

Bias-Aware Progressive Discipline: Suspension, Expulsion, and Appeals Procedure

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- Policy and Program Memorandum 145: Progressive Discipline and Promoting Positive Student Behaviour
- Provincial Model for a Local Police/School Board Protocol 2015
- TVDSB Creating Safe and Caring Schools Policy (4008)
- TVDSB Equity and Inclusive Education Policy and Procedures (2022, 2022a and 2022b)
- TVDSB Harassment Policy and Procedure (3004)
- TVDSB Health and Safety Policy and Procedures (2005 and 2005a through m)
- TVDSB Resolving Public Concerns and Complaints Procedure (2031a).
- TVDSB Violence in the Workplace Policy and Procedure (3011)
- TVDSB Anti-Sex Trafficking Protocol

Table of Contents

Section 1: Intent, Definitions, Objectives and Roles and Responsibilities	4
1. Intent.....	4
2. Definitions	5
3. Objective of the Procedure	5
4. Roles and Responsibilities.....	5
Section 2: Understanding Progressive Discipline as a Whole School Approach	9
1. Progressive Discipline:.....	9
2. Prevention Through Promoting and Supporting Positive Student Behaviour	9
3. Understanding Progressive Discipline as a Continuum	11
Section 3: Reporting and Investigating Serious Student Incidents	12
1. Reporting Serious Student Incidents to the Principal	12

2.	Investigating Serious Student Incidents	13
3.	Consideration for Mitigating and Other Factors	14
4.	Delegation of Authority	15
Section 4: Record Keeping and Communication.....		16
1.	Documenting Serious Student Incidents and Progressive Discipline in a Student's Ontario Student Record (OSR).....	16
2.	Communication with Parents regarding Serious Student Incidents	16
3.	Withholding Communication and Notification Regarding Serious Student Incidents from Parents due to Risk of Harm.....	17
4.	Communication with TVDSB Staff Regarding Serious Student Incidents	17
Section 5: Suspensions, Expulsions and Appeals		19
1.	Incidents that may Lead to Suspension – Section 306(1) of the <i>Education Act</i>	19
2.	Other Non-Disciplinary Reasons for Suspension – Immunizations	19
3.	Incidents that Lead to Suspension and May Lead to Expulsion – Section 310(1) of the <i>Education Act</i>	20
4.	Reporting to Police and Violent Incidents	21
5.	Suspension Duration and Restrictions	22
6.	Notification of Suspension	22
7.	Suspension Appeal Process	23
8.	Prior to a Suspension Appeal Hearing	24
9.	During a Suspension Appeal Hearing	25
10.	Notification of Suspension Pending Recommendation of Possible Expulsion	26
11.	Formal Investigation Process.....	27
12.	Prior to an Expulsion Hearing	28
13.	During an Expulsion Hearing	29
14.	Expulsion Appeal Process	30
15.	Applying to Return to School after Expulsion.....	31

Section 6: Supports	33
1. Supports After a Serious Student Incident	33
2. Supports for Those Who Have Been Suspended or Expelled	33
3. Student transfers	34
4. Concerns Regarding Supports Provided	35
Section 7: Retention, Monitoring and Review and List of Appendices	36
1. Retention of Safe School Records	36
2. Monitoring and Review	36
3. List of Appendices	37
Appendix A – Safe and Inclusive School Plan	38
Appendix B (i) – One to Five Day Suspension Letter Template	39
Appendix B (ii)– Six to 20 Day Suspension Letter Template	40
Appendix C (i) – Suspension Appeal Hearing Letter	41
Appendix C (ii) – Suspension Appeal Hearing Decision Cover Letter	43
Appendix D (i) – Suspension Letter Pending Expulsion	44
Appendix D (ii) – Suspension Letter Pending Expulsion: U-Turn Information	46
Appendix D (iii) – Suspension Letter Pending Expulsion: Guidelines for Families	47
Appendix E (i) – Recommendation for No Expulsion Template Letter	49
Appendix E (ii) – Recommendation for No Expulsion: Mental Health Supports	51
Appendix E (iii) – Recommendation to Expel: Discipline Committee Notice Letter	53
Appendix F – Expulsion Hearing Decision Letter Template	55
Appendix G – Glossary of Terms Related to Section Five Paragraph Four	56
Appendix H – Definitions	58

Section 1: Intent, Definitions, Objectives and Roles and Responsibilities

1. Intent

- 1.1. This procedure operationalizes TVDSB Creating Safe and Caring Schools Policy (4008), and the Ministry of Education's Policy and Program Memoranda (PPM) 9, PPM 120, PPM 128, PPM 141, PPM 142, PPM 144, PPM 145.

2. Definitions

- 2.1. Due to the number of key terms throughout this procedure, all definitions are in Appendix H.
- 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. This procedure is TVDSB's approach to Progressive Discipline to:
 - 3.1.1. Create safe, accepting and Inclusive learning environments that are Identity-Affirming and rooted in principles of Equity and
 - 3.1.2. Ensure that every Student receives a supportive, Procedurally Fair, Trauma-Informed, Bias-Aware and whole school approach to Student discipline prior to, during and after any decision that may result in a suspension or expulsion.
- 3.2. To accomplish these objectives, TVDSB will:
 - 3.2.1. Focus on nurturing healthy relationships within the School Community.
 - 3.2.2. Maintain awareness that explicit and implicit Bias impacts our decisions and responses.
 - 3.2.3. Strive to understand the possible underlying causes of behaviour.
 - 3.2.4. Understand that behaviour is not reflective of someone's identity or self-worth.
 - 3.2.5. Proactively develop capacity within the School Community to understand Progressive Discipline as a continuum that supports the restoration and repair of relationships.
 - 3.2.6. Ensure that students, Parents and caregivers are able to actively participate in the Progressive Discipline process, by providing any necessary accessibility and language accommodations.

4. Roles and Responsibilities

- 4.1. All **TVDSB Employees**, including **Third-Party Contractors** are responsible for:
- 4.1.1. Supporting and prioritizing relationships, safety, connection and regulation to create safe and Inclusive environments;
 - 4.1.2. Addressing Student behaviour that may negatively impact another person's sense of safety and belonging;
 - 4.1.3. Supporting, modeling and promoting respectful and healthy relationships for all identities;
 - 4.1.4. Promoting and adhering to the TVDSB's School Code of Conduct (4008i);
 - 4.1.5. Actively working to acknowledge, recognize and reduce their explicit and implicit Biases and
 - 4.1.6. Reporting Serious Student Incidents using the electronic Safe Schools Incident Reporting Form.
- 4.2. The **Director of Education** is responsible for:
- 4.2.1. Providing opportunities for all members of the School Community to increase their knowledge and understanding of how to create safe, Inclusive and accepting schools;
 - 4.2.2. Providing opportunities for all members of the School community to deepen their awareness of individual and Systemic Bias;
 - 4.2.3. Providing communication and information in a Culturally Inclusive and accessible manner;
 - 4.2.4. Conducting the School Climate Survey, at least every two years, and using the results to inform future planning and
 - 4.2.5. Supporting and monitoring school-based Safe and Inclusive School Plans (Appendix A).
- 4.3. **Superintendents** are responsible for:
- 4.3.1. Providing consultation and leadership to principals on the adherence and implementation of this procedure and
 - 4.3.2. Providing consultation and leadership to principals to ensure that a Bias-Aware, Trauma-Informed, and Restorative Approach is applied to all decision-making.

4.4. **Principals** are responsible for:

- 4.4.1. Fostering a whole school approach to Progressive Discipline;
- 4.4.2. Reviewing and responding to all reports of Serious Student Incidents;
- 4.4.3. Conducting thorough investigations related to Serious Student Incidents;
- 4.4.4. Communicating and partnering with Parents and caregivers throughout the Progressive Discipline process;
- 4.4.5. Establishing a Safe and Inclusive School Team that must be chaired by a staff member and include the principal, at least one Parent or caregiver, teacher, non-teaching staff member or community partner, and ideally at least one Student;
- 4.4.6. Implementing and monitoring the school-based Safe and Inclusive School Plan (Appendix A) and posting it to the school website and
- 4.4.7. Supporting School-Based Staff's professional development and capacity building as it relates to Progressive Discipline.

4.5. **School-Based Staff** are responsible for:

- 4.5.1. Implementing Progressive Discipline within their classrooms, throughout the school (for example in the hall, on the yard, etc.) and during School-related Events.
- 4.5.2. Documenting Progressive Discipline strategies used with students.

4.6. **Teachers** and **Registered Early Childhood Educators** are responsible for:

- 4.6.1. Ongoing communication with Parents and caregivers related to Progressive Discipline and promoting positive Student behaviour.

4.7. **Parents and Caregivers** are responsible for:

- 4.7.1. Supporting, modelling and promoting respectful and healthy relationships for all identities to create safe and Inclusive school communities;
- 4.7.2. Reporting Serious Student Incidents to the principal of their Student's school;
- 4.7.3. Communicating and partnering with School-Based Staff throughout the Progressive Discipline process and
- 4.7.4. Adhering to the TVDSB's School Code of Conduct (4008i);

4.8. **Students** are responsible for:

- 4.8.1. Supporting, modelling and promoting respectful and healthy relationships for all identities to create safe and Inclusive school communities;
- 4.8.2. Adhering to the TVDSB's School Code of Conduct (4008i) and
- 4.8.3. Reporting Serious Student Incidents to their teacher(s) or their principal.

4.9. **School Community** is responsible for:

- 4.9.1. Supporting, modelling and promoting respectful and healthy relationships for all identities, to create safe and Inclusive school communities and
- 4.9.2. Adhering to the TVDSB's School Code of Conduct (4008i).

4.10. **Discipline Committee** is responsible for:

- 4.10.1. Overseeing Suspension Appeal Hearings and Expulsion Hearings and determining recommendations based on evidence provided by all parties.

4.11. **Vice Principal** is responsible for:

- 4.11.1. Tasks delegated to them by the principal as permitted by the *Education Act*.

4.12. **Teacher Designate** is responsible for:

- 4.12.1. Tasks delegated to them by the principal as permitted by the *Education Act*

Section 2: Understanding Progressive Discipline as a Whole School Approach

1. Progressive Discipline:

- 1.1. Is mandated by the Ministry of Education and is an evidence-informed approach.
- 1.2. Supports building and sustaining a positive School Climate that is safe, Inclusive and accepting for all students to support their education so that all students reach their full potential.
- 1.3. Is a strategy used to address all forms of negative actions and behaviours, including Safe Schools Incidents and Serious Student Incidents.
- 1.4. Is a whole school approach that involves Students, Parents and caregivers, TVDSB staff, and community partners to create systemic change.
- 1.5. Requires TVDSB staff to maintain ongoing and open dialogue with Parents and caregivers.
- 1.6. Requires the School Community to develop and maintain respectful and caring relationships between and amongst all adults and Students.
- 1.7. Requires explicit modelling and teaching of healthy relationships and the skills required to create them, as well as intentionally restoring and repairing relationships when harm has occurred.
- 1.8. Is a continuum of prevention strategies, interventions, supports and consequences that shift the focus from one that is solely punitive to one that is both corrective, supportive, and restorative.
- 1.9. Must always be developmentally and socio-emotionally appropriate.
- 1.10. Reinforces positive behaviours while supporting Students to learn from their mistakes and make better choices.

