



## **ADMINISTRATIVE PROCEDURES MEMORANDUM**

### **APC012 SUSPENSIONS**

**DATE OF ISSUE:** September 4, 2001  
*Revised:* February 26, 2002; September 3, 2002; October 30, 2003; March 31, 2004, January 25, 2008

**MEMO TO:** Principals; Vice Principals; Planning and Priorities

**FROM:** Director of Education

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#### **PURPOSE**

The provincial *Code of Conduct* is designed to promote safety and foster the principles of respect and responsible citizenship in Ontario schools.

The intended purpose of the *Education Amendment Act (Progressive Discipline and School Safety), 2007*, is to clarify the responsibilities of school boards related to suspension of students who have violated the standards for behaviour outlined in the provincial *Code of Conduct* and in policies established by school boards that are designed to promote respect, responsibility and civility; set clear and consistent, province-wide standards of behaviour; and make suspensions and expulsions mandatory for serious infractions under the provincial *Code of Conduct*. The provincial, board and school codes of conduct set clear, consistent, minimum standards of expected behaviour for students, teachers, staff, parents and volunteers in Ontario schools.

This policy memo clarifies Waterloo Catholic District School Board policies and procedures on suspension as mandated by the Education Act as amended by the Education Amendment Act (Progressive Discipline and School Safety) 2007, Sections 306-309, with particular reference to the following:

- activities leading to possible suspension;
- mitigating circumstances affecting the decision to suspend a student;
- duties and authority of principals and teachers;
- procedures required of principals and teachers when suspending ;
- review and appeal of suspension;
- programs, services, courses for suspended students;
- information collection and disclosure re: suspended students;
- infractions and consequences.

#### **REFERENCES**

*Sharing Our Journey*

*The Education Act and Regulations Sections 306-311; Regulations 37/01(2), 106/01*

## **COMMENTS**

This policy memo and the procedures that it establishes to deal with suspensions of students must always be used in the service of our board's mission for learners in a Catholic school system. The principles of compassion, reconciliation and justice are paramount in determining the consequence for student misbehaviour. The policy must be implemented in the spirit of *Sharing Our Journey* and used in conjunction with other Board documents and policies dealing with student behavior, including the *Waterloo Region Police Services Protocol* and the *Student Services Handbook*. The aim as always is to serve the best interests of each learner while protecting the harmony of the learning environment in each school community. Our schools must continue to be safe, nurturing, positive, violence-free environments that promote a sense of belonging. All learners must respect human rights and promote civility and social justice as befits responsible members of society.

## **GUIDELINES**

### **A. SUSPENSIONS**

A principal shall consider that a student be suspended from his/her school and from engaging in all school related activities for committing any of the following infractions while he or she is at school, either on or off school property, or is engaged in a school-related activity:

#### **1. Suspension of Student for up to Twenty (20) School Days Which May Lead to Expulsion:**

- 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;
- committing physical assault on a teacher, member of the support staff or other person in a position of authority within the school or Board which does not require treatment by a medical practitioner
- trafficking in weapons or in illegal drugs;
- committing robbery;
- giving alcohol to a minor;

As well as engaging in any activity, that under a policy of the WCDSB is an activity for which a principal must suspend a student such as:

- uttering a threat to inflict serious bodily harm on another person;
- possessing alcohol or illegal drugs;
- being under the influence of alcohol, illegal drugs, or hazardous substances;
- swearing at a teacher or 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.

### **3. Duration of and Factors Affecting the Duration of a Suspension**

#### **a) Duration of a Suspension**

A principal may suspend a student up to 20 school days in the case of an investigation that may lead to a possible expulsion. A suspension shall be for no less than one school day and no more than 20 days. It is an expectation that homework packages will be provided for students suspended for 5 or fewer days to ensure they do not fall behind in their school work. A suspension longer than 5 school days requires that the student be assigned to a program for suspended students. However, boards cannot compel students on long-term suspensions to participate in such a program.

#### **Student Action Plan**

A Student Action Plan (SAP) that focuses on the academic needs of the student (including those with an IEP) must be developed for every student on a long-term suspension (6-10 days) who makes a commitment to attend the board program for suspended students.

For students suspended 11-20 days the SAP will contain both an academic and a non-academic component to assist the student in the development of positive attitudes and behaviours. (See Appendix F)

#### **b) Factors Affecting the Duration of a Suspension**

In order to determine the duration of a suspension, the principal shall consider the pupil's history and such other factors as may be prescribed by regulation and board policy guidelines, and may consider such other matters as he/she considers appropriate. Principals are encouraged to consult with a supervisory officer when making a decision to impose a suspension beyond 5 school days.

