

TVDSB Code of Conduct Procedure

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Resources:	• <i>The Education Act</i>, RSO 1990, c E.2 • <i>Human Rights Code</i>, R.S.O. 1990, c. H.19 • <i>Smoke-Free Ontario Act</i>, 2017, S.O. 2017, c. 26, Sched. 3 • Policy and Program Memorandum 128: The Provincial Code of Conduct and School Boards of Conduct • TVDSB Creating Safe and Caring Schools Policy (4008) • TVDSB School Councils Policy and Procedure (3016) • TVDSB Progressive Discipline Of Employees Policy and Procedure (3012) • TVDSB Access to Schools Procedure (4008h)

1. Intent

- 1.1. This procedure operationalizes TVDSB Creating Safe and Caring Schools Policy (4008) and Policy and Program Memorandum (PPM) 128: The Provincial Code of Conduct and School Board Codes of Conduct.

2. Definitions

- 2.1. Due to the significant number of key terms requiring definitions, all definitions can be found in Appendix A.

- 2.2. Throughout this document, all defined terms will be capitalized to indicate they have a procedure-specific definition.

3. Objective of the Procedure

- 3.1. The Thames Valley District School Board (TVDSB) is committed to supporting a system strategy for promoting a safe, Inclusive and accepting school and workplace environment. Schools are expected to develop and maintain safe, Inclusive and accepting learning environments.
- 3.2. The purpose of the TVDSB Code of Conduct is to ensure that the rights and responsibilities of all members of the school and TVDSB community are communicated. Practices will focus on a Relationship-Based Approach to building capacity within the School Community to create safer schools.
- 3.3. Building and sustaining a positive school and work environment is complex and requires involvement from the whole School Community.
- 3.4. The following goals of the TVDSB Code of Conduct are required to accomplish these objectives:
 - 3.4.1. Promote caring relationships between students, Parents and caregivers, members of the community and TVDSB staff;
 - 3.4.2. Ensure that all members of the School Community, especially people in positions of authority, are treated equally with respect and dignity;
 - 3.4.3. Promote responsible citizenship by encouraging appropriate participation in the civic life of the school community;
 - 3.4.4. Maintain an environment where conflict and difference can be addressed in a manner characterized by respect and civility;
 - 3.4.5. Encourage the use of non-violent means to resolve conflict;
 - 3.4.6. Promote the safety of people in the schools;
 - 3.4.7. Prohibit the use of alcohol, vaping, and other illegal drugs, as well as cannabis, except for medical cannabis use;
 - 3.4.8. Limit the distractions caused by the non-educational use of cellphones and other devices and
 - 3.4.9. Prevent Bullying in schools.

4. Roles and Responsibilities

4.1. The TVDSB Code of Conduct applies to the entire School Community, including;

4.1.1. On School Property;

4.1.2. On school buses;

4.1.3. At School-Related Events or activities;

4.1.4. On TVDSB property;

4.1.5. In other circumstances that could have an impact on the School Climate and

4.1.6. In Virtual Learning Environments.

4.2. The **Director of Education, Associate Director** and **Superintendents** are expected to:

4.2.1. Demonstrate care for the School Community and a commitment to student achievement and well-being in a safe, Inclusive, and accepting learning environment;

4.2.2. Hold everyone under their authority accountable for their own behaviour and actions;

4.2.3. Ensure the TVDSB Code of Conduct is followed by TVDSB staff and local community members at TVDSB buildings that are not schools;

4.2.4. Model the standards of respect, civility and responsible citizenship and

4.2.5. Support effective, accessible and Culturally Inclusive communication of the TVDSB Code of Conduct through the use of interpretation and translation services.

4.3. **Principals** are expected to:

4.3.1. Demonstrate care for the School Community and a commitment to student achievement and well-being in a safe, Inclusive, and accepting learning environment;

4.3.2. Hold everyone under their authority accountable for their own behaviour and actions;

4.3.3. Empower students to be positive leaders in their school and community;

4.3.4. Communicate the expectations of this procedure and any Local Code of

Conduct Statements by the end of the first week of school to the School Community and ensure this content is posted on the school website;

- 4.3.5. Communicate the expectations of this procedure, best practices for implementation and any Local Code of Conduct Statements by the end of the first week of school to all Educators;
- 4.3.6. Continue to communicate the expectations of the Code of Conduct regularly and meaningfully with all members of their School Community;
- 4.3.7. Support effective, accessible and Culturally Inclusive communication of the TVDSB Code of Conduct through the use of interpretation and translation services and
- 4.3.8. Model the standards of respect, civility and responsible citizenship.