2. Prevention Through Promoting and Supporting Positive Student Behaviour

- 2.1. TVDSB believes that within the Progressive Discipline continuum, the focus should be on prevention and early intervention strategies, to support and maintain positive School Climates. To do so, TVDSB:
 - 2.1.1. Prioritizes relationships, safety, connection, regulation, and well-being to create safe and Inclusive environments, in support of student achievement.
 - 2.1.2. Strives to affirm all identities and provides TVDSB staff with Equity training

and resources, to create a more Culturally Responsive and Bias-Aware system.

- 2.1.3. Staff, when safe to do so, will respond to and address any Student behaviour that may negatively impact another person's sense of safety and belonging in a manner that is timely, Trauma-Informed, Culturally Inclusive, and Bias-Aware.
- 2.1.4. Provides educators with curriculum-aligned resources that contain strategies that support the development of healthy relationship skills, including but not limited to, social-emotional learning, consent, boundaries, and digital citizenship.
- 2.1.5. Supports and encourages Student-led activities and affinity groups that promote a safe and Inclusive learning environment and acceptance of and respect for others, as per subsection 303.1(1) of the *Education Act*.
 - 2.1.5.1. These may include, but are not limited to, groups and activities that promote gender equity; anti-racism; the awareness and understanding of, and respect for, people with disabilities; or awareness and understanding of, and respect for, people of all sexual orientations and gender identities.
 - 2.1.5.2. All names of activities and groups must be consistent with the promotion of a positive School Climate that is safe, Inclusive, and accepting of all Students.
- 2.1.6. Provides learning opportunities for all members of the School Community to understand expectations, through the use of the TVDSB School Code of Conduct (4008i), as well as more localized means such as the co-creation of staff and classroom agreements.
- 2.1.7. Invites collaboration from caregivers and community partners in the creation and review of the Safe and Inclusive School Plan (See Appendix A).
- 2.1.8. Actively engages and collaborates with community-based service providers to increase TVDSB's capacity to respond to the need of Students and families.
- 2.1.9. Provides learning opportunities for all members of the School Community to increase their knowledge and understanding of how to proactively create safe, Inclusive and accepting schools. Topics may include, but are not limited to Bullying, explicit and implicit Bias, discrimination and safe internet use.

3. Understanding Progressive Discipline as a Continuum

- 3.1. When considering the most appropriate response to address inappropriate behaviour the following will be taken into consideration:
 - 3.1.1. The particular Student, circumstances and their Intersecting Identities,
 - 3.1.2. The nature and severity of the behaviour and
 - 3.1.3. The impact on the School Climate, including the impact on other Students and individuals in the School Community.
- 3.2. TVDSB utilizes a variety of evidence-based, Trauma-Informed, and Culturally Responsive strategies, supports and resources in order to address inappropriate behaviours. These may include, but are not limited to the following:
 - 3.2.1. Co-regulation and De-Escalation Strategies.
 - 3.2.2. Ongoing communication between school and families.
 - 3.2.3. Conversations, discussions and reminders to review expectations and problem solve with Students so they can identify alternative behavioural choices.
 - 3.2.4. Restorative Approaches to repair harm and restore relationships.
 - 3.2.5. Explicitly teaching skill development related to areas such as communication, identification and management of emotions, healthy relationships, conflict resolution, and more.
 - 3.2.6. The development, implementation and revision of Safety Plans.
 - 3.2.7. Volunteering to support the school or broader community.
 - 3.2.8. Physically repairing damaged materials when appropriate and possible.
 - 3.2.9. Connecting a Student with school-based supports such as counselling and mental health supports, with Parental consent, as required.
 - 3.2.10. Connecting families with outside referrals to community-based service providers.
 - 3.2.11. Depending on the severity of the behaviour, suspensions and/or expulsions may be considered for Serious Student Incidents as outlined in the *Education Act*.

Section 3: Reporting and Investigating Serious Student Incidents

1. Reporting Serious Student Incidents to the Principal

1.1. The purpose of reporting Serious Student Incidents is to ensure that the principal is aware of any activities taking place in the school for which suspension or expulsion must be considered and to help ensure a positive School Climate. The following guidelines outline the responsibilities and processes for different groups within the School Community.

1.1.1. Parents and caregivers, Students, and general public

1.1.1.1. If someone listed in 8.1.1. has concern of a Serious Student Incident, they are to report it to the principal, who will file a written report using the electronic Safe Schools Incident Reporting Form , by end of day.

1.1.2. TVDSB staff

1.1.2.1. TVDSB staff will report Serious Student Incidents to the principal as soon as reasonably possible, considering the safety of others and the urgency of the situation in reporting the incident;

1.1.2.1.1. In cases where immediate action is required, a verbal report may be made

1.1.2.1.2. All reports are to be confirmed in writing using the electronic Safe Schools Incident Reporting Form, by end of day.

1.1.3. TVDSB Regulated Healthcare Professionals

1.1.3.1. In certain situations, TVDSB Regulated Healthcare Professionals, who are engaged in a clinical relationship with a Student shall report Serious Student Incidents to the principal as soon as it is, in their professional opinion, reasonably possible to do so without having a negative impact on the nature of the clinical relationship, in accordance with section 300.2 of Part XIII of the *Education Act*.

1.1.3.2. TVDSB Regulated Healthcare Professionals will also report in a manner that is consistent with the code of ethics and the standards of practice of their respective professions, matters that could result in the Student doing physical, emotional, or psychological harm to themselves and others.

1.1.3.3. Any reports to the principal, are to be confirmed in writing using the electronic Safe Schools Incident Reporting Form.

1.1.4. Before and After School Program Operators

- 1.1.4.1. Serious Student Incidents will be reported to the principal by the before and after school program supervisor, in consultation with the before and after school program staff who witnessed the event.
- 1.1.4.2. The principal will be notified as soon as reasonably possible, considering the safety of others and the urgency of the situation in reporting the incident.
 - 1.1.4.2.1. All reports are to be completed by the before and after school program supervisor, in writing using the electronic Safe Schools Incident Reporting Form.
- 1.1.5. Other Third-Party Contractors
 - 1.1.5.1. Third-Party Contractors will report Serious Student Incidents to the principal as soon as reasonably possible, considering the safety of others and the urgency of the situation in reporting the incident.
 - 1.1.5.1.1. In cases where immediate action is required, a verbal report may be made.
 - 1.1.5.1.2. All reports are to be confirmed in writing using the electronic Safe Schools Incident Reporting Form, as soon as reasonably possible.
- 1.1.6. Principal
 - 1.1.6.1. If the principal is the sole witness to a Serious Student Incident, they are required to complete the electronic Safe Schools Incident Reporting Form, by end of day.

2. Investigating Serious Student Incidents

- 2.1. In order to investigate a Serious Student Incident, it needs to have happened:
 - 2.1.1. On School Property;
 - 2.1.2. At any School-Related Event;
 - 2.1.3. In Virtual Learning Environments and/or
 - 2.1.4. In other circumstances, when the actions have a significant impact on the overall well-being of members of the school and the School Climate.
- 2.2. All investigations will be conducted in a Trauma-Informed, Bias-Aware, and Restorative Approach:
 - 2.2.1. Principals will conduct investigations in a manner that is Trauma-Informed, which includes:
 - 2.2.1.1. Asking participants if they would prefer to have a support person or advocate with them.

- 2.2.1.2. Considerations for breaks, space and flexibility of movement, in support of regulation.
- 2.2.1.3. Understanding how trauma may affect someone's experience and recollection of an incident.
- 2.2.2. Principals will acknowledge and recognize that everyone, including themselves, holds explicit and implicit Biases, regardless of intention. Principals will actively work to identify explicit and implicit Biases throughout the investigation and take steps to mitigate for them.
- 2.2.3. Principals will conduct their investigation using a Restorative Approach, with the intention to build, maintain and repair relationships between everyone involved. This approach is in alignment with Progressive Discipline in that it shifts the focus from one that is solely punitive to one that is both corrective and supportive.

3. Consideration for Mitigating and Other Factors

- 3.1. The following Mitigating Factors will be taken into account when considering a suspension: A suspension may not be imposed if one or more of the following Mitigating Factors are relevant:
 - 3.1.1. The Student does not have the ability to control their behaviour or understand the possible consequences of their behaviour.
 - 3.1.2. The Student's continuing presence in the school does not create an unacceptable risk to the safety of any other person.
- 3.2. A principal will also consider whether the following other factors would mitigate the seriousness of the activity for which the Student is being considered for suspension:
 - 3.2.1. The Student's history;
 - 3.2.2. Whether a Progressive Discipline approach has been used with the Student;
 - 3.2.3. 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, sexual orientation or any other protected grounds of the Human Rights Code;
 - 3.2.4. How the suspension or expulsion would affect the Student's ongoing education;
 - 3.2.5. The age of the Student; and

3.2.6. In the case of a Student for whom an Individual Education Plan (IEP) has been developed:

3.2.6.1. Whether the behaviour was a manifestation of a disability identified in the Student's IEP;

3.2.6.2. Whether appropriate individualized accommodation has been provided;

3.2.6.3. Whether the suspension or expulsion is likely to result in an aggravation or worsening of the Student's behaviour or conduct; and

3.2.7. Where the student has a safety plan, whether that plan was being considered.

4. Delegation of Authority

4.1. Delegation to a vice-principal may include all authority of the principal under Part XIII of the *Education Act* except the final decision regarding a recommendation to expel a Student and the authority to suspend a Student for six or more school days.

4.2. Delegation to a teacher is limited to include the authority to conduct the initial investigation and to report all details to the principal, as soon as possible.

Additionally, principals may delegate to a teacher the limited ability to contact the Parents of Students involved to provide information about the nature of the harm and the activity that lead to it. A teacher cannot be delegated the authority to discuss the nature of any discipline measures taken in response to the activity.

Section 4: Record Keeping and Communication

1. Documenting Serious Student Incidents and Progressive Discipline in a Student's Ontario Student Record (OSR)

- 1.1. When Progressive Discipline strategies have been used to address a Serious Student Incident, the principal will ensure that the Safe Schools Incident Reporting Form Part 1 is filed, in all relevant Student OSR.
- 1.2. In the case of the Student who has been harmed by a Serious Student Incident, no information about the incident will be placed in the OSR, unless expressly requested by the Student's Parents.
 - 1.2.1. In situations where the Student who has been harmed has also caused harm, the Safe School Incident Reporting Form will be filed in the Student's OSR.
- 1.3. If no Progressive Discipline strategies are used by the principal, the principal is not required to retain the Safe Schools Incident Reporting Form.

2. Communication with Parents regarding Serious Student Incidents

- 2.1. When notifying Parents of Serious Student Incidents, principals should consider how to do so in a way that is Trauma-Informed, Culturally Inclusive and accessible.
- 2.2. If the student is an Adult Student, consent is required before communicating with Parents and caregivers.
- 2.3. When notifying Parents and caregivers, principals are not to disclose the name, or any other identifying or personal information of others involved.
- 2.4. When notifying Parents and caregivers, the principal must discuss what supports could be provided for their child.
- 2.5. Principals are required to notify the Parents or caregivers of Students who have been harmed as a result of a Serious Student Incident and disclose the following information:
 - 2.5.1. The nature of the activity that resulted in harm to the Student;
 - 2.5.2. The nature of the harm to the Student;
 - 2.5.3. The steps taken and plans created to protect the Student's safety, including the nature of any Progressive Discipline measures taken in response to the

activity, including suspension and expulsion and

2.5.4. The supports that will be provided for the Student in response to the harm that resulted from the activity.

2.6. Principals are required to notify the Parents or caregivers of Students who have engaged in a Serious Student Incident, disclosing the following information:

2.6.1. The nature of the activity that resulted in harm to the other Student(s);

2.6.2. The nature of the harm to the other Student(s);

2.6.3. The nature of any Progressive Discipline measures taken in response to the activity and

2.6.4. The supports that will be provided for the Student in response to their engagement in the activity.

3. Withholding Communication and Notification Regarding Serious Student Incidents from Parents due to Risk of Harm

3.1. Under subsection 300.3(3) of the *Education Act*, the principal will not notify a Parent or caregiver of a Student if in their opinion, doing so would put the Student at risk of harm from the Parent or caregiver.