### **4. Mitigating Circumstances Affecting the Suspension of a Student**

For the purposes of suspension leading to expulsion, the following, in accordance with Section 306 (2) , shall be considered a guide for principals in determining the existence of mitigating circumstances in the Waterloo Catholic District School Board:

A student who has committed an offence which, under normal circumstances would indicate an expulsion may be considered to have "mitigating circumstances" if:

- (1) The student has a pre-existing identification through an IEP or IPRC which indicates an inability to control behaviour.
- (2) The offence could be deemed impulsive as identified in the IEP or IPRC and not planned or pre-meditated.
- (3) The student is unable to foresee the consequences of his or her behaviour due to chronological or mental age.
- (4) The student's continuing presence in the school does not create an unacceptable risk to the safety of any person.

Examples of diagnoses include Attention Deficit Hyperactivity Disorder, Tourette's Syndrome, Bipolar Disorder, Oppositional Defiant Disorder, Obsessive Compulsive Disorder etc.

For all students, consider that the ability to control one's behaviour is a gradually developing skill related to both learning and maturation. Thus, we expect more self-control from a grade 12 than a Junior Kindergarten student.

For developmentally challenged students, one may use their mental age as a rough indication of their ability to foresee the consequences of their actions. For all students, consider that the ability to appreciate the long-term impact of one's behaviour is also a gradually developing skill.

In addition, other mitigating factors to be considered are:

- where racial or other harassment was a factor in the student's behaviour;
- whether the principles of progressive discipline have first been attempted;
- the impact of the suspension or expulsion on the student's continued education;
- whether the imposition of suspension or expulsion would likely result in an aggravation or worsening of the student's behaviour or conduct.

## **B. OFFENCES FOR WHICH SUSPENSIONS WILL BE CONSIDERED:**

### **1. a) Suspension up to twenty (20) school days will be considered for:**

- Alcohol and illegal drugs
- Assault
- Harassment
- Bullying
- Profane and improper language
- Verbal abuse
- Dissemination/Publication (electronic or otherwise) of material impacting the mental well-being of students or staff of the school or board
- Sexually explicit material

- Theft
- Robbery
- Threats
- Weapons
- Willful Destruction of School Property
- Conduct Injurious
- Habitual Neglect of Duty
- Persistent Opposition to Authority

## **2. Duration of a Suspension**

- a) The minimum duration of a suspension is one school day and the maximum duration is 20 school days. It is an expectation that homework packages will be provided to students suspended for 5 or fewer days to ensure they do not fall behind in their school work. For suspensions beyond 5 schools days students will be assigned to a program for suspended students. Boards cannot compel students on long-terms suspensions to participate in such a program.

### **Student Action Plan**

A Student Action Plan (SAP) that focuses on the academic needs of the student (including those with an IEP) must be developed for every student on a long-term suspension (6-10 days) who makes a commitment to attend the board program for suspended students.

For students suspended 11-20 days the SAP will contain both an academic and a non-academic component to assist the student in the development of positive attitudes and behaviours.

## **C. DUTIES AND AUTHORITY OF PRINCIPALS**

After due consideration of mitigating factors, the principal has the authority to suspend a student from 1-20 school days for infractions set by the province and board and may also suspend a student for infractions established by board policy.

All suspensions must follow set procedures established by the board for providing notice, review and appeals of suspensions where they are allowed by provincial or board policy. **Ideally, all suspensions should begin no later than one day after the infraction has been observed.**

**D. PROCEDURES REQUIRED OF PRINCIPALS REGARDING SUSPENSION OF STUDENTS ( EDUCATION ACT:SECTION 306)**

**1. Suspensions Imposed By Principal:**

- a) A teacher or staff member who observes an infraction that requires suspension of one day or more must refer the matter to the principal.
- b) Mitigating circumstances are considered and the pupil may not be suspended depending on the principal's judgement of the mitigating circumstances.
- c) If there are no or insufficient mitigating circumstances, the principal contacts the police, if appropriate, according to the guidelines established in the Police Protocol or conducts an investigation to determine the nature of the infraction and the assignment of responsibility for the infraction.
- d) The principal then considers factors affecting type and duration of the suspension.
- e) When a principal suspends a student under Section 306 for greater than 5 school days, he or she shall assign the student to a program for suspended students.
- f) A principal may not suspend a pupil under Section 306 more than once for the same occurrence.
- g) The principal will make all reasonable efforts to inform the parent/guardian and student are notified of the suspension within 24 hours of the suspension being imposed, including the infraction and the duration of the suspension unless the pupil is at least 18 years old or the pupil is 16 or 17 years old and has withdrawn from parental control. The student's teachers and other appropriate school personnel shall also be given written notice of the suspension. The suspension will ideally commence no later than the day following the notification of the suspension. A copy of the written notice shall be placed in the OSR (Appendix A Notice of Suspension).