4.4. **Educators** are expected to:

- 4.4.1. Help students work to their full potential and develop their sense of self-worth;
- 4.4.2. Empower students to be positive leaders in their classroom, school, and community;
- 4.4.3. Communicate regularly and meaningfully with Parents and caregivers;
- 4.4.4. Maintain consistent and fair standards of behaviour for all students;
- 4.4.5. Demonstrate respect for one another, all students, Parents and caregivers, volunteers, and other members of the School Community;
- 4.4.6. Prepare students for the full responsibilities of citizenship, in particular the skill of respectful communication, both in person and online;
- 4.4.7. Model the standards of respect, civility, and responsible citizenship and
- 4.4.8. Model appropriate use of personal mobile devices. Educators are not to use personal mobile devices during instructional time, unless explicitly for work-related purposes.

4.5. **Students** are expected to:

- 4.5.1. Come to school prepared, on time, and ready to learn;
- 4.5.2. Show respect for themselves, and for others, and for those in positions of authority;

4.5.3. Refrain from bringing anything to school that may compromise the safety of others and

4.5.4. Follow the established rules and take responsibility for their own actions.

4.6. **Parents** and **Caregivers** are expected to:

4.6.1. Engage in their child's schoolwork and progress;

4.6.2. Communicate regularly with the school;

4.6.3. Help their child be appropriately dressed and prepared for school;

4.6.4. Ensure that their child attends school regularly and on time;

4.6.5. Promptly report to the school their child's absence or late arrival;

4.6.6. Become familiar with the TVDSB Code of Conduct, and, if applicable, any School Code of Conduct statements;

4.6.7. Encourage and assist their child in following the rules of behaviour and

4.6.8. Assist school staff in dealing with disciplinary issues involving their child.

5. Understanding the TVDSB Code of Conduct

5.1. The TVDSB Code of Conduct follows the Provincial Code of Conduct as outlined in PPM 128 and detailed in Sections 7 through 9 of this procedure.

5.2. Each TVDSB School shall have a School Code of Conduct that is the TVDSB Code of Conduct and any additional Local Code of Conduct Statements that the principal and, in consultation with the School Council, determine is appropriate to add.

5.2.1. If a TVDSB school wants to add additional local content to the TVDSB Code of Conduct, it must follow the process outlined in Section 6 and ensure that the additional content does not conflict with the intention of the Provincial Code of Conduct.

5.3. If a student's behaviour does not align with the expectations outlined in Sections 7, 8 or 9 of this Student Code of Conduct or any Local Code of Conduct Statements added through the steps in Section 6, refer to TVDSB Bias-Aware Progressive Discipline: Suspension, Expulsion and Appeals Procedure (4008k).

6. Development of School Codes of Conduct for Individual Schools

6.1. To determine if a School Code of Conduct requires Local Code of Conduct Statements to be adopted, amended or rescinded, the principal must first consult with

the school's Superintendent of Student Achievement.

- 6.2. After consulting with the school's Superintendent of Student Achievement, the principal must consider the opinions of the following before proceeding with a draft Local Code of Conduct Statement:

- 6.2.1. The School Council,
- 6.2.2. Students,
- 6.2.3. Staff,
- 6.2.4. Parents and caregivers and
- 6.2.5. Members of the School Community.

- 6.3. All Local Code of Conduct Statements must comply with TVDSB Creating Safe and Caring Schools Policy (4008) and this procedure.

- 6.4. To adopt, amend or rescind a Local Code of Conduct Statement the following process must be followed:

- 6.4.1. Discuss the proposed Local Code of Conduct Statement with the School Council;
- 6.4.2. Discuss and receive approval for the proposed Local Code of Conduct Statement from the Superintendent of Student Achievement of the school;
- 6.4.3. Submit the proposed Local Code of Conduct Statement to the Administrative Council for review and approval and
- 6.4.4. If the proposed Local Code of Conduct Statement is approved by the Administrative Council, the principal shall develop a communications plan that outlines how the new behaviour expectations will be made clear to everyone, including Parents and caregivers whose first language is not English.