3.1.1. Principals must document the rationale for their decision and notify any teacher who reported the incident, their Superintendent of Student Achievement, and any other necessary TVDSB employees, based on Student safety.

3.2. In consultation with their Superintendent of Student Achievement, discussions regarding appropriate referrals to TVDSB resources or community-based service providers will be determined.

3.3. In circumstances where TVDSB employees have reason to believe that a Student may be in need of protection, there is a duty to report according to the requirements of the *Child, Youth and Family Services Act, 2017*.

4. Communication with TVDSB Staff Regarding Serious Student Incidents

4.1. The principal must provide the employee who reported the incident with a written acknowledgement using the electronic Safe Schools Incident Reporting Form, indicating whether the investigation has been completed or is still in progress.

4.2. Upon completion of the investigation, the principal must:

- 4.2.1. Communicate the results of the investigation to the teacher that made the report.
 - 4.2.2. Communicate the results of the investigation to other board employees, if the principal considers it appropriate to do so.
 - 4.2.3. Only disclose personal information that is reasonably necessary in communicating the results of the investigation.
- 4.3. If, in the principal's professional judgement, a student's behaviour(s) may present a potential risk of physical harm to school staff, the principal must communicate the following to relevant staff who work with the student in order for them to carry out their duties including addressing inappropriate student behaviour:
- 4.3.1. Relevant progressive discipline information found in the student's OSR pertaining to behaviour(s) that may present risk of physical harm to that staff member.
 - 4.3.2. The information provided to staff as a result of 4.3.1 is confidential and must not be shared with anyone.

Section 5: Suspensions, Expulsions and Appeals

1. Incidents that may Lead to Suspension – Section 306(1) of the *Education Act*

1.1. A principal may suspend a Student, if they believe the Student has engaged in any of the activities listed below:

- 1.1.1. Uttering a threat to inflict serious bodily harm on another person;
- 1.1.2. Possessing alcohol, illegal drugs, or unless the Student is a medical cannabis user, cannabis;
- 1.1.3. Being under the influence of alcohol or unless the Student is a medical cannabis user, cannabis;
- 1.1.4. Swearing at a teacher or at another person in a position of authority;
- 1.1.5. Committing an act of vandalism that causes extensive damage to school property at the Student's school or to property located on the premises of the Student's school;
- 1.1.6. Bullying;
- 1.1.7. Engaging in an act, which according to the principal, harms the well-being of another member of the School Community, whether through implicit or explicit bias, prejudice or hate based on grounds protected by the Ontario Human Rights Code. Acts involving competing rights will follow the principles outlined by the Ontario Human Rights Commission. Engaging in any act considered by the principal to be injurious to the physical or mental well-being of any member of the School Community.

1.2. If a Student in junior kindergarten (also known as Year 1) to Grade 3 has engaged in any of the activities listed above, the principal will not consider suspension. The principal must provide positive behaviour supports and should refer to Paragraph 3.2 of Section 2 for potential options.

2. Other Non-Disciplinary Reasons for Suspension – Immunizations

2.1. In accordance with the Immunization of School Students Act, Reg. 645, the Medical Officer of Health may order that a Student be suspended or excluded from school where the Student is not immunized as required by legislation and is not legally exempt from being immunized.

- 2.2. On behalf of the Medical Officer of Health, TVDSB will cooperate with all immunization-related suspension direction.

3. Incidents that Lead to Suspension and May Lead to Expulsion – Section 310(1) of the *Education Act*

- 3.1. If a Student in junior kindergarten (also known as Year 1) to Grade 3 has engaged in any of the activities listed below, the principal has five days to conduct a formal investigation to determine if the Student should be suspended or expelled.

- 3.2. If a Student in Grade 4 to 12 has engaged in any of the activities listed below, the principal will suspend the Student, with consideration for mitigating and other factors as outlined in Paragraph 3 of Section 3 of this procedure. The principal then has five days to investigate and determine whether the Student should be suspended or expelled.

3.2.1. Possessing a weapon, including possessing a firearm.

3.2.2. Using a weapon to cause or to threaten bodily harm to another person.

3.2.3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner.

3.2.4. Committing sexual assault.

3.2.5. Trafficking in weapons or in illegal drugs.

3.2.6. Committing robbery.

3.2.7. Giving alcohol or cannabis to a minor.

3.2.8. Bullying, if,

3.2.8.1. The pupil has previously been suspended for engaging in Bullying

3.2.8.2. The pupil's continuing presence in the school creates an unacceptable risk to the safety of another person.

3.2.9. Any activity listed in subsection 306 (1) of the Act 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 protected grounds.

3.2.10. Engaging in any act considered by the principal to be injurious to the physical or mental well-being of any member of the School Community;

4. Reporting to Police and Violent Incidents

- 4.1. If the principal determines that a Student's actions require a report to the police as per paragraph 4.2 or 4.3, the principal must communicate the student's intersecting identities, accommodations, and exceptionalities prior to the police interacting with the student.
- 4.2. Where the Student is 12 years of age or older, the following incidents (see Appendix G for relevant definitions) must be reported to police, as per the Provincial Model for a Local Police/School Board Protocol 2015:
 - 4.2.1. All deaths;
 - 4.2.2. Physical assault causing bodily harm requiring medical attention;
 - 4.2.3. Sexual assault;
 - 4.2.4. Robbery;
 - 4.2.5. Criminal harassment;
 - 4.2.6. Relationship-based violence;
 - 4.2.7. Possessing a weapon, including possessing a firearm;
 - 4.2.8. Using a weapon to cause or threaten bodily harm to another person;
 - 4.2.9. Threats of serious bodily harm or death;
 - 4.2.10. Non-consensual sharing of intimate images;
 - 4.2.11. Gang-related occurrences;
 - 4.2.12. Trafficking in weapons or illegal drugs;
 - 4.2.13. Possessing an illegal drug;
 - 4.2.14. Hate and/or Bias motivated occurrences;
 - 4.2.15. Extortion;
 - 4.2.16. Arson and
 - 4.2.17. Bomb threats.
- 4.3. The following Serious Student Incidents are considered Violent Incidents, as outlined in PPM 120. Where the Student is 12 years of age or older, principals must follow the Provincial Model for a Local Police/School Board Protocol 2015 regarding notification

of the police:

- 4.3.1. Possessing a weapon, including possessing a firearm;
- 4.3.2. Physical assault causing bodily harm requiring medical attention;
- 4.3.3. Sexual assault;
- 4.3.4. Robbery;
- 4.3.5. Using a weapon to cause or to threaten bodily harm to another person;
- 4.3.6. Extortion and
- 4.3.7. Hate and/or Bias-motivated occurrences.

5. Suspension Duration and Restrictions

- 5.1. A suspension means that a Student is removed from school temporarily for up to 20 school days. During this time, the Student:
 - 5.1.1. Cannot attend or take part in regular school activities or events and
 - 5.1.2. Cannot attend any TVDSB property.
- 5.2. When determining the length of a suspension, the principal will consider Mitigating Factors and other factors as outlined in Paragraph 3 of Section 3.
- 5.3. A Student may only be suspended once for any incident or infraction.
- 5.4. For suspensions of one to five days, the suspension is processed and authorized by the principal.
- 5.5. Suspensions of six to 10 days are initiated by the principal in consultation with their Superintendent of Student Achievement.
- 5.6. Suspensions of 11 to 20 days are initiated by the principal in consultation with the Superintendent of Safe Schools and Well-Being and the Associate Director of Learning Support Services.

6. Notification of Suspension

- 6.1. Upon completion of the investigation, if the principal determines they will proceed with a suspension under Section 306(1) of the *Education Act*, the following steps must be followed:
 - 6.1.1. If the Student is not an Adult Student, the principal will notify the Student's Parent(s) or caregiver(s), as soon as possible, and no later than within 24

hours of their decision. This initial communication will outline the reason for suspension and the length.

- 6.1.2. If the suspension is for six or more days, the principal will refer the Student to TVDSB's Alternative Suspension Program (ASP), called U-Turn, for suspended and expelled Students.

- 6.1.2.1. Students cannot be compelled to attend; however, they should be strongly encouraged to participate.

- 6.1.3. The principal will provide written notice of the suspension as soon as possible, as per Appendix B.

- 6.1.3.1. If the Student is an Adult Student, the letter should be addressed directly to them, otherwise the letter is addressed to their Parent(s) or caregiver(s) and copied to the Student.

- 6.1.3.2. All letters should also be copied to the Superintendent of Student Achievement and the OSR.

- 6.1.4. Principals will also notify the Student's teacher(s) of the suspension and collaborate on any necessary schoolwork being provided for the Student.

7. Suspension Appeal Process

- 7.1. An appeal of a suspension may be made to the Superintendent of Safe Schools and Well-Being within 10 school days from the start of the suspension. The notice to appeal a suspension does not delay or pause the suspension.

- 7.2. Both Parent(s) and caregiver(s), as well as Adult Students may appeal, to the Discipline Committee, a principal's decision to appeal a suspension of any length.

- 7.3. Upon receipt of a written notice of appeal, the Superintendent of Safe Schools and Well-Being (or designate) will:

- 7.3.1. contact the school principal to inform them of the intent to appeal the suspension;

- 7.3.2. invite the Parent(s), caregiver(s) or Adult Student to discuss any matter related to the incident or appeal of the suspension;

- 7.3.3. review the suspension (reason, duration, and mitigating or other factors);

- 7.3.4. consult with the principal and/or the Superintendent of Student Achievement for the school regarding modification or expunging of the suspension if appropriate (the Superintendent of Safe Schools and Well-Being, or

designate, has the authority to confirm or modify the suspension and/or expunge the record after review);

7.3.5. try to focus on the main problems and find a solution that everyone agrees on;

7.3.6. where a settlement is not effected, provide notice of the review decision to Parent(s), caregiver(s) or Adult Student.

7.4. Following attempts at resolution, the Parent(s), caregiver(s) or Adult Student who wishes to proceed with the appeal shall be notified that a hearing will be held to review the suspension.

8. Prior to a Suspension Appeal Hearing

8.1. The hearing will be scheduled to occur within 15 school days (counting PA days, not counting school holidays) intention unless both parties agree to an extension.

8.2. A minimum of five days prior to the expulsion hearing all parties will exchange their disclosure documents, including:

8.2.1. An outline of each party's position on the discipline imposed;

8.2.2. Copies of any documents the party proposes to submit at the hearing;

8.2.3. A list of the witnesses and a brief outline of what they will say, if either party plans to include witnesses.

8.3. If the Student or Parent/caregiver wish to bring legal counsel, written notice must be provided three business days (school holidays excluded) prior to the Expulsion Hearing to the Superintendent of Student Achievement - Safe Schools and Well-Being Portfolio. The need for legal representation could impact the date and time of the hearing.

8.4. Each party will be provided with an outline of the process for the hearing by the assistant to the Superintendent of Safe School and Well-Being, including requirements for sharing of documentation and process for calling witnesses.