**E. APPEAL OF SUSPENSIONS**

**An appeal of a suspension does not stay the suspension.** If the suspension expires before the appeal is determined, the superintendent or the board respectively shall determine whether the suspension should be confirmed, modified, or whether the record of the suspension should be removed.

If the appeal is determined during the duration of a suspension, the superintendent or the Board respectively shall determine whether the suspension should be confirmed, removed, or modified.

**2. Appeal**

- a) **Initiation of the Appeal**

The following persons may appeal, to the board, a principal's decision to suspend a pupil under Section 306:

- 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,
- The pupil if he/she is at least 18 years old or if he/she is 16 or 17 years of age and has withdrawn from parental control.
- A representative from Family and Children's Services functioning as a guardian of a crown ward.

**b) Notice of Appeal and the Appeal Process**

The notice of appeal must be received by the Director of Education or his designate in written form within ten (10) school days of the commencement of the suspension. Upon receipt of the appeal the Director's office will promptly contact every person entitled to appeal the suspension under the above section A and inform him or her that it has received the notice of intention to appeal.

An appeal of a principal's decision to suspend a student is heard by the Board of Trustees or by a committee of the Board which has been delegated such powers and duties. The board of Trustees or the committee of at least 3 members of the board delegated such powers and duties shall hear and determine the appeal **within 15 school days** of receiving the notice of intention to appeal and shall not refuse to deal with the appeal on the grounds there is a deficiency in the notice of appeal.

The procedures, powers, duties of the persons that are required to conduct this appeal are determined by the board through policy (see Board Policy II 007 and APC020 Suspension Appeals).

The parties to the appeal are:

- The principal who suspended the student
- The student if he or she is at least 18 years of age or if he or she is 16 or 17 years of age and has withdrawn from parental control
- The student's parent or guardian if he or she appealed the decision to suspend the student
- The person who appealed the decision to suspend the pupil if the decision was appealed by someone other than the pupil or his or her parent or guardian.
- Such other persons as may be specified by this policy.
- A student who is not a party to the appeal has the right to be present at the appeal and to make a statement on his or her own behalf (Bill 212, Section 309,8-9).

**In the event of a request to appeal a suspension, the principal must forward a summary of his/her inquiry (Appendix D Principal's Report to School Superintendent) within seven (7) schools days of the notification by the**

**supervisory officer that a written request to appeal the suspension has been filed with the Director.**

The board shall,

- Confirm the suspension and its duration;
- Confirm the suspension but shorten its duration, even if the suspension under appeal has already been served, and order that the record of the suspension be amended accordingly; or
- Quash the suspension and order that the record of the suspension be expunged, even if the suspension under appeal has already been served.

**The decision of the board on an appeal under Sections 306-309 of the Education Act is final.**

### **F. PROGRAMS, SERVICES, COURSES FOR SUSPENDED STUDENTS**

- It is an expectation that students serving a suspension of five (5) days or less be provided with a homework package by the school to ensure they do not fall behind in their school work.
- The Student Action Plan (SAP) (Appendix F) must include an academic component to support the student if the suspension is between 6-10 days as well as appropriate support for a student with an IEP. For suspensions between 11-20 days, a non-academic component must be part of the Student Action Plan and suspension program. This non-academic component will assist students in developing positive attitudes and behaviour.
- It is imperative that a collaborative process is used in developing the Student Action Plan. This process will involve the student, the parent/guardian (as appropriate), members of the Student Success Team at the school and additional board support personnel who are familiar with the student as well as opportunities for support from community agencies. Other individuals may be invited to participate as needed.
- While the program for long-term suspended as well as that for expelled students will be offered at an off-site location, it is expected that staff from the home school will remain connected to the student so that the re-integration process will be successful. This re-integration process is guided by the values of compassion, tolerance, forgiveness and reconciliation.

### **Review Process**

This Administrative Procedures Memorandum will be reviewed every three years unless otherwise required by legislative changes



**School Name**  
**Address**  
**Phone/FAX**

### NOTICE OF SUSPENSION

Date: \_\_\_\_\_

TO: \_\_\_\_\_  
*Parent(s)/Guardian(s)*

RE: \_\_\_\_\_  Male  Female  
*Name of Student*

DATE OF BIRTH: \_\_\_\_\_  
*day/month/year*

I hereby notify you that your son/daughter is suspended from \_\_\_\_\_

for \_\_\_\_\_ school days commencing \_\_\_\_\_ to \_\_\_\_\_  
*# of days* *School*

inclusive. This is the \_\_\_\_\_ suspension of this school year.  
*# of suspensions*

According to the Education Act (as amended 2007) and board policy, this suspension is issued for the following reason(s):