7. TVDSB Code of Conduct

- 7.1. To support students in being respectful, civil and responsible citizens, all members of the School Community must:

- 7.1.1. Comply with all applicable federal, provincial, and municipal laws;
- 7.1.2. Comply with all Ministry of Education, school board and school policies;
- 7.1.3. Demonstrate honesty and integrity;

- 7.1.4. Treat one another with dignity and respect, both in person and online, especially when there is disagreement or difference;
- 7.1.5. Respect and treat others fairly, regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, or disability;
- 7.1.6. Respect the rights of others;
- 7.1.7. Show proper care and regard for School Property and the property of others;
- 7.1.8. Take appropriate measures to help those in need;
- 7.1.9. Seek assistance from a member of the school staff, if necessary, to resolve conflict peacefully;
- 7.1.10. Refrain from using abusive language or swearing at another person;
- 7.1.11. Respect the needs of others to work in an environment that is conducive to learning and teaching;
- 7.1.12. Not use personal mobile devices during instructional time except under the following circumstances:
 - 7.1.12.1. For educational purposes,
 - 7.1.12.2. As directed by an educator,
 - 7.1.12.3. For health and medical purposes and
 - 7.1.12.4. To support special education needs.
- 7.2. To support students' safety, all members of the School Community must not:
 - 7.2.1. Engage in Bullying behaviours, including Cyberbullying;
 - 7.2.2. Commit sexual assault or sexual harassment;
 - 7.2.3. Traffic in weapons or illegal drugs;
 - 7.2.4. Commit robbery or theft;
 - 7.2.5. Be in possession of any weapon, including firearms;
 - 7.2.6. Threaten or intimidate another person;
 - 7.2.7. Be in possession of alcohol, cannabis (unless for medical purposes), and all other illegal drugs;
 - 7.2.7.1. For students, this would also include being in possession of electronic cigarette, tobacco and nicotine products and

- 7.2.7.1.1. An exception may be made for the traditional use of tobacco as an Indigenous cultural practice and medical cannabis user.
- 7.2.8. Be under the influence of alcohol, cannabis, tobacco, electronic cigarettes, illegal drugs or related products;
- 7.2.9. Provide others with alcohol, illegal drugs, tobacco, electronic cigarettes, cannabis and related products;
- 7.2.10. Inflict or encourage others to inflict bodily harm on another person;
- 7.2.11. Engage in hate propaganda and other forms of behaviour motivated by hate or explicit and implicit Bias;
- 7.2.12. Commit an act of vandalism that causes damage to School Property, to property located on the premises of the school or to the property of a member of the School Community and
- 7.2.13. Record, take or share non-consensual recordings or photos of members of the School Community.

8. Student Personal Mobile Device Usage

- 8.1. All members of the School Community must not use personal mobile devices during instructional time except under the following circumstances:
 - 8.1.1. For educational purposes, as directed by an educator;
 - 8.1.2. For health and medical purposes and
 - 8.1.3. To support special education needs.
- 8.2. For students in Grade 6 and below, students' personal mobile devices must be stored out of view and powered off or set to silent mode throughout the full instructional day, except when their use is explicitly permitted under the circumstances outlined in Section 8.1.
- 8.3. For students in Grades 7 to 12, students' personal mobile devices are stored out of view and powered off or set to silent mode during instructional time, except when their use is explicitly permitted by the educator under the circumstances outlined above.
- 8.4. If a school currently has student personal mobile device usage guidelines that comply with Sections 8.1 through 8.3 and are more stringent included in their School

Code of Conduct, these local conduct statements will not need to be approved again following Section 6.

- 8.5. If a school wishes to adopt new, more stringent student personal mobile device usage guidelines as explained in 8.1 through 8.3, they are permitted to do so using a motion approved by the School Council.

- 8.5.1. Any new guidelines must align with Sections 8.1 through 8.3 and have a similar intent.

9. Using Progressive Discipline in Response to Student Personal Mobile Device Usage

- 9.1. As a form of proactive and preventative Progressive Discipline, the principal must communicate cellphone usage expectations with all educators, students, Parents and caregivers within the first week of the school year, and on an ongoing basis.

- 9.1.1. The principal must also have a process to ensure occasional staff are made aware of school-based cellphone usage expectations at the start of their shift.