8.5. The Discipline Committee will request the following parties to attend the hearing:

8.5.1. The Parent(s), caregiver(s), or Adult Student

8.5.2. the Student,

8.5.3. the principal,

8.5.4. the Superintendent of Student Achievement for the School

8.5.5. Any other necessary parties

8.6. Minutes of Settlement are available for parties to sign prior to the hearing. The parties are encouraged, where possible, to agree on facts, documents or other evidence which are not in dispute between them. If Minutes of Settlement are signed, parties are not required to attend the hearing. The decision of the Discipline Committee is then binding.

8.7. The hearing will be scheduled for one hour. Notice of the date, time and location of the hearing will be provided to the parties in advance. If any party fails to attend the hearing, the Discipline Committee may proceed in the absence of the party.

8.8. If participants require access to technology or language interpretation services, TVDSB will assist and facilitate any necessary accommodations.

9. During a Suspension Appeal Hearing

9.1. The suspension appeal hearing will be held virtually and In Camera. Since intimate personal matters involving the Student, and in some cases other persons, will be disclosed at the hearing, the interests the privacy of the Student and such other persons outweigh the desirability of holding a public hearing and require that the hearing be held In Camera.

9.2. The Superintendent of Safe Schools and Well-Being or designate will act in an advisory role to the Committee on procedural matters during the hearing and the Committee's subsequent deliberations.

9.3. The Superintendent of Safe Schools and Well-Being or designate will introduce all parties in attendance and then seek consent regarding the recording of the expulsion hearing. If consent is not provided, minutes will be recorded.

9.4. The Superintendent of Safe Schools and Well-Being will facilitate the following:

9.4.1. Overview of all documents provided by TVDSB regarding the incident

9.4.2. The principal's statement of events and investigation details

9.4.3. Any clarifying questions regarding the principal's statement

9.4.4. The Parent/caregiver/Adult Student's statement of events

9.4.5. Any clarifying questions regarding the Parent/caregiver/Adult Student's

statement

9.4.6. Parent/caregiver/Adult Student's closing statement

9.4.7. Principal's closing statement

9.4.8. Adjournment of the hearing

9.5. Once the hearing has been adjourned, the Discipline Committee will deliberate and share their results in writing within 24-48 hours, using form Suspension Appeal Letter (Appendix C).

9.6. Potential results of the hearing include:

9.6.1. confirm the principal's decision;

9.6.2. modify the duration of the suspension;

9.6.3. expunge the record; or

9.6.4. make such other orders as it deems appropriate.

9.7. The decision of the Discipline Committee is final.

9.8. The Superintendent of Safe Schools and Well-Being Portfolio will report out to the Board the decision of the Discipline Committee during the *In Camera* part of the Board meeting.

10. Notification of Suspension Pending Recommendation of Possible Expulsion

10.1. If a principal suspends a Student based on section 310(1) of the *Education Act*, the following steps must be followed:

10.1.1. If the Student is not an Adult Student, the principal will notify the Student's Parent(s) or caregiver(s), as soon as possible, and no later than within 24 hours of their decision.

10.1.2. The principal will refer the Student to TVDSB's Alternative Suspension Program (ASP), called U-Turn, for suspended and expelled Students.

10.1.2.1. Students cannot be compelled to attend; however, they should be strongly encouraged to participate.

10.1.3. The principal will provide written notice of the suspension pending expulsion as soon as possible, as per Appendix D

10.1.3.1. If the Student is an Adult Student, the letter should be addressed directly to them, otherwise the letter is addressed to their Parent(s) or caregiver(s) and copied to the Student.

10.1.3.2. All letters should also be copied to the Superintendent of Student Achievement and the OSR.

10.1.4. Principals will also notify the Student's teacher(s) of the suspension and collaborate on any necessary schoolwork being provided for the Student.

11. Formal Investigation Process

11.1. If a Student in junior kindergarten (also known as Year 1) to Grade 3 has engaged in a Serious Student incident outlined in section 310(1) of the *Education Act*, the principal has five days to conduct a formal investigation to determine if the Student should be suspended or expelled.

11.2. When a principal suspends a Student from Grade 4 to Grade 12, under section 310(1) of the *Education Act*, the principal has five days to conduct a formal investigation to determine if it will proceed before the Discipline Committee and be recommended for expulsion.

11.3. During the course of all formal investigations, the principal will make every reasonable effort to interview the following:

11.3.1.1. The Student who engaged in the Serious Student Incident.

11.3.1.2. Any Student(s) who may have been harmed by the Serious Student Incident.

11.3.1.3. Any witnesses suggested by the Student or their Parent(s) or caregiver(s) or who engaged in the Serious Student Incident.

11.3.1.4. Any witnesses suggested by the Student(s) who may have been harmed by the Serious Student Incident.

11.3.1.5. The Parent(s) and or caregiver(s) of the Student who engaged in the Serious Student Incident.

11.3.1.6. Any staff or other adult witnesses to the incident.

11.4. By the end of the fifth school day (counting Professional Activity (PA) Days, not counting holidays), the principal will complete their investigation. They will consult with their Superintendent of Student Achievement, the Superintendent of Safe Schools and Well-Being and the Associate Director of Learning Support Services. One of the following recommendations will be made and verbal notice will be provided to the Parent(s), caregiver(s) or Adult Student:

11.4.1. No suspension;

11.4.2. Suspension only;

11.4.3. Recommendation for expulsion from school (limited expulsion) or

11.4.4. Recommendation for expulsion from all schools in TVDSB (full expulsion).

11.5. The principal will provide written confirmation of the recommendation, as soon as reasonably possible, following the letters/forms outlined in Appendix E

11.5.1.1. If the Student is an Adult Student, the letter should be addressed directly to them, otherwise the letter is addressed to their Parent(s) or caregiver(s) and copied to the Student.

11.5.1.2. All letters should also be copied to the Superintendent of Student Achievement and the OSR.

12. Prior to an Expulsion Hearing

12.1. The hearing will be scheduled to occur within 20 school days (counting PA Days, not counting school holidays) from the start of the suspension pending recommendation for possible expulsion.

12.2. A minimum of five days prior to the expulsion hearing all parties will exchange their disclosure documents, including:

12.2.1. An outline of each party's position on the discipline imposed;

12.2.2. Copies of any documents the party proposes to submit at the hearing;

12.2.3. A list of the witnesses and a brief outline of what they will say, if either party plans to include witnesses.

12.3. If the Parent(s), caregiver(s) or Adult Student wish to bring legal counsel, written notice must be provided three business days (school holidays excluded) prior to the Expulsion Hearing to the Superintendent Safe Schools and Well-Being Portfolio. The need for legal representation could impact the date and time of the hearing.

12.4. Each party will be provided with an outline of the process for the hearing by the assistant to the Superintendent of Safe School and Well-Being Portfolio, including requirements for sharing of documentation and process for calling witnesses.

12.5. The Discipline Committee will request the following parties to attend the hearing:

12.5.1. The Parent(s), caregiver(s), or Adult Student

12.5.2. the Student,

12.5.3. the principal,

12.5.4. the Superintendent of Student Achievement for the School

12.5.5. Any other necessary parties

12.6. Minutes of Settlement are available for parties to sign prior to the hearing. The parties are encouraged, where possible, to agree on facts, documents or other evidence which are not in dispute between them. If Minutes of Settlement are signed, parties are not required to attend the hearing. The decision of the Discipline Committee is then binding.

12.7. The hearing will be scheduled for two hours. Notice of the date, time and location of the hearing will be provided to the parties in advance. If any party fails to attend the hearing, the Discipline Committee may proceed in the absence of the party.

12.8. If participants require access to technology or language interpretation services, TVDSB will assist and facilitate any necessary accommodations.

13. During an Expulsion Hearing

13.1. The expulsion hearing will be held virtually and In Camera. Since intimate personal matters involving the Student, and in some cases other persons, will be disclosed at the hearing, the interests the privacy of the Student and such other persons outweigh the desirability of holding a public hearing and require that the hearing be held In Camera.

13.2. The Superintendent of Safe Schools and Well-Being or designate will act in an advisory role to the Committee on procedural matters during the hearing and the Committee's subsequent deliberations.

13.3. The Superintendent of Safe Schools and Well-Being or designate will introduce all parties in attendance and then seek consent regarding the recording of the expulsion hearing. If consent is not provided, minutes will be recorded.

13.4. The Superintendent of Safe Schools and Well-Being will facilitate the following:

13.4.1. Overview of all documents provided by TVDSB regarding the incident;

13.4.2. The principal's statement of events and investigation details;

13.4.3. Any clarifying questions regarding the principal's statement;

- 13.4.4. The Parent/caregiver/Adult Student's statement of events;
 - 13.4.5. Any clarifying questions regarding the Parent/caregiver/Adult Student's statement;
 - 13.4.6. Parent/caregiver/Adult Student's closing statement;
 - 13.4.7. Principal's closing statement and
 - 13.4.8. Adjournment of the hearing.
- 13.5. Once the hearing has been adjourned, the Discipline Committee will deliberate and share their results in writing within 24-48 hours, using Hearing Decision Letter (Appendix F).
- 13.6. Potential results of the hearing include:
- 13.6.1. Should the Discipline Committee decide not to expel, it will either:
 - 13.6.1.1. Consider whether alternative discipline is warranted;
 - 13.6.1.2. Uphold the suspension and its duration;
 - 13.6.1.3. Uphold the suspension and shorten its duration;
 - 13.6.1.4. Cancel the suspension and remove any record so that no record of the suspension remains in the OSR; or
 - 13.6.1.5. Make other such orders as the Discipline Committee considers appropriate.
 - 13.6.2. Should the Discipline Committee decide to expel, the Committee must decide whether to impose a school-based expulsion or expulsion from TVDSB. Where the Committee determines to impose a school-based expulsion, it must assign the Student to another school in TVDSB. Where the Committee determines to expel from TVDSB, it must assign the Student to a program for expelled Students.
- 13.7. The Superintendent of Safe Schools and Well-Being will report out to the Board the decision of the Discipline Committee during the In Camera part of the Board meeting.

14. Expulsion Appeal Process

- 14.1. The Adult Student or the Student's Parent(s) or caregiver may appeal TVDSB's decision to expel a Student to the Child and Family Services Review Board in accordance with the procedures set out by the Ministry of Education. The decision of

the Child and Family Services Review Board is final.

15. Applying to Return to School after Expulsion

- 15.1. A Student who is subject to a TVDSB-wide expulsion is entitled to apply in writing for re-admission to a TVDSB school once they have successfully completed a program for expelled Students and have satisfied the objectives required for completion of the program, as determined by the Superintendent of Safe Schools and Well-Being. TVDSB shall re-admit and inform the Student in writing of the re-admission.
- 15.2. A Student who is subject to a school-based expulsion may apply in writing to TVDSB to be reassigned to the school from which they were expelled.
- 15.3. TVDSB will consider whether the Student's attendance will have a negative impact on the School Climate, including any Students who were previously harmed, where applicable;
- 15.4. The Student will be required to demonstrate that they have learned from the incident and have sought counselling, where appropriate;
- 15.5. TVDSB may, in its sole discretion, determine that a different school than the one from which the Student was expelled is a more appropriate placement for the Student.
- 15.6. When a Student has successfully met the objectives of the program for expelled Students, the Student must be readmitted to a regular day school. A re-entry plan must be developed as part of the Student Action Plan (SAP) to assist with the Student's transition and integration back into the school. The re-entry plan should contain the following elements:
 - 15.6.1. a description of the re-entry process for successful transition back to school
 - 15.6.2. identification of the types of support in both the academic and non-academic components that are needed to sustain Student learning.
- 15.7. A meeting must be convened including the following:
 - 15.7.1. TVDSB board level staff;
 - 15.7.2. staff of the school the Student will be attending;
 - 15.7.3. the Student;
 - 15.7.4. the Parent(s) or caregivers if the Student is not an adult;
 - 15.7.5. where appropriate, other supports or advocates

15.7.6. the Student's teacher(s) where possible;

15.7.7. Interpretation services as needed.

Section 6: Supports

1. Supports After a Serious Student Incident

- 1.1. When a Serious Student Incident occurs, supports must be considered and offered for all members of the School Community who were involved, including witnesses who may have been impacted.
 - 1.1.1. Specifically, school-based plans need to be created to support and protect students who have been harmed. These plans must be communicated with Parents and caregivers, as per Section 4, Paragraph 1.5.3.
- 1.2. The goal is to support the physical, emotional, and mental health and well-being of those involved while restoring and repairing relationships.
- 1.3. Consideration should be given for immediate supports such as crisis support lines, as well as more long-term supports.
 - 1.3.1. Principals should consider collaborating with Students and families, alongside the staff within their buildings, other TVDSB staff, and community service-providers, in order to provide the most appropriate support and care.

