teachings as well adhering to the Ontario Human Rights Code and other legislative mandate.**

A sampling of progressive disciplinary approaches follow. The list is not all-inclusive nor does it imply that each action must be exercised before moving to subsequent actions. There may be occasions wherein a principal adjudges a situation to merit a response that would normally be viewed as a form of discipline associated with interventions as the far end of the continuum of interventions (i.e. suspension, expulsion, refusal of access). The practice of progressive discipline allows for this.

- Informal interview with pupil
- Formal interview with pupil
- **Verbal reminders**
- **Review of expectations**
- **Volunteer service to the school community**
- Parental involvement: phone call, correspondence, interview
- Involvement of school support staff (e.g. Guidance, Chaplain, Special Education, etc.)
- Written work assignment with a learning component
- Withdrawal of privileges
- Restorative Practices
- Consultation **with relevant support staff, parents/guardians, etc.**
- Peer counselling/mediation
- Mentorship programs
- Referral to counselling and community programs (e.g., for substance abuse counselling)
- Detention of pupil
- Withdrawal from class
- Transfer to another school placement
- Program modifications or accommodations
- Class placements
- Placement in an alternative education program
- Removal of privileges to attend school related functions or **co-curricular** programs
- Utilization of a behavioural, attendance or declaration of performance
- Requiring the pupil to make restitution where appropriate
- Involvement of, or referral to, outside agencies (e.g., **Catholic Children's Aid Society of Hamilton**, law enforcement)
- Suspension as set out in the Education Act and Board Policy and Procedure
- Expulsion as set out in the Education Act and Board Policy and Procedure

The nature of the discipline administered will be reviewed regularly and modified as deemed necessary.

### Situational Factors

When administering disciplinary consequences, it is necessary to take into account a variety of situational factors which assist in placing the behaviour in perspective and in selecting the most appropriate method of discipline.

Situational factors are divided into **two (2)** categories, mitigating factors and other factors.

Mitigating factors are those factors that must be taken into consideration by the principal, before deciding whether to impose a suspension. They include:

- 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; and,
- 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.

Where the pupil is able to control his/her behaviour and is able to understand the foreseeable consequences of his/her behaviour, the principal will then consider whether other factors mitigate the length of the suspension or the decision to administer a suspension as a form of discipline for the pupil. These other factors include, but are not limited to:

- whether or not the progressive discipline 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 to the point of undue hardship;
- the pupil's academic, discipline and personal history;
- whether progressive discipline has been attempted with the pupil and if so, the progressive discipline approaches that 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, ethnic origin, religion, creed, disability, gender or gender identity, sexual orientation 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 IEP or disability
  - whether the behaviours causing the incident was a manifestation of the pupil's disability;
  - whether appropriate individualized accommodation has been provided;
  - **whether a suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct; and,**
  - whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.

### Consequences

The Hamilton-Wentworth Catholic District School Board recognizes that, in some circumstances, positive practices might not be effective or sufficient to address inappropriate pupil behaviour. In such circumstances, the Board supports the use of consequences and recognizes that short term suspension may be a useful tool. Similarly, in the case of a serious incident, long term suspension or expulsion may be the response that is required.

### Suspension

The Education Act identifies two (2) types of suspension. The first type is associated with behaviours for which the school Principal may consider suspension while the latter is associated with those behaviours for which the school Principal must suspend while also considering possible expulsion.

### Behaviours Wherein Suspension May Be Considered

When a principal's investigation of an incident, which includes speaking with the **pupil** or adult pupil, **and may include speaking with the** parent/guardian, determines that a pupil has committed one or more infractions outlined below on school property, during a school-related activity or event and/or in circumstances where the infraction has an impact on the school climate, a principal will consider whether that pupil should be suspended, taking into account any mitigating and other factors that might be applicable in the circumstances.

**Pupils in Kindergarten-Grade 3 shall not be considered for discretionary suspensions (subsection 306(1) of the *Education Act*): "Activities Leading to Possible Suspension", i.e., pupils, K (Year 1)-Grade 3, shall not be suspended under section 306 of the Act for engaging in an activity described in subsection 306 (1) of the Act. Serious activities listed in subsection 310(1) will continue to require mandatory suspension.**

The principal will also contact the police consistent with the Hamilton Police/School Board Protocol if the infraction the pupil is suspected of committing requires such contact. When in doubt, the principal will consult with his or her superintendent.

