

 <b>St. Michael's College School</b>	<b>Students</b>
<b>Policy: Progressive Discipline</b>	<b>B8.09.20</b>

## A. PURPOSE

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

Prevention and early intervention are important for assisting pupils to achieve their potential and for maintaining a positive school environment. A positive school environment is established through programs and activities that focus on building healthy relationships, character development, and civic responsibility, which thereby foster positive participation of the school community in the life of the school.

The teacher, principal, or designate(s) should select the most appropriate response to address inappropriate school behaviour. Where a student has special education and/or disability related needs, the interventions, supports and consequences must be consistent with the expectations for the student, including those in the student's Individual Education Plan or Behaviour Management Plan. Additionally, progressive discipline includes the use of early and ongoing intervention strategies and strategies to address inappropriate student behaviour. When possible, students' parent(s)/guardian(s) should be actively engaged in the progressive discipline approach employed by SMCS (St. Michael's College School/ The School).

### References:

- *The Education Act*
- PPM 128 (The Provincial Code of Conduct)
- PPM 144 (Bullying Prevention and Intervention)
- SMCS Bullying Prevention and Intervention Policy B4:06:20
- SMCS Community Code of Conduct B3:06:20
- PPM 145 (Progressive Discipline and Promoting Positive Student Behaviour)
- Ontario Catholic Graduation Expectations
- The SMCS Discipline Committee

The following procedures describe the application of the SMCS Code of Conduct to all students on school property, at school authorized activities, while using school authorized transportation services, and under certain conditions to a student's conduct in the community that adversely affects the moral tone of the school.

## B. DEFINITIONS

The following definitions apply for the purposes of pupil discipline.

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

**Bullying:** means aggressive and typically repeated behaviour by a pupil where,

- (a) the behaviour is intended by the pupil to have the effect of, or the pupil 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
- (b) the behaviour occurs in a context where there is a real or perceived power imbalance between the pupil and the individual 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")

**Cyber-bullying:** For the purposes of the definition of "bullying" in subsection (1), bullying includes bullying by electronic means (commonly known as cyber-bullying), including,

- (a) creating a web page or a blog in which the creator assumes the identity of another person;
- (b) impersonating another person as the author of content or messages posted on the internet; and
- (c) communicating material electronically to more than one individual or posting material on a website that may be accessed by one or more individuals.

**Discipline Committee:** a committee assembled by the principal representative of a consortium of school stakeholders tasked with reviewing relevant reports and policies relevant to safe schools and progressive discipline.

**Expulsion:** is a permanent expulsion from the School.

**Harassment:** words, conduct or action that is directed at an individual and serves no legitimate purpose and which annoys, alarms or causes that individual emotional distress.

**Parent/guardian:** where there is a reference to involving or informing a parent/guardian it means the custodial parent or guardian of a minor child who is not an Adult Pupil.

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

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

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

**Violent Incident:** a violent incident is defined as any one of the following or the occurrence of a combination of any of the following:

- 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
- hate and/or bias-motivated occurrences

The school will follow the direction of the *SMCS Police Protocol, 2018* regarding notification of the police if any of the above violent incidents occurs.

**Weapon:** is an object or a thing used to threaten or inflict harm on another person and includes, but is not limited to, knives, guns, replica and weapons.

## C. PROCEDURES

### *Progressive Discipline Strategies*

#### 1. Early and Ongoing Intervention Strategies

A teacher or the principal or designate(s), as appropriate, may utilize early and/or ongoing intervention strategies to prevent unsafe or inappropriate behaviours. These may include:

- contact with pupil's parent(s)/guardian(s);
- oral reminders;
- review of expectations;
- written work assignment addressing the behaviour, that have a learning component;
- volunteer services to the school community;
- conflict mediation and resolution;
- peer mentoring;
- referral to counselling; and/or
- consultation.

In all cases where ongoing intervention strategies are used, the pupil's parents/guardians should be consulted.

The teacher, principal or designate(s) must keep a record for each pupil with whom intervention strategies are utilized. The record should include:

- (a) name of the pupil;
- (b) date of the incident or behaviour;
- (c) nature of the incident or behaviour;
- (d) progressive discipline approach used;
- (e) outcome;
- (f) contact with the pupil's parent/guardian (unless the pupil is an adult pupil); and/or
- (g) be recorded in the school's electronic Behaviour Management Tracking System.

## 2. Reporting to the Principal or Designate(s)

- All school employees including teaching and non-teaching staff must report these incidents to the principal or designate(s).
- The School may also include bus driver reporting requirements in their transportation policies and contracts.
- All non-school employees who come into direct contact with pupils on a regular basis shall report such matters to the principal or designate(s).
- Reporting requirements must be clearly communicated to school employees, bus drivers, students and parents.
- When reporting, school employees must:
  - Consider the safety of others and the urgency of the situation in reporting the incident as soon as reasonably possible (no later than the end of the school day).
  - Confirm all reports to the principal in writing using the SMCS Safe Schools Incident Reporting Form (Appendix 1A)
- The School is expected to:
  - Outline for employees how to complete the Safe Schools Incident Reporting Form on a yearly basis.
  - Outline a process for employees to obtain acknowledgement of receipt of their report from the principal using the SMCS Safe Schools Incident Reporting Form (see Appendix 1A)
  - Ensure that a report number is assigned to each report.
- After a report is submitted, the principal or designates(s) must:
  - Provide a written acknowledgment of the receipt of the report (Appendix 1B) to the employee who reported. Information that could identify the student(s) involved must not be part of the acknowledgment.
  - Shall investigate any matter reported.
  - After investigating the matter, the principal or designate(s) shall verbally communicate the results of the investigation to:
    - (a) If the matter was reported by a teacher, that teacher; or