2. Supports for Those Who Have Been Suspended or Expelled

2.1. Academic and non-academic supports

- 2.1.1. For suspensions of one to five days, Students will be provided with opportunities to continue their academic progress with a homework package created by the school.
- 2.1.2. For suspensions of six to 10 days, Students will be referred to TVDSB's Alternative Suspension Program (ASP), called U-Turn, and an academic Student Action Plan (SAP) must be created. The school may share a homework package until the SAP is implemented.
- 2.1.3. For suspensions of 11 to 20 days, Students will be referred to TVDSB's Alternative Suspension Program (ASP), called U-Turn, and an academic and non-academic Student Action Plan (SAP) must be created. A homework package may be shared by the school until the SAP is implemented.

2.2. Preparing for the return of Students after suspension

- 2.2.1. As a principal prepares for the return of a Student from suspension, they

must consider the following:

- 2.2.1.1. How to restore and repair any relational damage that has occurred. A Restorative Approach should be the focus whenever a Student returns from suspension.
- 2.2.1.2. Who does the principal need to communicate and collaborate with prior to the Student's return, in order to support everyone's physical, emotional, and mental health and well-being.
- 2.2.1.3. How can the school support the Student in creating and achieving co-created goals so that the Student can achieve success moving forward.

2.3. Re-entry meetings

- 2.3.1. When conducting re-entry meetings, the principal should invite:
 - 2.3.1.1. the Student, their Parent(s) or caregiver(s), and any additional supports or advocates they would like to have in attendance
- 2.3.2. When conducting re-entry meetings, the principal should consider inviting:
 - 2.3.2.1. The Student's educator(s)
 - 2.3.2.2. Any other school-based supports
 - 2.3.2.3. Any TVDSB supports
 - 2.3.2.4. Any community-based supports
 - 2.3.2.5. Interpretation services as needed
- 2.3.3. When determining a time and location for re-entry meetings, principals should be flexible and take into consideration alternative locations, times, and modalities, rather than defaulting to in-person in the principal's office.
- 2.3.4. For suspensions of one to five days, re-entry meetings are strongly encouraged.
- 2.3.5. For suspensions of six to 20 days, re-entry meetings are required, in order to review the Student Action Plan (SAP).

3. Student transfers

- 3.1. In cases where Students are being transferred to another school in order to preserve school safety, boards are required to coordinate a "transfer meeting" between the school from which the Student is being transferred and the receiving school.
- 3.2. In cases where the transfer is necessary to protect a Student, it is preferable that the Student who has been harmed not be moved.

- 3.3. The purpose of the transfer meeting is to put in place a transition strategy to identify any additional supports and resources that the Student may require (e.g. supports provided by school-based employees of the board, by board personnel, or through a community-based service provider, including mental health services).
- 3.4. The meeting must include the teachers and other School-Based Staff that will have regular direct contact with the Student. The Student that is being moved and their Parent(s) or caregiver(s) should also be invited to the transfer meeting.
- 3.5. Schools must make reasonable efforts to accommodate Parent or caregiver participation at this meeting. The transfer meeting must occur prior to the day or on the day the Student is transferred.
- 3.6. Prior to the start of the transfer meeting, the principal must inform all staff in attendance that they must treat any information about the Student and the incident disclosed at the meeting as confidential.
- 3.7. When the meeting occurs on the day the Student is transferred, it must occur before the Student attends class.
- 3.8. The receiving school must also be in possession of the Student's OSR prior to the occurrence of the transfer meeting, and the OSR must be available to be consulted at the meeting.

4. Concerns Regarding Supports Provided

- 4.1. If unsatisfied with the supports provided in paragraphs 1, 2 or 3 of this section, members of the public should follow the TVDSB Resolving Public Concerns and Complaints Procedure (2031a).

Section 7: Retention, Monitoring and Review and List of Appendices

1. Retention of Safe School Records

- 1.1. All Safe Schools Incident Reporting Forms will be retained for one year from the date of the incident.
- 1.2. *Suspension with No Expulsion and No Violent Incident* filed in the OSR. The suspension letter is retained for one year from the date of the incident that resulted in the suspension.
- 1.3. *Suspension with No Expulsion relating to a Violent Incident*. The suspension letter and the Violent Incident Report are retained for three years from the date of the incident in the OSR.
- 1.4. *Expulsion (with no further expulsion)*. The Letter of Expulsion and Incident Report are retained in the OSR for five years from the date of incident.
- 1.5. *Second expulsion*. The Letter of Expulsion and Incident Report are retained for five years from the date of the incident.

2. Monitoring and Review

- 2.1. TVDSB will conduct anonymous School Climate surveys of Students, staff and Parents at least once every two years. The results of the survey will be used to inform the TVDSB Student Achievement Plan and the Safe and Inclusive School Plan in all TVDSB schools.
- 2.2. In alignment with PPM 120, TVDSB will report the total number of Violent Incidents on an annual basis to the Ministry of Education through the OnSIS. All Violent Incidents that occur on school premises during school-run programs will be reported to the Ministry of Education, whether the Violent Incident was committed by the Student of the school or whether it was committed by any other person. This data will be analyzed by the TVDSB Board to determine the nature of Violent Incidents to track trends and inform planning.
- 2.3. All TVDSB schools must establish a Safe and Inclusive School Team that is responsible for developing and monitoring the Safe and Inclusive School Plan. School Teams will use data, including results from the anonymous School Climate survey, to inform the development of these plans with a focus on preventing and responding to serious student incidents, including bullying, and concerns related to

other inappropriate behaviour. A summary of key actions that schools will implement in response to areas of greatest need will be shared annually on school websites.

- 2.4. TVDSB will monitor and review board specific data related to suspensions and expulsions, whenever Provincial data is released. This information will be analyzed to look for disproportionate outcomes and to inform future planning, revisions to procedure, as well as any necessary training.

3. List of Appendices

- 3.1. Safe and Inclusive School Plan (Appendix A)
- 3.2. Suspension Letter Templates (Appendix B)
- 3.3. Suspension Appeal Hearing Letters (Appendix C)
- 3.4. Suspension Letter Pending Expulsion (Appendix D)
- 3.5. Expulsion Template Letter(Appendix E)
- 3.6. Hearing Decision Letter Template (Appendix F)
- 3.7. Glossary of Terms Related to Section Five Paragraph Four (Appendix G)
- 3.8. Definitions (Appendix H)

School Name

2024-2025 Safe and Inclusive School Plan



Our school is committed to providing all students with a safe, caring, and inclusive learning environment free from bullying and harassment that promotes respect, acceptance, and empathy.

Staff, students, parents and caregivers, and community partners will work together as a team to help make our school safe and welcoming for everyone.

The Safe and Inclusive School Plan highlights some of the key actions that our school community will put in place as part of our bullying prevention and intervention efforts.

Key Priorities and Goals

This year we are focusing on **<insert priority/goals>**

We are doing this to/because **<insert purpose/desired outcome>**

Key Actions or Strategies

- **<insert key action, strategy, initiative>**
- **<insert key action, strategy, initiative>**
- **<insert key action, strategy, initiative>**

Community and Home Connections

- Ask your child about **<insert idea here>**
- Try **<insert idea>** at home with your child.
- Check out this resource **<insert resource>** about **<insert topic>**

Appendix B (i) – One to Five Day Suspension Letter Template



[School Name]
[School Address]

[mm/dd/yyyy]

[Parent/Legal Guardian Name]
[Parent/Legal Guardian]
[Address]

Suspension Notice Letter 1 - 5 school days

Dear [Parent/Legal Guardian,]

RE: [Student Name] OEN #: [###-###-###] Grade: [##]
Date of Birth: [mm/dd/yyyy] Incident ID: [#####]

Please be advised that by the authority of the Principal, [Student Name] has been suspended from attending [School Name] and from engaging in all school-related activities. This suspension is for [#] school day(s). This suspension will remain in effect from [mm/dd/yyyy] to [mm/dd/yyyy] inclusive. This suspension applies to all school buildings, grounds, school buses and functions. If the student is in the school or on school property during the suspension, the student will be charged under the Access to School Premises Regulation or Trespass to Property Act. [Student Name] is expected to return to school on [mm/dd/yyyy]. Please report to the school office prior to going to classes.

The reason for the suspension is [Reason from the Education Act]. Specifically, [Description of the incident]. The location of the incident was: [location] on [mm/dd/yyyy] at [hh:mm] [AM/PM].

In accordance with the Board's Safe Schools Policy and Procedure (copy available from school or Board website, <https://www.tvdsb.ca/modules/document/document.aspx>), should you wish to appeal this suspension, you must provide written notice of your intention to appeal within 10 school days of the commencement of the suspension addressed to Dennis Wright, Superintendent of Student Achievement, Thames Valley District School Board, 1250 Dundas Street, London ON, N5W 5P2 or send via email to Laurie Szymanski, Executive Assistant to Superintendent Dennis Wright at l.szymanski@tvdsb.ca.

For more information/support, <https://www.tvdsb.ca/en/parents/safe-schools-families-and-caregivers.aspx>

Sincerely,

[Principal Name]
Principal

cc: [Superintendent Name], Superintendent
Ontario Student Record
Student

Appendix B (ii)– Six to 20 Day Suspension Letter Template



Thames Valley
District School Board

[School Name]
[School Address]
[School Phone Number]

[mm/dd/yyyy]

[Parent/Legal Guardian]
[Parent/Legal Guardian
address]

Suspension Notice Letter 6-20 days

RE: [Student Name]
Date of Birth: [mm/dd/yyyy]

OEN #: [###-###-###]

Grade: [##]
Incident ID: [#####]

Please be advised that [Student Name] has been suspended from attending [School Name] and from engaging in all school-related activities. This suspension is for [#] school day(s) and will remain in effect from [mm/dd/yyyy] to [mm/dd/yyyy] inclusive. This suspension applies to all school buildings, grounds, school buses and functions. If the student is in the school or on school property during the suspension, the student will be charged under the Access to School Premises Regulation or Trespass to Property Act. [Student Name] is expected to return to school on [mm/dd/yyyy]. Please report to the office prior to returning to classes.

The reason for the suspension is [Reason from the Education Act]. Specifically, [Description of the Incident] The location of the incident was: [Location] on [mm/dd/yyyy] at [hh:mm] [AM/PM]

[Student Name] has been assigned an alternative suspension program, a program for suspended students. Please confirm the student's participation at your earliest opportunity. As soon as we receive notice, a planning meeting will be scheduled. [Student Name] participation in an alternative Suspension Program will provide an opportunity for continued academic work and support for self management to assist with the re-entry to school.