#### Section I – Activities Leading to Possible Suspension

	Uttering a threat to inflict serious bodily harm on another person
	Possessing alcohol, illegal drugs or prohibited substances
	Being under the influence of alcohol, an illegal drug, or a prohibited or hazardous substance
	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

#### Section II – Other Activities Under Board Policy That Can Lead to Possible Suspension

	Physical assault on another person not requiring treatment by a medical practitioner
	Committing an act of bullying and/or sexual, racial, religious, or ethnocultural harassment
	Theft
	Possessing and/or displaying or down loading electronically sexually explicit material
	Habitual neglect of duty
	Verbal abuse and/or persistent opposition to authority (underline as appropriate)
	Dissemination/Publication of material (electronic or otherwise) impacting the mental well-being of students or staff of the school or Board
	Conduct injurious to the moral tone of the school or physical or mental well-being of others in the school. Specifics:

A student who has been suspended for 6 to 20 days is assigned to a Suspension Program at their home Secondary School site as per their Student Action Plan (SAP). This individual SAP is created collaboratively with the student, family and school/board staff. Please reference this form for specific information.

Unless the student is a participant in the suspension program he/she is prohibited from:

- entering the school building and property
- engaging in any school-related activity.

After clarification of the reason(s) for the suspension by the principal or vice-principal, if you wish to appeal this suspension in accordance with the Education Act, S309, you may serve notice within ten (10) school days of the commencement of the suspension to the Director of Education, Waterloo Catholic District School Board.

Yours truly,

*Principal*

**DISTRIBUTION:**

- |  |                         |                              |
|--|-------------------------|------------------------------|
| 1. Parent/Guardian/Student (18 & over) | 2. Student's Teacher(s) | 3. Superintendent of Schools |
| 4. School Attendance Counsellor        | 5. Guidance (Secondary) | 6. Principal                 |
| 7. Student Services (Board)            | 8. OSR                  |                              |

Revised: January 25, 2008

## APPENDIX B

<b>SUMMARY OF OFFENCES &amp; CONSEQUENCES</b>
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INCIDENT	FIRST OFFENCE	SECOND OFFENCE (within 5 years)	THIRD OFFENCE (within 5 years)
<b>ALCOHOL ILLEGAL DRUGS AND PROHIBITED SUBSTANCES</b>			
Under the influence (alcohol, illegal drugs, prohibited or hazardous substance) =Suspension Consideration	<ul style="list-style-type: none"> <li>• 1 to 20 day suspension</li> <li>• police may be involved</li> </ul>	<ul style="list-style-type: none"> <li>• 5 to 20 day suspension</li> <li>• police will be involved</li> </ul>	<ul style="list-style-type: none"> <li>• 20 day suspension</li> <li>• expulsion proceedings shall be considered</li> <li>• police will be involved</li> </ul>
Possession of Alcohol = Suspension Consideration	<ul style="list-style-type: none"> <li>• 1 to 20 day suspension</li> <li>• police will be involved</li> </ul>	<ul style="list-style-type: none"> <li>• 5 to 20 day suspension</li> <li>• police will be involved</li> </ul>	<ul style="list-style-type: none"> <li>• 20 day suspension</li> <li>• expulsion proceedings shall be considered</li> <li>• police will be involved</li> </ul>
Possession of Illegal Drugs and prohibited substances =Suspension Consideration	<ul style="list-style-type: none"> <li>• 10 to 20 day suspension</li> <li>• police will be involved</li> </ul>	<ul style="list-style-type: none"> <li>• 20 day suspension</li> <li>• expulsion proceedings may be initiated</li> <li>• police will be involved</li> </ul>	<ul style="list-style-type: none"> <li>• 20 day suspension</li> <li>• expulsion proceedings shall be considered</li> <li>• police will be involved</li> </ul>
Supplying Alcohol = Expulsion Consideration	Police will be contacted. It is mandatory that an expulsion be considered for this infraction while at school or engaged in a school-related activity. Refer to expulsion procedures.		
Trafficking in Illegal Drugs and prohibited substances = Expulsion Consideration	Police will be contacted. It is mandatory that an expulsion be considered for this infraction while at school or engaged in a school-related activity. Refer to expulsion procedures.		
<b>ASSAULT</b>			
Physical Assault On Another Person Not Requiring Treatment by Medical Practitioner = Suspension Consideration	<ul style="list-style-type: none"> <li>• 1 to 20 day suspension</li> <li>• police may be involved</li> </ul>	<ul style="list-style-type: none"> <li>• 5 to 20 day suspension</li> <li>• police may be involved</li> <li>• expulsion proceedings shall be considered</li> </ul>	<ul style="list-style-type: none"> <li>• 20 day suspension</li> <li>• police will be involved</li> <li>• expulsion proceedings shall be considered</li> </ul>
Committing Sexual Assault = Expulsion Consideration	Police will be contacted. It is mandatory that an expulsion be considered for this infraction while at school or engaged in a school-related activity. Refer to expulsion procedures.		
Physical Assault On Another Person Requiring Treatment by Medical Practitioner =Expulsion Consideration	Police will be contacted. It is mandatory that an expulsion be considered for this infraction while at school or engaged in a school-related activity. Refer to expulsion procedures.		
Physical Assault on a Teacher or other person in a position of authority not requiring treatment by a Medical Practitioner = Expulsion Consideration	Police will be contacted. It is mandatory that an expulsion be considered for this infraction while at school or engaged in a school-related activity. Refer to expulsion procedures.		
<b>HARASSMENT/BULLYING</b>			
Bullying and/or Sexual, Racial or Ethnocultural Harassment = Suspension Consideration	<ul style="list-style-type: none"> <li>• 1 to 20 day suspension</li> <li>• police may be involved</li> </ul>	<ul style="list-style-type: none"> <li>• 5 to 20 day suspension</li> <li>• police may be involved</li> </ul>	<ul style="list-style-type: none"> <li>• 20 day suspension</li> <li>• expulsion proceedings shall be considered</li> <li>• police may be involved</li> </ul>
<b>PROFANE OR IMPROPER LANGUAGE</b>			
Profane or Improper Language = Suspension Consideration for Swearing at a Teacher or Person In Authority (All School Staff)	<ul style="list-style-type: none"> <li>• use of early intervention strategies such as parent contact, detention, review of expectations, written apology</li> <li>• suspension up to 5 days</li> </ul>	<ul style="list-style-type: none"> <li>• use of ongoing intervention strategies such as parent meeting, referral to counselling, conflict mediation</li> <li>• 5 to 10 day suspension</li> </ul>	<ul style="list-style-type: none"> <li>• 5 to 20 day suspension</li> <li>• expulsion proceedings shall be considered.</li> </ul>