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

1. Uttering a threat to inflict serious bodily harm on another person;
2. Possessing alcohol or illegal drugs;
3. Possessing cannabis, unless the pupil has been authorized to use medically approved forms of cannabis for medical purposes;
4. Being under the influence of alcohol/drugs or other hazardous substances;
5. Being under the influence of cannabis, unless the pupil has been authorized to use medically approved forms of cannabis for medical purposes;
6. Swearing at a teacher or at another person in a position of authority;



7. Committing an act of vandalism that causes **extensive** damage to school property at the **pupil's** school or property located on the premises of the **pupil's** school;
8. Bullying;
9. Any act considered by the principal to be injurious to the moral tone of the school;
10. Any act considered by the principal to be injurious to the physical or mental well-being of any member of the school community (**e.g., shoving, pushing, taunting, harassing**), and,
11. Any act considered by the principal to be contrary to the **HWCD SB Board Code of Student Conduct and Discipline** or School Code of Conduct which includes, but is not limited to:
  - a) fighting/violence (e.g., punching, biting, spitting, kicking);
  - b) threaten, inflict, or encourage others to inflict bodily harm on another person;
  - c) vaping/smoking;
  - d) possession/sharing of inappropriate images;
  - e) inappropriate behavior (e.g., throwing items, pulling alarms);
  - f) using social media negatively;
  - g) selling cigarettes/vaping apparatus to a minor;
  - h) possession of drug paraphernalia;
  - i) theft;
  - j) persistent truancy;
  - k) profane or improper language;
  - l) habitual neglect of duty;
  - m) opposition to authority;
  - n) willful destruction of school property, **or the property of others, including but not limited to pupils' and staff's property**; and,
  - o) activities which necessitate police involvement.

### School Work

A **pupil** who is subject to a suspension of five (5) or fewer 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 **as soon as possible**, if the pupil is suspended for one (1) day. Where the pupil has been suspended ~~for~~ between two (2) and five (5) days the school work must be available **as soon as possible**.

Where the period of suspension compromises a pupil's ability to write a test or exam, or submit an assignment, etc., efforts will be made by the teacher(s) and school administration to accommodate the pupil.

A pupil who is subject to a **long-term** suspension of six (6) or more days must be **offered** an alternative **suspension** program (**ASP**). A pupil participating in an alternate suspension program is not considered to be engaging in school or school-related activities.

### Alternative Suspension Program

Where a pupil has been suspended for six (6) or more days, the pupil will be **offered** an alternative **suspension** program for pupils (ASP). **The ASP contains both an academic and a non-academic component. The ASP provides pupils on long-term suspension with the opportunity to continue**

**their education, and with supports to work on attitudes and behaviours that reflect the teachings of Jesus Christ, that promote inherent self-worth, and that help develop skills for positive relationships with the Catholic school community and with the broader community.**

A pupil cannot be compelled to participate in an ASP. Should the adult pupil or his/her parent/guardian choose not to have the pupil participate in an ASP, the pupil will 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 pupil's parent/guardian (unless the pupil is an adult pupil) or a designate at regular intervals during the suspension period, beginning **as soon as possible**, after the pupil or the parent/guardian declines participation in the ASP.

A Student Action Plan (SAP) will be developed for every pupil subject to a suspension of six (6) or more days who agrees to participate in an ASP. **The SAP includes an academic component for pupils suspended 6-10 days. For pupils suspended 11-20 days, the SAP will include both an academic and a non-academic component. The purpose for the ASP is support the pupil's successful re-integration into a Catholic school community and to help prevent recidivism.**

Agreement to participate in an ASP or refusal to participate may be communicated to the school orally by the pupil or his/her parent/guardian (unless the pupil is an adult pupil). Where the pupil or his/her parent/guardian declines the offer to participate in an ASP, the principal shall record the date and time of such refusal.

#### Suspension Appeal Process

The adult pupil or parent/guardian may appeal a suspension.

All suspension appeals will be received by the superintendent **for the respective school, and is reviewed by the superintendent** responsible for **Safe Schools** Appeals should be addressed to the: Hamilton-Wentworth Catholic District School Board, 90 Mulberry St., Hamilton, Ontario L8N 3R9.

- An appeal of a suspension does not stay the suspension;
- 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; and,
- 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).

#### Expulsion

Behaviour wherein suspension must be administered and expulsion may be considered.

When a Principal has reasonable grounds to believe that a pupil has committed one or more infractions outlined below on school property, during a school-related activity or event, and/or

in circumstances where the infraction has an impact on the school climate, the Principal will suspend the pupil.

**For pupils Kindergarten-Grade 3, the mandatory suspension for bullying: Where a principal is suspending a pupil for bullying under s. 310(1)(7.1), the requirement that “the pupil has previously been suspended for engaging in bullying” no longer applies to pupils in Kindergarten to Grade 3. The remaining requirement, that “the pupil’s continuing presence in the school creates an unacceptable risk to the safety of another person” remains in effect. Further, Principals are now required to conduct an investigation respecting the allegations before imposing a mandatory suspension on a pupil in Kindergarten to Grade 3 under subsection 310(1). This will include for example, identifying the need to investigate whether the allegations against the pupil were motivated by bias, prejudice or discrimination, as well as providing a process for principals to check their own bias in assessing the allegations.**

The Principal will also contact the police if the infraction the pupil is suspected of committing requires such contact. When in doubt, the Principal will consult with his or her superintendent. The infractions for which a Principal *shall* suspend and for which an expulsion may be considered by the Principal include:

1. Possessing a weapon, including possessing a firearm;\*
2. Using a weapon to cause or to threaten bodily harm to another person;\*
3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;\*
4. Committing sexual assault;\*
5. Trafficking in weapons or in illegal drugs;\*
6. Committing robbery;\*
7. Giving alcohol to a minor;
8. Giving cannabis to a minor;
9. Bullying, if, **i)** the pupil has been previously suspended for engaging in bullying and **ii)** the pupil’s continuing presence in the school creates an unacceptable risk to the safety of another person.
10. Any activity **listed in subsection 306 (1)** that is motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor;
11. **Any other activity that, under a policy of the board, is an activity for which a principal must suspend a pupil and, therefore in accordance with this part, conduct an investigation to determine whether to recommend to the board the pupil be expelled.**
12. Giving illegal drugs to a minor;
13. Trafficking in controlled drugs or cannabis;

14. **Engaging in exploitative behaviour or engaging in coercion leading to human trafficking or sex-trafficking;**
15. 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;
16. A pattern of behaviour that is so inappropriate that the pupil's continued presence is adjudged to be injurious to the effective learning and/or working environment of others;
17. Activities engaged 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 (**e.g., extortion, bomb threat**);
18. Any **activity** considered by the principal to be a serious violation of the requirements for pupil behaviour and/or a serious breach of the **HWCDSB Board Code of Student Conduct and Discipline** or **HWCDSB School Code of Conduct**;
19. Where a pupil has no history of discipline or behaviour intervention or no relevant history, a single act, incident or infraction considered by the Principal to be a serious violation of the expectations of pupil behaviour and/or a serious breach of the **HWCDSB Board Code of Student Conduct and Discipline** or **HWCDSB School Code of Conduct**; and,
20. **Committing any type of assault to a person in a position of authority (e.g., physical, verbal)**

\* Activities that necessitate police involvement

A pupil may be suspended for up to twenty (20) school days and no less than one (1) school day. A pupil may not be suspended more than once for the same occurrence.

If the pupil has been suspended for six (6) or more school days, the Principal must assign the pupil to a program for suspended pupils. This includes pupils for which expulsion is being considered.

If the pupil is suspended for 20 school days, the Principal must undertake an investigation to determine whether to recommend to the Discipline Committee that the pupil be expelled.

Principal's Investigation Leading to Possible Expulsion Recommendation:

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 superintendent of education and/or superintendent responsible for Safe Schools 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. As part of the investigation, the school Principal shall make all reasonable efforts to speak with the following

persons: the pupil; the pupil's parent or guardian, unless the pupil is at least 18 years old, or the pupil is 16 or 17 years old and has withdrawn from parental control; any other person whom the Principal has reason to believe may have relevant information.

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).

Any police investigation will be conducted separately from the principal's inquiry.

There are two (2) types of expulsion. The school Principal may recommend either a school or a board expulsion.

A school expulsion prohibits the pupil from attending the school from which he/she is expelled and makes it incumbent upon the Board to relocate the pupil in another of its schools.

A board expulsion prohibits the pupil from attending all schools within the Board and makes it incumbent upon the Board to direct the pupil to its alternative program for expelled pupils.

In either case it is the Board that ultimately determines whether an expulsion is administered, the type of expulsion and the duration of the expulsion.

A pupil is not obligated to accept an alternate school placement or a placement in the Board's alternative program for expelled pupils. However, while in the alternative school placement or the alternative program placement the pupil remains a pupil registered with the Board. Refusal of any alternate placement or a decision to register with another board results in the pupil being demitted from the Board.

#### Refusal of Access

The Education Act, R.S.O. 1990, subsection 265 (1) (m) provides for a school principal, in addition to the Principal's duties as a teacher, and subject to an appeal to the Board, to refuse to admit to the school or classroom a person whose presence in the school or classroom would in the Principal's judgement be detrimental to the physical or mental well-being of the pupils. Similar authority is also extended to School Principals under the Access to Premises provisions of Regulation 474/00 of the Education Act.

Refusal of access is used as a temporary measure towards achieving safety and security for all. A pupil's academic needs will continue to be accommodated by alternative means during a refusal of access. Re-entry conditions may also be applied.

The appeal process is the same as suspensions and expulsions.

#### Violent Incidents

Where an 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, the Principal must complete, properly route and file a Violent Incident Form.

**Responsibility: School Principals, Senior Administration**

**Regulations:**

**Bill 13 – Accepting Schools Act (2012) Board**

Bill 212 – The Education Amendment Act (Progressive Discipline and School Safety), 2007

**O. Reg 440/20 - Suspension of Elementary School Pupils**

The Ontario Human Rights Code

**PPM 119 – Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools**

**PPM 120 – Reporting Violent Incidents to the Ministry of Education**

PPM 128 – Provincial Code of Conduct and School Board Codes of Conduct

**PPM 141 – School Board Program 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

**Municipal Freedom of Information and Protection of Privacy Act**

**Ontario Human Rights Code**

**Accessibility for Ontarians with Disabilities Act**

**Related Policies:**

SM08 Safe Schools

SM15 Policy Against Bullying Behaviour

SM20 Administration of Prescribed Medications

S15 Internet-Acceptable Use Policy for Schools

A04 Equity and Inclusion Education

BB05 Cannabis, Tobacco and Smoke Free Schools

**Related Board Committee:** Student Achievement and Well-Being; **Committee of the Whole**

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