In accordance with the Board's Safe Schools Policy and Procedure (copy available from school or Board website <https://www.tvdsb.ca/modules/document/document.aspx>), should you wish to appeal this suspension, you must provide written notice of your intention to appeal within 10 school days of the commencement of the suspension addressed to Dennis Wright, Superintendent of Student Achievement, Thames Valley District School Board, 1250 Dundas Street, London ON, N5W 5P2 or send via email to Laurie Szymanski, Executive Assistant to Superintendent Dennis Wright at l.szymanski@tvdsb.ca.

For more information/support, please visit <https://www.tvdsb.ca/en/parents/safe-schools-families-and-caregivers.aspx>

Sincerely,

[Principal Name]
Principal

cc: [Superintendent Name], Superintendent
[Superintendent of Safe Schools Name], Superintendent of Safe Schools
OSR
Student

Appendix C (i) – Suspension Appeal Hearing Letter



Thames Valley
District School Board

[Insert Name], Superintendent of Student Achievement

[Date]

[Recipient's Name]
[Recipient's Address]

Dear *[Recipient's Name]*:

Re: Notice of Suspension Appeal Hearing for [Student Name] DOB: [DD/MM/YYYY]

Further to your email of *[Date]*, confirming your wish to attend a suspension appeal hearing, please note the following details regarding the hearing:

Location:

Thames Valley District School Board, Education Centre – **(Virtual)**
1250 Dundas Street, London ON N6A 5L1

Date: *[Day]*, *[Date]*, *[Time]*. - **Virtual – Teams meeting**

The Hearing has been set for one hour. Both parents are permitted and encouraged to attend the hearing.

Parties to the Hearing on behalf of the Thames Valley District School Board will be:

- Representing the School: Principal *[Principal Name]* and Superintendent *[Superintendent Name]*
- Chair: *[Chair Name]*, Superintendent of Student Achievement, Safe Schools
- Recorder, *[Executive Assistant Name]*, Executive Assistant to *[Superintendent of Safe Schools Name]*
- Discipline Committee (comprised of three Thames Valley District School Board Trustees)

Pre-Hearing Disclosure:

Per section 7.5.3 of the enclosed Safe School Procedure of the Thames Valley District School Board, you are to provide the following information five (5) days in advance of the Hearing:

1. Your intent to bring Legal Counsel
2. An outline of your position, setting out the reason for the appeal of the suspension.
3. Copies of any documents which you propose to submit at the Hearing.
4. If you propose to call witnesses, a list of the witnesses whom you intend to call and a brief outline of what each witness will say.

Appendix C (i) – Suspension Appeal Hearing Letter

Please find enclosed the disclosure material from the Principal of [School Name]. This material will be brought to the Hearing:

1. Summary of the Principal's findings which gave rise to the suspension.
2. School Code of Conduct
3. Thames Valley District School Board Code of Conduct

Please note that if you do not attend the Hearing, the Discipline Committee may proceed with the Suspension Appeal Hearing in your absence and you may not be entitled to any further notice of the proceeding.

Please contact me if you have any questions regarding this process.

Sincerely,

[Superintendent of Safe Schools Name]
Superintendent of Student Achievement, Safe Schools

Enclosures

c: [Principal's Name], Principal, [School Name]
[Superintendent's Name], Superintendent of Student Achievement, [School Name]

Appendix C (ii) – Suspension Appeal Hearing Decision Cover Letter



[Insert Name], Director of Education and Secretary

Date

Parent Name

Parent Address

Dear *[Adult Pupil's Name/ Parent's/Guardian's Name]*:

An Appeal Hearing regarding the Suspension of *Name of Student*, a student of *Name of School* was held on *date, time location*.

The Suspension Details are as follows:

1.1 Reason for suspension

1.2 Length of suspension

1.3 Date(s) suspension was served

It is the decision of the Discipline Committee that: *details of decision*

Should you have any questions, please contact me at 519-452-2000.

Sincerely,

{Superintendent Name}

Superintendent of Student Achievement, Safe Schools

cc: Superintendent of Student Achievement
(Name) Principal

Thames Valley District School Board - Learning Support Services

1250

Dundas Street, London, Ontario N5W 5P2 Tel: (519) 452-2000 Fax: (519) 452-2485 website: www.tvdsb.ca

We build each student's tomorrow, every day.

Appendix D (i) – Suspension Letter Pending Expulsion

(School Letterhead)

Date

(type parent/legal guardian or student name here if student 18 yrs of age or older)
(type address here)
(type City here) ON (type Postal Code)

Dear type parent/legal guardian or student name here if student 18 yrs of age or older):

**RE: SUSPENSION PENDING POSSIBLE RECOMMENDATION FOR EXPULSION
(type student name here). Date of Birth: (YYYY/MMM/DD), Grade:**

☐ **Identified Student (if so, attach Suspension of Identified Student form)**

This will confirm that the above named student of (type school name here school) has been suspended from school, effective (type date here) pursuant to the requirements of the Education Act and the Board's Safe Schools Policies and Procedures.

The Education Act requires that the Principal immediately suspend a student where the Principal believes that the student may have committed an infraction for which the student may be expelled. Based on the information which has come to my attention, it is my belief that (you/Student's name) may have committed the following infraction on (type date here):

(select only one applicable infraction from list below which is inline with the theSIS options – do not alter the statements)

- Giving cannabis to a minor
- Giving alcohol to a minor
- 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
- Committing a physical assault on another person that causes bodily harm requiring treatment by a medical practitioner
- Possessing a weapon, including possessing a firearm
- Bullying, if, i. the pupil has previously been 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
- Committing a robbery
- Committing a sexual assault
- Trafficking in weapons or in illegal drugs
- Using a weapon to cause or to threaten bodily harm to another person
- 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 that the pupil be expelled. 2007, c. 14, s. 4; 2012, c. 5, s. 14

This suspension applies to all school buildings, grounds, school buses and functions with the exception of the assigned Alternative Suspension Program location. If (you/Student's name) (is/are) in any other Thames Valley District School Board school or on any other Board property during the suspension, (you/he/she) will be charged under the Access to School Premises Regulation or Trespass

to Property Act.

Please be advised that I am continuing my investigation of this matter in order to determine whether to recommend to the Discipline Committee of the Board that (type you or student's name here) be expelled. An expulsion may be from (type school name here) or from all schools of the Board. You will be informed of the results of my investigation in writing.

The Board is committed to the education and future of its pupils. An Alternative Suspension program provides pupils with the opportunity to continue academic work and receive support for self management. Please find enclosed information about the Alternative Suspension, U-Turn. Please contact the school at your earliest opportunity to discuss educational programming for (name).

You do not have the right to appeal the suspension at this time. Should it be determined at the conclusion of the investigation that a recommendation for expulsion will not be made, you will be entitled to appeal the suspension to the Discipline Committee of the Board. Should it be determined that a recommendation for expulsion is warranted, then you may address the suspension before the Discipline Committee at the expulsion hearing.

Sincerely,

(Principal's name)
Principal

c: (home school superintendent name), Superintendent of Student Achievement, (School Name)
Dennis Wright, Superintendent of Student Achievement, Safe Schools & Well-Being
Student
Ontario Student Record

Enclosure:

U-turn – Long Term Suspension and Expulsion Program
Suspension and Expulsion Guidelines for Families



U-Turn Long Term Suspension and Expulsion Program

Re: U-Turn - Long Term Suspension and Expulsion Program

The Thames Valley District School Board's U-Turn program is designed to support students who are on long term suspension (6 – 20 days) or expulsion.

The **U-Turn** program will provide students with the opportunity to stay on track with their academic courses and will provide personal and social educational programming to help students explore the underlying reasons for their suspension/expulsion. U-Turn is accessible only through a referral from the suspending/expelling home school. U-Turn is a voluntary program in which students must choose to participate.

The U-Turn program consists of a site-based delivered program and an itinerant teacher delivered program. Students suspended for 6 to 10 days will meet with itinerant teachers in designated locations near the student's home school area. The student's schedule will be developed by the itinerant teacher and the student. Students who are suspended for 11 to 20 days will attend the site-based program daily for the duration of their suspension. Students who have been expelled will attend the site-based program on a daily basis until they have achieved the objectives of the program and are deemed ready to return to a TVDSB school.

Restorative practices are an integral part of the U-Turn program. By focusing on *the behaviour and not the student*, the program aims to break through some of the barriers students have in exploring the behaviours that led to suspension or expulsion. Students who engage in behaviours that lead to suspension or expulsion are increasingly disconnected from the school and their community. Students in the site-based U-Turn program will participate in daily activities to help them build relationships with their peers and staff and to build a sense of community within the group. All U-Turn students who are returning to their home schools will participate in a re-entry process that will prepare them and their school communities for the students' return. This will assist students with the transition and lead to a successful return to school.

Please contact the Principal/Vice-Principal of your school if you are interested in the U-Turn program.

Appendix D (iii) – Suspension Letter Pending Expulsion: Guidelines for Families



Thames Valley
District School Board

Suspension and Expulsion Guidelines for Families

A Principal who receives a report that a student has committed an infraction for which a suspension may be imposed, or for which a suspension pending possible expulsion shall be imposed, must conduct an investigation. A notice of 'Suspension Pending Possible Expulsion' will be given to the family.

An investigation into a disciplinary infraction should focus on two central inquiries:

1. **Fact-Finding:** Did the student commit the act they were reported to have committed?
2. **Disciplinary Response:** If the principal is satisfied that the student committed the reported act, what is the appropriate disciplinary response?

In 5 days from the suspension date the family will be given notice of either 'Recommendation of Expulsion' or 'Decision not to Expel'.

Procedural Fairness

Implementation of the board's suspension and expulsion procedures shall reflect the principles of procedural fairness, which include:

- the right to notice, including the right to know the reasons for a decision.
- the right to be heard, including the right to legal representation.
- the right to an evidence-based decision.
- the right to confidentiality.
- the right to an impartial and unbiased decision-maker.

Expulsion Hearing

Pre-Expulsion Hearing Meeting

The Principal for the school shall invite the student and parent/guardian to discuss the expulsion hearing, the expulsion hearing process, and Alternative Education program – U-turn.

The following documents will be shared with the student and parent/guardian:

- Hearing Notice letter
- Principal Investigation Summary
- School Code of Conduct
- TVDSB Code of Conduct
- Minute of Settlement

Minutes of Settlement - An Alternative to the Formal Expulsion Hearing

There are times where parent(s)/legal guardian(s)/adult student support the school administration's recommendation for expulsion. They are in agreement with the Principal that the U-Turn Program for expelled and long term suspended students offers the programming that will provide the needed academic and behavioural supports for the student.

Minutes of Settlement provide a written confirmation from the parent(s)/legal guardian(s)/adult student, and the school administration that they will agree to the decision of the Discipline Committee. The Principal meets with the parent(s)/legal guardian(s) and the student or the adult student to explain this option and receive signed confirmation. The Minutes of Settlement are presented by the Superintendent of Student Achievement responsible for Safe Schools to the Discipline Committee. If the family signs the Minutes of Settlement, they are no longer required to attend an Expulsion Hearing.



Suspension and Expulsion Guidelines for Families

Pre-Hearing Disclosure

Per section 9.2 of the enclosed Safe Schools Procedure of the Thames Valley District School Board, you are to provide the following information five (5) days in advance of the Hearing:

1. An outline of your position, setting out your position on the circumstances which gave rise to the recommended expulsion and your position on the discipline imposed;
2. Copies of any documents which you propose to submit at the Hearing; and
3. If you propose to call witnesses, a list of the witnesses whom you intend to call and a brief outline of what each witness will say.