INCIDENT	FIRST OFFENCE	SECOND OFFENCE (within 5years)	THIRD OFFENCE (within 5 years)
<b>VERBAL ABUSE</b>			
Verbal Abuse = Suspension Consideration	<ul style="list-style-type: none"> <li>Use of early intervention strategies</li> <li>suspension up to 5 days</li> </ul>	<ul style="list-style-type: none"> <li>Use of ongoing intervention strategies</li> <li>suspension up to 10 days</li> </ul>	<ul style="list-style-type: none"> <li>suspension up to 10 days</li> </ul>
<b>DISSEMINATION/PUBLICATION OF MATERIAL</b>			
Dissemination/Publication of material (electronic or otherwise) impacting the mental well being of students or staff of the school or Board = Suspension Consideration	<ul style="list-style-type: none"> <li>1 to 20 day suspension</li> <li>police may be involved</li> </ul>	<ul style="list-style-type: none"> <li>5 to 20 day suspension</li> <li>police may be involved</li> <li>expulsion proceedings shall be considered</li> </ul>	<ul style="list-style-type: none"> <li>20 day suspension</li> <li>police may be involved</li> <li>expulsion proceedings shall be considered</li> </ul>
<b>SEXUALLY EXPLICIT MATERIAL</b>			
Sexually Explicit Material = Suspension Consideration	<ul style="list-style-type: none"> <li>suspension up to 5 days</li> </ul>	<ul style="list-style-type: none"> <li>suspension up to 5 days</li> </ul>	<ul style="list-style-type: none"> <li>5 to 10 day suspension</li> </ul>
<b>THEFT</b>			
Theft = Suspension Consideration	<ul style="list-style-type: none"> <li>suspension up to 20 days and restitution</li> <li>police may be involved</li> </ul>	<ul style="list-style-type: none"> <li>suspension up to 20 days and restitution</li> <li>expulsion proceedings shall be considered</li> <li>police will be involved</li> </ul>	<ul style="list-style-type: none"> <li>suspension up to 20 days and restitution</li> <li>expulsion proceedings shall be considered</li> <li>police will be involved</li> </ul>
<b>ROBBERY</b>			
Robbery = Expulsion Consideration	Police will be contacted. It is mandatory that an expulsion be considered for this infraction while at school or engaged in a school-related activity. Refer to expulsion procedures.		
<b>THREATS</b>			
Threat = Suspension	<ul style="list-style-type: none"> <li>1 to 20 day suspension</li> <li>police may be involved</li> </ul>	<ul style="list-style-type: none"> <li>10 to 20 day suspension</li> <li>expulsion proceedings shall be considered</li> <li>police will be involved</li> </ul>	<ul style="list-style-type: none"> <li>20 day suspension</li> <li>expulsion proceedings shall be considered</li> <li>police will be involved</li> </ul>
<b>WEAPONS</b>			
Possessing A Weapon or Imitation Including Possessing A Firearm = Expulsion Consideration	Police will be contacted. It is mandatory that an expulsion be considered for this infraction while at school or engaged in a school-related activity. Refer to expulsion procedures.		
Using A Weapon To Cause or Threaten Bodily Harm to Another Person = Expulsion Consideration	Police will be contacted. It is mandatory that an expulsion be considered for this infraction while at school or engaged in a school-related activity. Refer to expulsion procedures.		
Trafficking in Weapons = Expulsion Consideration	Police will be contacted. It is mandatory that an expulsion be considered for this infraction while at school or engaged in a school-related activity. Refer to expulsion procedures.		
<b>WILFUL DESTRUCTION OF SCHOOL PROPERTY</b>			
Wilful Destruction of School Property (Arson, Computer Misconduct, Vandalism) = Suspension Consideration. Expulsion may be considered if damage is extensive.	<ul style="list-style-type: none"> <li>1 to 20 day suspension and restitution</li> <li>police may be involved</li> </ul>	<ul style="list-style-type: none"> <li>1 to 20 day suspension and restitution</li> <li>expulsion proceedings shall be considered</li> <li>police will be involved</li> </ul>	<ul style="list-style-type: none"> <li>1 to 20 day suspension and restitution</li> <li>expulsion proceedings shall be considered</li> <li>police will be involved</li> </ul>
<b>OTHER</b>			
Conduct Injurious to the Moral Tone of the School or Physical or Mental Well-Being of Others in the School = Suspension Consideration (e.g., smoking, possession of electronic devices).	<ul style="list-style-type: none"> <li>use of early intervention strategies such as parent contact, detention, review of expectations, written apology</li> <li>suspension 1-5 days</li> </ul>	<ul style="list-style-type: none"> <li>use of early intervention strategies such as parent contact, detention, review of expectations, written apology</li> <li>suspension 5-10 days</li> </ul>	<ul style="list-style-type: none"> <li>suspension up to 20 days</li> </ul>