- 9.2. When determining additional Progressive Discipline, the principal should take into consideration the following Mitigating Factors;

- 9.2.1. The student does not have the ability to control their behaviour or understand the possible consequences of their behaviour;

- 9.2.2. The student's continuing presence in the school does not create an unacceptable risk to the safety of any other person;

- 9.2.3. The student's history;

- 9.2.4. Whether a Progressive Discipline approach has been used with the student;

- 9.2.5. Whether the activity for which the student may be or is being suspended or expelled was related to any harassment of the student because of their race, ethnic origin, religion, disability, gender or sexual orientation or any other protected grounds of the Human Rights Code;

- 9.2.6. How the suspension or expulsion would affect the student's ongoing education;

- 9.2.7. The age of the student;

- 9.2.8. In the case of a student for whom an Individual Education Plan (IEP) has been developed;

- 9.2.8.1. Whether the behaviour was a manifestation of a disability identified in the student's IEP;
 - 9.2.8.2. Whether appropriate individualized accommodation has been provided and
 - 9.2.8.3. Whether the suspension or expulsion is likely to result in an aggravation or worsening of the student's behaviour or conduct.
- 9.3. If students from Kindergarten to Grade 12, continue to use their personal mobile devices after having been reminded, and staff have considered Mitigating Factors, the following shall occur:
 - 9.3.1. For students in Grade 6 or below, if an educator sees a personal mobile device that is not stored out of view, they must require the device be handed in for the instructional day, and the device must be placed by the student in a storage area in a location designated by the principal.
 - 9.3.2. For students in Grades 7 through 12, if the educator sees a personal mobile device that is not stored out of view, they must require the device be handed in for the instructional period and the device must be placed, by the student, in a storage area in a location in the classroom designated by the educator.
 - 9.3.3. For students from Kindergarten to Grade 12, if, after using a Progressive Discipline approach, the student continues to contradict the expectations outlined in 8.3 or 8.4, the student must be sent to the principal's office.

10. Alcohol, Tobacco, Cannabis and Vaping

- 10.1. The TVDSB Code of Conduct also aligns with the Smoke-Free Ontario Act, 2017, which:
 - 10.1.1. Prohibits smoking (tobacco and cannabis) and the use of electronic cigarettes (vaping) at schools, on school grounds, and all public areas within 20 metres of these grounds.
 - 10.1.2. Prohibits the sale and supply of tobacco or e-cigarettes to anyone under 19 years of age.
- 10.2. Addressing concerns related to the Smoke-Free Ontario Act, 2017 will be done using Progressive Discipline, and a collaborative approach between local health units and local law-enforcement.
- 10.3. If a student is found in possession of alcohol, e-cigarette, tobacco, cannabis, or vaping products, these items will be confiscated and disposed of in accordance with

local waste disposal guidelines.

10.3.1. An exception will be made for:

10.3.1.1. The traditional use of tobacco as an Indigenous cultural practice;

10.3.1.2. Adult students in the possession of tobacco and

10.3.1.3. Medical cannabis users.

10.4. The Parents or caregivers of a student who is found in possession of an item listed in 10.3 shall be notified.

11. School Community Accountability

11.1. When members of the School Community do not meet the expectations of the TVDSB Code of Conduct, the following will be considered:

11.1.1. How can a Relationship-Based Approach be used to address the concern?

11.1.2. How have we ensured effective, accessible, and Culturally Inclusive communication of the expectations of the TVDSB Code of Conduct?

11.2. If Students continue to not meet the expectations of the TVDSB Code of Conduct, the process outlined in TVDSB Bias-Aware Progressive Discipline: Suspension, Expulsion, and Appeals Procedure (4008k).

11.3. If TVDSB staff continue to not meet the expectations of the TVDSB Code of Conduct the process outlined in TVDSB Progressive Discipline Of Employees Policy and Procedure (3012) will be followed.

11.4. School Community members who continue to violate the TVDSB Code of Conduct will have their actions assessed by the principal for their impact on the learning environment. If the behaviour significantly disrupts safety or inclusivity, the principal should follow the TVDSB Access to Schools Procedure (4008h).

12. Monitoring and Review

12.1. TVDSB Code of Conduct must be reviewed at a minimum every three years.

12.2. When reviewing the Code of Conduct, the following groups will be given the opportunity to be consulted on the current Code of Conduct and any potential changes:

12.2.1. Students;

12.2.2. Educators;

- 12.2.3. Principals;
- 12.2.4. Other board staff;
- 12.2.5. Volunteers working in schools;
- 12.2.6. Parents and caregivers of students;
- 12.2.7. School Councils;
- 12.2.8. The local communities included within TVDSB jurisdiction;
- 12.2.9. TVDSB Parent Involvement Committee;
- 12.2.10. TVDSB Special Education Advisory Committee;
- 12.2.11. TVDSB First Nations Advisory Committee;
- 12.2.12. Social service agencies within TVDSB jurisdiction;
- 12.2.13. Mental health agencies within TVDSB jurisdiction and
- 12.2.14. other appropriate community partners.