Expulsion Hearing

A Principal's recommendation that a student be expelled shall be determined at an Expulsion Hearing before the Board of Trustee's Student Discipline Committee. The Hearing is set for a maximum of two hours and each party will be given one hour to present their case.

The parties to expulsion hearing are:

- a) the Principal and School Superintendent of Student Achievement
- b) the suspended adult student or the parent/guardian of a non-adult student.
- c) Chair: Superintendent of Student Achievement, Safe Schools
- d) Recorder: Executive Assistant to Superintendent of Student Achievement, Safe Schools

You may bring legal counsel to represent you before the Discipline Committee. If you intend to bring legal counsel, please provide written notice three (3) business days prior to the Expulsion Hearing to Superintendent of Student Achievement, Safe Schools.

Upon completion of the hearing, the Student Discipline Committee shall decide.

- a) whether to expel the student; and if the student is to be expelled shall assign the student to the board's U-turn program.
- b) if the student is not to be expelled, whether the suspension imposed pending a determination of expulsion should be:
 - i. confirmed and upheld for the duration imposed by the principal.
 - ii. confirmed, but for shorter duration, even if it has been served with an amendment to the record of suspension; or
 - iii. quashed, even if it has been served, and the record of suspension expunged.

The Student Discipline Committee shall give written notice of its decision to all parties. Written notice of a decision to expel will include:

- a) the reasons for the decision.
- b) if expulsion, whether a School or Board Expulsion.
- c) information about the program to which the student is assigned.
- d) information about the right to appeal, and how to exercise that right.

Appendix E (i) – Recommendation for No Expulsion Template Letter

(school letterhead)

(Date)

(type parent/legal guardian or student name here if student 18 yrs of age or older)

(type address here)

(type City here) ON (type Postal Code)

Dear type parent/legal guardian or student name here if student 18 yrs of age or older):

**RE: DECISION - NOT TO RECOMMEND EXPULSION
 (STUDENT NAME), Date of Birth: (YYYY/MM/DD), Grade:**

I am writing to report the result of my investigation following (your/Student's name) suspension. I have decided to recommend to the Discipline Committee that (you/Student's name) not be expelled.

As part of my investigation, I have reviewed (your/Student's name) suspension, and I have determined that the suspension should be (number) school days, from date to date. This suspension applies to all school buildings, grounds, school buses and functions. If (you/Student's name) (is/are) in the school or on school property during the suspension, (you/he/she) will be charged under the Access to School Premises Regulation or Trespass to Property Act. (You/Student's name) may return to school on date at (time) and (is/are) to report to the office prior to returning to classes.

Please be advised that this suspension is made in accordance with the *Education Act* and the Board's Safe Schools Policies and Procedures. The reason for this suspension is:

(select only one applicable infraction from list below which is inline with the theSIS options – do not alter the statements. Please note, the infraction used for the expulsion may no longer be appropriate)

- Bullying
- Activities engaged in by the pupil that cause extensive damage to the property of the Board
- Being under the influence of alcohol or cannabis, unless the pupil is a medical cannabis user
- Medical/Immunization
- Engaging in any act considered by the principal to be injurious to the moral tone of the school
- Engaging in any act considered by the principal to be injurious to the physical or mental well-being of any member of the school community
- Possessing alcohol or illegal drugs (except cannabis)
- Activities engaged in by the pupil that case the pupils presence in the school to be injurious to the physical or emotional well-being of other pupils or persons in the school
- Any other activity that is an activity for which a principal may suspend a pupil under a policy of the board. 2007, c. 14, s. 4
- 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 that the pupil be expelled. 2007, c. 14, s. 4; 2012, c. 5, s. 14
- Uttering a threat to inflict serious bodily harm on another person
- Committing an act of vandalism that causes extensive damage to school property at a pupil's school or to property located on the premises of the pupil's school
- Swearing at a teacher or at another person in a position of authority
- Giving cannabis to a minor
- Giving alcohol to a minor
- 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
- Committing a physical assault on another person that causes bodily harm requiring treatment by a medical practitioner
- Possessing a weapon, including possessing a firearm
- Bullying, if, i. the pupil has previously been 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
- Committing a robbery
- Committing a sexual assault
- Trafficking in weapons or in illegal drugs
- Using a weapon to cause or to threaten bodily harm to another person

Specifically, (you/Student's name) (Specific Details of the incident)

I have arranged for an interview with you in my office at (time) on (date) for reinstatement. If this time is not convenient, please contact me. **OR** Reinstatement plans are as discussed on (date).

(only include the two paragraphs regarding Alternative Suspension Program (U-turn) if the suspension is 6 – 20 days)

In addition (name of student/you) (has/have) been assigned an Alternative Suspension Program, a program for suspended students. This Alternative Suspension Program will provide an opportunity for continued academic work and support for self-management to assist with the re-entry to school.

Please confirm (student's/your) participation in an Alternative Suspension Program at your earliest opportunity by contacting the school. As soon as notice of (student's/your) participation is received a planning meeting will be scheduled

In accordance with the Board's Safe Schools Policy and Procedure (copy available from school or Board website, <https://www.tvdsb.ca/modules/document/document.aspx>), should you wish to appeal this suspension, you must provide written notice of your intention to appeal within 10 school days of the commencement of the suspension addressed to Dennis Wright, Superintendent of Student Achievement, Thames Valley District School Board, 1250 Dundas Street, London ON, N5W 5P2 or send via email to Laurie Szymanski, Executive Assistant to Superintendent Dennis Wright at l.szymanski@tvdsb.ca

If you provide notice of your intention to appeal, you may contact Dennis Wright, Superintendent of Student Achievement to discuss the appeal. If the suspension has been reduced in length, the appeal is from the reduced suspension. Please be aware that an appeal does not stay the suspension.

Sincerely,

(Principal's name)
Principal

c: (your school superintendent name), Superintendent of Student Achievement, (School Name)
Dennis Wright, Superintendent of Student Achievement, Safe Schools and Well-being
Student
Ontario Student Record

Enclosure: Mental Health Supports for Children & Youth

Mental Health Supports for Children & Youth



The caring relationships you have with students will help them feel supported to cope with a traumatic event. Reach out to other members of your school team to request assistance in supporting a student you are concerned about. You are not alone. It's essential that you take care of yourself, too — for your well-being, and so you're better able to support students.

Support for Children and Youth

Children and youth react differently depending on their age, lived experiences, and proximity to the event. Children and youth pay close attention to how the adults react during these times. It is best to focus on facts in a way that they will understand. Let their questions guide how much information you share.

Early elementary children need brief, simple information that should be balanced with reassurances.
Middle elementary children may ask more questions and need assistance separating facts from misinformation.
Upper elementary and secondary students may have strong and varying opinions about the situation.

Considerations at Home

- Maintaining a regular schedule helps children feel calm, safe, and supports overall mental health.
- Encourage your child to get plenty of sleep, regular meals, and exercise.
- Encourage your child to keep up with their schoolwork and extracurricular activities but don't push them if they seem overwhelmed.
- Encourage your child to take breaks from the news and social media.
- Seek to understand the type of images, videos and information your child is being exposed to.
- Check-in with your child about how they understand the situation and how they are coping.
- Think about the conversations that adults have with each other in front of children, even teenagers.
- Help children identify at least one adult at school and in the community to whom they may go for support.
- Understand that some young people may not talk about their feelings. Changes in behavior, appetite, and sleep patterns may tell you that they are having a hard time.
- Bring up the topic of the traumatic event at a time and place where a discussion can occur. If there are distractions, a shortage of time or if either you or your child are too tired or busy, it is likely the conversation will be interrupted.
- Let your child tell you what they believe they know, how they learned it and how they are feeling. Open-ended questions are suggested. For example, ask "How are you feeling about what happened?" rather than "Are you scared because of what happened?"
- Know that children who have had other traumatic experiences may have more intense responses.
- Seek professional support if anxiety, stress, worry, or discomfort is getting in the way of daily functioning.

Community Resources

If there is a mental health emergency, please visit your local Hospital Emergency Department or call 911.

Kids Help Phone: 24/7 crisis support: 1-800-668-6868, text 686868, www.kidshelpphone.ca for web chat

Reach Out Crisis Support: (519)433-2023 or 1-866-933-2023, www.reachout247.ca for web chat

Atlohsa Family Healing Services: 1-800-605-7477 (24/7 crisis support)

Tandem: formerly Crisis Intake Team (CIT): 519-433-0334 (London and Middlesex), 0-18 years and caregivers

CMHA: (24/7 Walk in support): Located at 648 Huron St. in London, Ontario (London and Middlesex), Oxford and Elgin locations are also available, 16 years+

Wellkin Child & Youth Mental Wellness: 519-539-0463 or 1-877-539-0463 (Oxford Elgin)

Appendix E (iii) – Recommendation to Expel: Discipline Committee Notice Letter

[school letterhead]

[Date]

PARENT/GUARDIAN ADDRESS

Dear Parent/Guardian or Student if over 18:

RE: NOTICE OF RECOMMENDATION FOR EXPULSION
Student name, Date of Birth: (yyyy,mm,dd)Grade:

I am writing to you following my investigation to determine whether to recommend an expulsion. As a result of my investigation, I have decided to recommend to the Discipline Committee of the Board of Trustees that [you/pupil's name] be expelled.

You will be provided a notice of the Expulsion Hearing, together with further details on the process. This notice will be sent by Dennis Wright, Superintendent of Student Achievement, for Thames Valley District School Board, 1250 Dundas Street, London, Ontario, N5W 5P2.

You will be provided with an opportunity to make a presentation to the Discipline Committee about:

- whether [you/pupil's name] should be expelled,
- if [you/pupil's name] [are/is] expelled, whether [you/s/he] should be expelled from [School Name] or from all schools of the Board,
- if no expulsion is imposed, your position with respect to the suspension.

The Discipline Committee will determine:

- whether [you/pupil's name] should be expelled,
- whether [your/pupil's name] expulsion should be from [School Name] or from all schools of the Board
- not to expel.

Should the Discipline Committee decide not to expel [you/pupil's name], the Discipline Committee will review the suspension. The Discipline Committee may confirm the suspension, confirm but shorten the suspension and amend the record accordingly, or withdraw the suspension and expunge the record. The decision of the Discipline Committee with respect to the suspension is final and is not subject to appeal.

.../2

Thames Valley District School Board - Learning Support Services

1250 Dundas Street, London, Ontario N5W 5P2 Tel: (519) 452-2000 Fax: (519) 452-2485
website: www.tvdsb.ca

We build each student's tomorrow, every day.

If [you/pupil's name] [are/is] expelled from [School Name], the Discipline Committee will assign [you/pupil's name] to a program provided at another school of the Board. If [you/pupil's name] [are/is] expelled from all schools of the Board, the Discipline Committee will assign [you/pupil's name] to a program for expelled pupils.

You previously received information about the program for expelled pupils, U-Turn. The program for expelled pupils will provide [you/pupil's name] with an opportunity to pursue academic work and receive additional supports.

Sincerely,

(Principal Name)
Principal

c: (home school superintendent name), Superintendent of Student Achievement
(safe schools superintendent name, Superintendent of Student Achievement, Safe Schools & Well-being
Student
Ontario Student Record

Thames Valley District School Board - Learning Support Services

1250 Dundas Street, London, Ontario N5W 5P2 Tel: (519) 452-2000 Fax: (519) 452-2485
website: www.tvdsb.ca

We build each student's tomorrow, every day.