- (b) If the matter was reported by an employee who is not a teacher, that employee unless, in the principal's opinion, it would not be appropriate to do so when communicating, the principal shall not disclose more personal information than is reasonably necessary for the purpose of communicating the results of the investigation.
  - Possible actions taken can include anything on the progressive discipline continuum (e.g. warning, contacting parent, removal of privileges, suspensions).
  - If no further action is taken by the principal, there is no requirement to retain the report and it should be destroyed.
  - If action is taken, the form and documentation must be kept in the student's Ontario Student Record (OSR) for a minimum of one (1) year.
  - This will result in a complete documentation of the progressive discipline that has been applied to the student.
- If a principal or designate(s) decides that action is required as a result of an incident:
  - a copy of the form with documentation indicating the action taken will be filed in the appropriate student's Ontario Student Record (OSR).
  - the names of all the other students appearing on the form (aggressors and victims) must be removed except the name of the student in whose OSR the form is going.
- If no action is taken towards the aggressor, the report is not required to be retained in the student's OSR.
- Nothing about the incident, except the student's Safety Support Plan, is to go into the victim's OSR unless the victim/parent(s) of the victim specifically request that this is done.

Note: This formal report does not replace conversations between the employee and the principal/designate(s). The principal/designate(s) and the employee are encouraged to talk about the incident regardless of action taken.

### 3. Addressing Inappropriate Behaviour

If a pupil has displayed inappropriate behaviour the principal or designate(s) may utilize a range of interventions, supports, and consequences that are (1) developmentally appropriate, and (2) include opportunities for pupils to focus on improving their behaviour.

Inappropriate behaviour includes any behaviour that disrupts the positive school climate and/or has a negative impact on the school community.

If a pupil has engaged in inappropriate behaviour, the principal or designate(s) may choose to use a progressive discipline strategy to address the infraction. Interventions may include:

- Meeting with the pupil's parent(s)/guardian(s), pupil and principal or designate(s);
- Referral to an in-house counsellor, a community agency for anger management or substance abuse, or counselling/intervention;
- Detentions;

- Withdrawal of privileges;
- Withdrawal from class;
- Restitution for damages;
- Restorative practices; and
- Transfer with support.

In some cases, short-term suspension may also be considered a useful progressive discipline approach.

#### 4. Agreements with Third Parties Regarding Use of Schools

- Any person or group entering into an agreement in respect to the use of the School shall follow the standards that are consistent with the Provincial and School Code of Conduct B3:06:20.

#### 5. Notice to Parents/ Guardians

Following an incident for which the principal shall be considering imposing a suspension or making a recommendation for expulsion, the principal or vice-principal shall provide information to the parent/guardian of the victim, unless in the opinion of the principal or vice-principal providing information to the victim's parent/guardian would put the victim at risk of harm and would not be in the victim's best interest, or the victim is an adult pupil. Where the victim is an adult pupil, the principal or vice-principal shall inform the parent/guardian only with the victim's consent.

*The Education Act* states that the principal shall disclose,

- (a) the nature of the activity that resulted in harm to the pupil;
- (b) the nature of the harm to the pupil;
- (c) the steps taken to protect the pupil's safety, including the nature of any disciplinary measures taken in response to the activity; and
- (d) the supports that will be provided for the pupil in response to the harm that resulted for the activity.

*The Education Act* states that the principal shall not disclose the name of or any other identifying or personal information about a student who engaged in the activity that resulted in the harm. The principal or vice-principal(s) may communicate to the victim's parent/guardian any school wide initiatives that have been or will be implemented as a result of the incident and/or other similar incidents. Where the pupil(s) disciplined shall no longer be attending the same school as the victim, this fact may be confirmed.

In addition, where the victim has been harassed, bullied or suffered violence because of one or more immutable characteristics, including on any grounds protected by the *Human Rights Code*, or has been sexually assaulted, the principal or vice-principal(s) shall share contact information about professional supports such as community agencies, public health facilities and telecommunications forums, such as a help-phone-line or website, that the victim and the

victim's parent/guardian may access for information, assistance and support. The principal or vice-principal shall, as appropriate, recommend a referral for the pupil to receive social work support.

The principal or vice-principal(s) shall also inform the parent/guardian that, if the parent/guardian is NOT satisfied with the measures being taken to protect and support the victim, the parent/guardian may contact the president to request a review of the measures being taken by the School.