Appendix A – Definitions

1. **Administrative Council** refers to an internal staff committee that includes superintendents, associate directors, the director of education, and other staff members as needed. The committee reviews selected work of TVDSB to ensure it aligns with the organization's strategic goals.
2. **Bias** refers to an opinion, preference, prejudice, or inclination that limits an individual's or a group's ability to make fair, objective, or accurate judgements. Biases can be both implicit and explicit.
3. **Bullying** refers to aggressive and typically repeated behaviour by an individual where,
 - a. The behaviour is intended by the individual to have the effect of, or the individual ought to know that the behaviour would be likely to have the effect of,
 - i. Causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual's reputation or harm to the individual's property, or
 - ii. Creating a negative environment at a school for another individual, and
 - iii. The behaviour occurs in a context where there is a real or perceived power imbalance between individuals based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race, disability or the receipt of special education; ("intimidation").
 - b. For the purposes of the definition of "bullying", behaviour includes the use of any physical, verbal, electronic, written or other means.
 - c. **Cyber-Bullying** refers to bullying by electronic means, including,
 - i. Creating a web page or a blog in which the creator assumes the identity of another person;
 - ii. Impersonating another person as an author of content or messages posted on the internet; and
 - iii. Communicating material electronically to more than one individual or

posting material on a website that may be accessed by one or more individuals.

4. **Culturally Inclusive** refers to recognizing and valuing the diverse cultural backgrounds, language and contributions of individuals. It aims to create environments where everyone feels respected, valued and able to fully contribute, regardless of their cultural background.
5. **Educators** refers to teachers, registered early childhood educators, educational assistants and student supervisors.
6. **Inclusion** or **Inclusive** refers to the principle of acceptance, in which diversity is honoured and all individuals are accepted.
7. **Individual Education Plan (IEP)** refers to a written plan that describes special education programs, accommodations and services that a school board will provide for a student. IEPs are based on a thorough assessment of a student's strengths, needs and ability to learn and demonstrate learning.
8. **Local Code of Conduct Statements** refers to statements in addition to the TVDSB Code of Conduct created between the principal and School Council regarding the expectations and behaviour of individuals specific to the school.
9. **Mitigating Factors** and **Other Factors** refers to circumstances or considerations that may lessen the severity of disciplinary actions taken against a student, as per Ontario Regulation 472/00 of the Education Act. These factors are considered to ensure that the disciplinary response is fair, just, and appropriate to the individual situation.
10. **Parents** refers to parent(s) and guardian(s) and can also include caregivers or close family members who raise the child.
11. **Progressive Discipline** refers to a whole school approach that utilizes a continuum of prevention programs, interventions, supports, and consequences, which may include suspension and expulsion, to address inappropriate student behaviour, while accounting for individual circumstances. This approach builds upon strategies that promote and foster positive behaviours to create safe, inclusive, and accepting schools.
12. **Relationship-Based Approach** refers to the idea that healthy relationships are central to human development and are the basis through which trust, safety, connection and community are formed.

- 13. School Code of Conduct** refers to a collection of local code of conduct statements and the TVDSB code of conduct.
- 14. School Community** refers to the collective group of individuals who are connected to and interact within a school environment. This includes students, teachers, administrators, staff, bus drivers, volunteers, parents and caregivers, neighbours of the school, visitors and local community organizations.
- 15. School Council** refers to a group of parents, students, staff and principal that represent the perspectives of the school community. All schools are required to have one, based on the *Education Act*.
- 16. School Climate** refers to the learning environment and relationships found within a school and school community.
- 17. School Property** refers to TVDSB school buildings and surrounding property.
- 18. School Related Event** refers to any activity held at school or related to school. They may include time commitments outside of the regular school day and may occur off school property.
- 19. TVDSB Code of Conduct** refers to the Provincial Code of Conduct.
- 20. Virtual Learning Environments** refers to the digital spaces where students engage in learning with TVDSB staff, using a TVDSB virtual learning platform.