Appendix F – Expulsion Hearing Decision Letter Template



[Insert Name], Director of Education and Secretary

RECOMMENDATION FOR EXPULSION DECISION OF THE DISCIPLINE COMMITTEE

Thames Valley District School Board

IN THE MATTER OF Section 311.3
of the *Education Act*, as amended.

-and-

IN THE MATTER OF a recommendation by
[Principal Name], Principal, *[School Name]* for the expulsion of
[Student Name], a pupil of *[School Name]*

Decision

UPON being satisfied that the Discipline Committee has jurisdiction to conduct the hearing pursuant to section 311.3 of the *Education Act*.

AND UPON being satisfied that the proper parties to the hearing are *[Student name]* and *[Principal Name]*, Principal of *[School Name]*.

AND UPON being satisfied that the parties received reasonable notice of the hearing.

AND UPON having provided an opportunity to the Appellant to make submissions, having heard the submissions of the Principal, having read any materials submitted by the parties, having considered the facts and any mitigating and/or other factors referred to by the parties, and having retired to consider the matter.

THE DISCIPLINE COMMITTEE does hereby impose an *[Decision of Discipline Committee]*; recommends the pupil to the program for expelled or suspended pupils (information regarding U-turn, the Board's Program for expelled or suspended pupils, has already been shared with you. If you need further information on the U-Turn program for expelled or suspended pupils, please contact *[Principal Name]*, Principal, at 519-452-2000, ext. [#####]; and require that the pupil successfully complete and meet the objectives of the program for expelled or suspended pupils before being re-admitted to a regular day school program in Ontario for the following reason:

THE DISCIPLINE COMMITTEE is satisfied that *[Student Name]* did *[Reason from Education Act]*, contrary to section 310 of the Education Act and the Board's Safe Schools Policy. Specifically, *[Description of the incident]*. The Discipline Committee recommends that *[Student Name]* receive appropriate counselling and supports offered through the program for expelled or suspended students if applicable.

If *[Student Name]* is in any TVDSB day school or on any TVDSB day school property, *[Student Name]* will be charged under the Access to School Premises Regulation or Trespass to Property Act.

Should you wish to appeal this decision, you may do so to the Child and Family Services Review Board (pursuant to section 311.7 of the Education Act). (applicable for expelled students only)

DATED this *[Day]* day of *[Month]* 2024 and signed on behalf of the Discipline Committee and Board of Trustees by the Chair of the Discipline Committee.

[Name of Superintendent of Safe Schools], Superintendent of Student Achievement
Chairperson of the Discipline Committee

Thames Valley District School Board - Learning Support Services

1250 Dundas Street, London, Ontario N5W 5P2 Tel: (519) 452-2000 Fax: (519) 452-2485
website: www.tvdsb.ca

Appendix G – Glossary of Terms Related to Section Five Paragraph Four

These definitions have been developed with input from the Ministry of Education and the Ministry of Community Safety and Correctional Services, along with their partners and are from the Provincial Model for a Local Police/School Board Protocol 2015. The purpose of this glossary of terms is to explain some of the terms that are used in Section Five, Paragraph Four of this document.

- **Criminal Harassment** occurs when: (1) a person repeatedly follows an individual from place to place or repeatedly communicates, directly or indirectly, by any means (including electronic means), with an individual, or watches the home or place of work of an individual, or engages in threatening conduct directed at a person or a member of that person's family; and (2) the victim of the criminal harassment is caused to reasonably, in the circumstances, fear for his or her safety.
- **Extortion** refers to the use of threats, intimidation, or violence towards a person to obtain something of value from that person or someone else, or to cause that person or someone else to do something.
- **Gang-related occurrences** refers to Incidents involving a group that consists of three or more persons, however organized, and has as one of its main purposes the commission or facilitation of a criminal offence in which any or all of the members engage.
- **Hate and/or Bias motivated occurrences** refers to incidents (e.g., involving statements, words, gestures) motivated by hatred or bias towards an identifiable group (i.e., a group distinguished by colour, race, religion, gender, sexual orientation, or ethnic origin) that are publicly communicated and that are wilfully intended to promote or incite bias or hatred against such a group.
- **Non-consensual sharing of intimate images** refers to knowingly publishing, distributing, transmitting, selling, making available, or advertising an intimate image of another person while knowing that the person depicted in the image did not give their consent, or being reckless as to whether the person gave their consent. The term "intimate image" refers to a visual recording such as a photograph, film, or video recording of a person in which the person is nude or engaged in explicit sexual activity and which was created in circumstances that gave rise to a reasonable expectation of privacy.

- **Possessing an illegal drug** having a controlled substance (e.g., a drug or narcotic, as set out in the Controlled Drugs and Substances Act) in one's personal possession or possessing it jointly with others, including knowingly possessing an illegal drug elsewhere.
- **Relationship-Based Violence** any behaviour or action that is used to scare, harm, threaten, control, intimidate, or injure another person within an intimate relationship. The behaviour or action can be physical, sexual, or emotional, and it may comprise a single act of violence, regardless of the level of physical injury, or a number of acts forming a pattern of abuse through the use of assaultive and controlling behaviour.
- **Robbery** refers to the use of violence or threats of violence to steal money or other property from a victim.
- **Sexual Assault** refers any type of unwanted sexual act done by one person to another that violates the sexual integrity of the victim. The term refers to a range of behaviours that involve the use of force or control over the victim. In some cases, no overt physical force is used – instead, the victim may be threatened with words or pressured into doing something he or she doesn't want to do.
- **Threats** refers any statement, act, or communication, by any means, including electronic means, of an intent to cause harm, whether physical or emotional, to any person or thing, in circumstances where the person threatened believes or has grounds to believe the threat may be carried out.
- **Trafficking** refers to assisting in any manner with the distributing of a controlled drug or substance, as set out in the Controlled Drugs and Substances Act, or with the distributing of weapons.
- **Weapon** any article designed as a weapon or used or intended to be used for the purpose of threatening, intimidating, or injuring a person. All firearms, including replica firearms and imitation firearms, are always considered weapons.

Appendix H – Definitions

1. **Adult Student** refers to any student over the age of 18 and any Student who has withdrawn from Parental control.
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. **Bias-Aware** refers to the conscious recognition and understanding of biases that individuals possess, including implicit biases that may operate on a subconscious level.
4. **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.

5. **Co-Regulation** refers to a supportive, interactive, and dynamic process through which an individual supports someone else in regulating their emotions, behaviours and stress, in order to return to a calm state.
6. **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.
7. **Culturally Responsive** refers to practices, approaches, or behaviours that recognize, respect, and incorporate the cultural backgrounds, language experiences, and perspectives of individuals.
8. **De-escalation Strategies** refers to a collective term for a range of interventions comprising of verbal and non-verbal techniques that focus on calming situations.
9. **Discipline Committee** refers to a group comprised of three members of the Board of Trustees, as designated by the Chairperson of the Board.
10. **Equity** refers to a condition or state of fair, inclusive and respectful treatment of all people. A distinct process of recognizing differences within groups of individuals and using this understanding to achieve substantive equality in all aspects of a person's life.
11. **Identity-Affirming** refers to actions, behaviours, or policies that recognize, validate, and support an individual's self-identified gender, race, ethnicity, sexual orientation or any other protected grounds of the Human Rights Code. This approach aims to create an inclusive and respectful environment where people feel seen, valued and accepted for who they are.
12. **In Camera** refers to private meetings with the understanding that no one present will share anything discussed during the meeting.
13. **Inclusion** or **Inclusive** refers to the principle of acceptance, in which diversity is honoured and all individuals are accepted.
14. **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.

15. **Intersectionality** or **Intersecting Identities** refers to the way in which people's lives are shaped by their multiple and overlapping identities and social locations, which, together, can produce a unique and distinct experience for that individual or group, for example, creating additional barriers, opportunities, and/or power imbalances.
16. **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.
17. **Parents** refers to parent(s) and guardian(s) and can also include caregivers or close family members who raise the child.
18. **Procedural Fairness** or **Procedurally Fair** refers to a transparent process where all individuals have the right to share their experience, be told of any allegations to prepare a response, respond to allegations, and the reasons for the decision that was made. This also includes thorough investigations and access to impartial review and appeals.
19. **Professional Activity (PA) Days** refers to set days throughout the school year when students stay home but schools remain open as school staff focus on professional development.
20. **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.
21. **Regulated Healthcare Professionals** refers to any TVDSB staff who are Social Workers, Psychological Associates, Psychologists, Psychometrists, Speech and Language Pathologists, Audiologists, and Behaviour Analysts.
22. **Restorative Approaches** refers to a proactive and responsive approach that centres relationships, community, accountability, and finding collaborative solutions to build and strengthen relationships and restore and repair relationships after harm has occurred.

23. **Safe and Inclusive Schools Plan** refers to the yearly plan developed at the school level by the Safe and Inclusive School Team which sets goals and actions in order to create a safe school community. This plan replaces the former Bullying Prevention and Intervention (BPIP) and Safe and Accepting School Plan.
24. **Safe and Inclusive School Team** refers to a team established at every TVDSB school that is responsible for fostering a safe, inclusive, and accepting school climate through the implementation of the Safe and Inclusive School Plan. Each team is chaired by a staff member and includes the principal, at least one parent or caregiver, teacher, non-teaching staff member or community partner, and ideally at least one student.
25. **Safe Schools Incident** refers to any incident in which a negative action or behaviour impacts the sense of safety or belonging of others, including Serious Student Incidents.
26. **Safety Plan** refers to a plan developed for a student whose behaviour is known to pose an ongoing risk to themselves or others.
27. **School-Based Staff** refers to TVDSB staff working in the school building.
28. **School Climate** refers to the learning environment and relationships found within a school and school community.
29. **School Climate Survey** refers to a voluntary and anonymous survey administered to students, parents and caregivers and school staff at least every two years. The survey is used to help schools: assess perceptions of safety, inform planning decisions about programs to help prevent bullying and promote safe and inclusive schools, determine effectiveness of programs and build and sustain positive school climate.
30. **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.
31. **School Property** refers to TVDSB school buildings and surrounding property.
32. **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.
33. **Serious Student Incident** refers to any activity listed in Paragraphs 1 or 3 of Section 5 of

the TVDSB Bias-Aware Progressive Discipline: Suspension, Expulsion and Appeals (4008k).

34. **Student** or **Pupil** refers to a person enrolled at the school.
35. **Student Action Plan (SAP)** refers to a Ministry of Education mandated plan required for all students who have been suspended for six or more days, as well as students who have been expelled. This plan is co-created with staff, Parent(s) and caregiver(s), as well as the Student, and outlines goals, objectives, and learning expectations.
36. **Systemic Bias** refers to the existence of institutions or systems that create or maintain inequities, often as a result of hidden institutional biases in policies, practices and procedures that privilege some groups and disadvantage others.
37. **Trauma-Informed** refers to an approach that acknowledges and accounts for the impacts of stress and or trauma on a person's well-being and ability to stay regulated.
38. **Third-Party Contractors** are independent professional or organizations that provide services to TVDSB under a contractual agreement.
39. **Violent Incident** refers to the following list, as per PPM 120:
- Possessing a weapon, including possessing a firearm;
 - Physical assault causing bodily harm requiring medical attention;
 - Sexual assault;
 - Robbery;
 - Using a weapon to cause or to threaten bodily harm to another person;
 - Extortion and
 - Hate and/or Bias-motivated occurrences.
40. **Virtual Learning Environments** refers to the digital spaces where students engage in learning with TVDSB staff, using a TVDSB virtual learning platform.