<p>Habitual Neglect of Duty = Suspension Consideration (e.g. lates, truancy, incomplete homework/assignments, dress code infractions)</p>	<ul style="list-style-type: none"> <li>• use of early intervention strategies such as parent contact, detention, review of expectations, written apology</li> <li>• suspension up to 5 days</li> </ul>	<ul style="list-style-type: none"> <li>•• use of early intervention strategies such as parent contact, detention, review of expectations, written apology</li> <li>• suspension 5-10 days</li> </ul>	<ul style="list-style-type: none"> <li>• suspension up to 20 days</li> <li>• expulsion proceedings shall be considered</li> </ul>
<p>Persistent Opposition to Authority = Suspension Consideration</p>	<ul style="list-style-type: none"> <li>• suspension up to 20 days</li> </ul>	<ul style="list-style-type: none"> <li>• suspension up to 20 days</li> </ul>	<ul style="list-style-type: none"> <li>• suspension up to 20 days</li> </ul>

- **This Summary of Offences and Consequences applies only to students.**
- **Staff whose actions are not in accordance with board policy and/or the Ethical Standards for the Teaching Profession and the Standards of Practice for the Teaching Profession or expectations of professional conduct prescribed by their respective professional governing body, will be subject to progressive discipline under board policy.**
- **Parents/Guardians and visitors to schools whose actions violate the school/board's Code of Conduct, or are otherwise disruptive to the safe operation of a school, will be dealt with through the Trespass to Property Act or other appropriate legislation.**

Revised: January 2008

## APPENDIX C

Excerpt from: APC013 LOCAL POLICE PROTOCOL; The Waterloo Catholic District School Board, The Waterloo Region District School Board, Conseil Scolaire Public De District Du Centre-Sud-Quest, Conseil Scholaire De District Catholique Centre-Sud and Waterloo Region Police Service.

### DEFINITIONS/EXPLANATION OF TERMS

For the purpose of this protocol, the following definitions shall apply:

#### **Assault (Level I)**

*Assault (Level I)* is the intentional application of force to a person without his or her consent or the attempt or the threat by act or gesture to apply force to another if the other believes one has the apparent, present ability to do so.

#### **Assault Causing Bodily Harm (Level II)**

*Assault Causing Bodily Harm (Level II)* is an assault where the consequence is more than "transient and trifling" (e.g. laceration, fracture). Medical attention is required.

#### **Aggravated Assault (Level III)**

*Aggravated Assault (Level III)* is an assault where the victim is wounded, maimed, disfigured or where his or her life is endangered.

#### **Bullying**

*Bullying* is deliberate and repeated physical or verbal behaviour, by an individual or group, that is intended to harm and/or intimidate others.

#### **Criminal Harassment**

*Criminal Harassment* is prolonged, repetitive behaviour that is threatening to a person and causes them to fear for their safety or the safety of someone known to them. The behaviour exhibited may involve following, communicating, watching, or threatening conduct.

#### **Cyber Bullying**

*Cyber Bullying* involves the use of the internet information and communication technologies such as e-mail, cell phone, pager text messages, instant messaging (IM), defamatory personal Web sites, and defamatory online personal polling Web sites to support bullying.

#### **Cyber Harassment**

*Cyber Harassment* is Criminal Harassment carried out by means of the internet information and communication technologies such as e-mail, cell phone, pager text messages, instant messaging (IM), defamatory personal Web sites, and defamatory online personal polling Web sites.

**Drug Possession**

*Drug Possession* involves having consensual control over illicit or non-medically prescribed drugs.

**Extortion**

*Extortion* is the use of threats, intimidation, or violence toward a person to obtain something of value from another or to cause a person to do something.

**Hate/Bias-Motivated Crime**

*Hate/Bias-Motivated Crime* means a criminal offence committed against a person or property which is motivated by hate/bias or prejudice based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or any other similar factor.

**Police**

*Police* includes youth sergeant, school resource officer, or police dispatch.

**Principal**

*Principal* refers to the Principal, Vice-principal, or designate responsible at the time for administering the protocol.

**Robbery**

*Robbery* is theft with violence or a threat of violence or an assault with an intent to steal (even if a theft is not completed).

**School Staff**

*School Staff* includes administrators, teachers, support staff, and any other individuals expressly authorized by the Boards.

**Sexual Assault**

*Sexual Assault* is an assault with sexual overtones.

**Theft (Stealing)**

*Theft* occurs when one person, who has no right to the property of another person, takes it.

**Threats**

*Threats* are statements made to a person to cause death, serious bodily harm, or damage to property.

**Trafficking**

*Trafficking* involves assisting, in any manner, with distributing either illicit or non-medically prescribed drug or weapons.

**Under the Influence**

*Under the influence* is established when there is reason to believe there has been consumption of an intoxicating substance.

**Vandalism**

*Vandalism* involves wilful destruction of others' property (referred to as mischief in the Criminal Code of Canada).

**Weapon**

*Weapon* includes any article designed as a weapon or used or intended to be used for the purpose of threatening, intimidating, or injuring a person.

**Young Person**

For purposes of this protocol, *Young Person* is any school-aged person.

For purposes of the Youth Criminal Justice Act, young person is aged 12 to 17 inclusive.

For purposes of the Criminal Code, *young person* indicates anyone under 18 years.

**SUSPENSION APPEAL**

**Principal's Report to School Superintendent**

Please include a report related to the incident outlining the details of the incident which led to the request for an appeal. Include the date, time, place, names of witnesses, police involvement and other pertinent details related to the principal's investigation. Forward this copy with the copy of the suspension notice directly to the School Superintendent within seven (7) school days of notification by the Superintendent of a request for an appeal hearing. Attach any relevant documentation.

Summary of consideration of mitigating circumstances, if applicable.

Student's History: Please note any previous suspensions and other relevant educational, social history of the student.

Principal's Signature \_\_\_\_\_ Date: \_\_\_\_\_

## APPENDIX E

### **Record Keeping of Violent Incidents Leading to Suspension/Expulsion and of Reports to the Police**

The following sections of the Education Act govern the establishment of the Ontario Student Record (OSR):

- Clause 265(d) states that it is the duty of a principal: in accordance with this act, the regulations and the guidelines issued by the Minister, to collect information for inclusion in a record in respect of each pupil enrolled in the school and to establish, maintain, retain, transfer and dispose of the record.
- Subsection 266(2) states in part: A record is privileged for the information and use of supervisory officers and the principal and teachers of the school for the improvement of the instruction of the pupil. . . .

In addition, the contents of the OSR are described in the guideline Ontario Student Record (OSR), 1989.

It should be noted that the OSR may be the subject of a search warrant or a subpoena and, if so, must be produced. In such instances, reference should be made to section 4 of the OSR guideline.

The information relating to serious violent incidents leading to reports to the police, as well as the information relating to serious violent incidents leading to suspension or expulsion, must be maintained in the OSR. This information is to be recorded on the Violent Incident Form (see Appendix II).

#### **A. Insertion of Information in the OSR**

The following information will be included in the OSR:

a Violent Incident Form, containing:

a description of the serious violent incident leading to a suspension or expulsion or a call to the police

- a reference to the call to the police, if applicable
- a reference to the school/board disciplinary response to the incident, if applicable

a copy of the school board's letter(s) to the student and/or parent(s) or guardian(s) regarding the suspension or expulsion for violent behaviour

#### **B. Removal of Information from the OSR**


- The information relating to suspension for violent behaviour shall not be removed from the OSR unless three consecutive years have passed during which no further suspensions for serious violent incidents have taken place.

- The information relating to expulsion shall be removed five years after the date on which the school board expelled the student.
- Where an expelled student has been readmitted to school by a school board, and is expelled again, the information relating to the expulsions shall not be removed from the OSR until five consecutive years have passed without any further expulsion.
- Where the student has not been suspended or expelled, the Violent Incident Form shall be removed after three years if no further serious violent incident is reported to the police during that time.

**C. Transfer of the OSR**

If the student transfers to another school, the information in the OSR relating to the serious violent incident that led to suspension or expulsion, as well as to a report to the police, will remain in the OSR unless removed under (A) or (B) above. **The transfer will occur in accordance with Section 6 of the guideline Ontario Student Record (OSR), 1989.**

## APPENDIX F

		<b>STUDENT ACTION PLAN (SAP)</b>			
Name of Student:					
School:				Grade:	
Student OEN:		(Indicate by ✓ or x in box below)			
Documentation:	SSI Completed		Yes (attach)		No
	IEP		Yes (attach)		No
	BIP		Yes (attach)		No
Date of Meeting:					
Case Manager:					
Purpose of Student Action Plan:			Suspension		Expulsion

<b>Suspension</b>	
Date of Suspension:	
Length of Suspension (days):	
Reason for Suspension:	

<b>Expulsion</b>					
Date of Expulsion:					
Reason for Expulsion:					
Approved by Board (date):					
Condition for Re-Entry:					
Attendees at SAP Meeting:	(Indicate by ✓ or x in box provided)				
	Principal or Designate		Yes		No
	Student Success Teacher		Yes		No
	Guidance Counsellor		Yes		No
	CYCW		Yes		No
	Social Worker		Yes		No
	Attendance Counsellor		Yes		No
	Parent		Yes		No
	Student		Yes		No
	Special Education Teacher		Yes		No
Others:					
What does student need to be successful?					
Risk Factors: <i>e.g. attendance, credit accumulation, prior history, etc.</i>					
Protective Factors: <i>e.g. resilient attitude, caring adult, involvement in co-curriculars, etc.</i>					

**Academic Component for Student Action Plan**

It is an expectation that a student assigned to the long-term suspension/expulsion program will complete assignments, homework, evaluations and be a positive participant in all learning activities. He/she will demonstrate respect for self and others and is subject to all expectations for students contained in school and board policy.

As part of this Student Action Plan the student will meet the following academic expectations:

Supports in place to help student complete the work:

Supports upon re-entry:

**Non-Academic Component of Student Action Plan  
(required for suspensions of 11-20 days)**

In order to help the student succeed, the following will be put in place as part of his/her suspension/expulsion program:

Substance Abuse Counselling (list agency or counsellor):

Anger Management:

Personal/Family Counselling:

Other:

**Suspension Program - Declaration of Commitment**

Must be reviewed and signed as part of Student Action Plan

**Review & Re-Entry of Student**

Student Action Plan will be reviewed by (name) :

On the following dates:

Progress reports to be forwarded to Principal or Designate.

Re-Entry Meeting will be held on:

**Signature(s)**

Principal or Designate

Student

Parent(s)/Guardian

Date:



Waterloo Catholic  
District School Board

## SUSPENSION PROGRAM - DECLARATION OF COMMITMENT

Name of Student:

School:

Student OEN :

Grade:

Date of Birth:

The Ontario Code of Conduct sets clear provincial standards of behaviour. It specifies the mandatory consequences for student actions that do not comply with these standards.

Since students have a responsibility to demonstrate a commitment to the learning process, to honour the school Code of Conduct, and to demonstrate age-appropriate behaviour, my participation/continued attendance in the suspension program is dependent on my commitment, as demonstrated by my compliance with the conditions stated below.

1. I will be in full attendance and punctual at all times. Any impending absence will be reported to my home school and to the staff at the suspension program.
2. I will give the required attention to my school work by:
  - Having the proper books and materials with me
  - Completing homework assignments during the time spent at the suspension program
  - Being attentive, cooperative and hard working.
3. I will follow published school rules in class and on school property.
4. I will follow the dress code requirements for the suspension program.
5. I will be respectful of fellow students, their rights, and their property.
6. I will be respectful of all staff.

I understand that if a review determines that I am failing to comply, then I will be excluded from the suspension program. If I fail to meet the expectations, my suspension will be served based on the conditions in the letter of suspension from the home school.

**SIGNATURES:**

Student \_\_\_\_\_

Parent(s)/Guardian(s) \_\_\_\_\_

Principal/Vice Principal \_\_\_\_\_

DATE: \_\_\_\_\_

*\*265 It is the duty of a principal of a school, in addition to the principal's duties as a teacher, (m) 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*