## 6. Response by School Employees

- An employee of the School who observes a pupil behaving in a way that is likely to have a negative impact on school climate is required to respond to the behaviour.
  - These behaviours include bullying/cyberbullying, racist, sexual, sexist, or homophobic comments, slurs, and jokes or graffiti, as well as activities for which suspension and expulsion must be considered.
- This requirement applies to all School employees who work directly with students. This includes, but is not limited to, teachers, non-teaching staff in social work, child and youth work, psychology, and related areas, as well as educational assistants (PPM 145).
  - Responding may include asking a student to stop the inappropriate behaviour, naming the type of behaviour and explaining why it is inappropriate and/or disrespectful, and asking the student for a change in future behaviour.
- An employee is not required to respond if responding would, in the employee's opinion, cause immediate physical harm to himself or herself or to that of a student or another person.
  - The employee is expected to verbally inform the principal as soon as possible if they do not immediately respond.

## *Suspension of Pupil*

### 1. Suspension Infractions

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

The principal will also contact the police consistent with the Police and School Protocol if the infraction the pupil is suspected of committing requires such contact. When in doubt, the principal will consult with his or her Community Safety Officer.

The infractions for which a suspension may be imposed by the principal or designate(s) include:

- (a) Uttering a threat to inflict serious bodily harm on another person;

- (b) Possessing alcohol, illegal drugs or, unless the pupil is a medical cannabis user, cannabis; being under the influence of alcohol, and/or illegal or restricted drugs/substances, and/or, unless the student is a medical cannabis user, cannabis
- (c) Swearing at a teacher or at another person in a position of authority;
- (d) Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school;
- (e) Bullying which includes cyberbullying (policy B4:06:20);
- (f) Any other activity that is an activity for which a principal may suspend a pupil under a policy of the School:
  - i. Any act considered by the principal to be injurious to the moral tone of the school;
  - ii. Any act considered by the principal to be injurious to the physical or mental well-being of members of the school community; or
  - iii. Any act considered by the principal to be contrary to the School Code of Conduct including but not limited to the following:
    - academic dishonesty - attempting to deceive by cheating, copying or plagiarizing
    - defiance - refusal to comply with persons in authority
    - disorderly conduct - persistent opposition to authority, conduct injurious to the moral tone of the school or to the physical or mental well-being of others in the school
    - explosive devices - use of or possession of explosive devices
    - extortion - to take money, homework or property under threat of harm or duress
    - fire setting, bomb threat, fire alarm - setting a fire or an act that places individuals, property or community at risk
    - harassment - repeated comments or conduct that is known or ought to be known as unwelcome
    - hate crimes - words or actions considered offensive in reference to a person's age, appearance, culture, disability, gender, race, or religion
    - smoking/vaping in prohibited areas
    - theft - taking, possessing property without the permission of the owner
    - trespass - unauthorized presence on school property
    - truancy - persistent unexplained absence
    - vehicle use - reckless or dangerous use of a vehicle, e.g. car, bicycle, motorcycle, etc.

Activities include incidents that occur while at school, at a school-related activity or in circumstances where the activity will have a negative impact on the school climate.

## 2. Factors to Consider Before Imposing a Suspension

Before deciding whether to impose a suspension, or some other form of discipline, the principal or designate(s) will make every effort to consult with the pupil, where appropriate, and the

pupil's parent(s)/guardian(s) (if the pupil is not an adult pupil) to identify whether any mitigating and/or other factors might apply in the circumstances.

### *Mitigating Factors*

The mitigating factors to be considered by the principal before deciding whether to impose a suspension are:

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

If a pupil does not have the ability to control his or her behaviour or does not understand the foreseeable consequences of his/her behaviour, the principal will not suspend the pupil. Alternative discipline and/or other intervention may be considered by the principal in such circumstances. If the pupil poses an unacceptable risk to the safety of others in the school, the principal will consult with his/her president regarding appropriate accommodations and/or strategies that might be instituted to ensure safety of pupils, staff, and others in the school.

### *Other Factors for Consideration*

Where the pupil is able to control his/her behaviour and is able to understand the foreseeable consequences of his/her behaviour, the principal will consider whether the following factors mitigate the length of a suspension or the decision to apply a suspension as a form of discipline for the pupil:

- (a) The pupil's academic, discipline and personal history;
- (b) Whether progressive discipline has been attempted with the pupil, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure;
- (c) Whether the infraction for which the pupil might be disciplined was related to any harassment of the pupil because of race, ethnic origin, religion, creed, disability, gender or gender identity, sexual orientation or harassment for any other reason;
- (d) The impact of the discipline on the pupil's prospects for further education;
- (e) The pupil's age;
- (f) Where the pupil has an Individual Education Plan (IEP) or disability related needs,
  - i. Whether the behaviour causing the incident was a manifestation of the pupil's disability;
  - ii. Whether appropriate individualized accommodation has been provided; and
  - iii. Whether a suspension is likely to result in aggravating or worsening the pupil's behaviour or conduct or whether a suspension is likely to result in a greater likelihood of further inappropriate conduct; and
- (g) Whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.

### *Progressive Discipline*

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

- (a) Whether the teacher, principal or designate has utilised early and/or ongoing intervention strategies to prevent unsafe or inappropriate behaviours, such as:
  - contact with the pupil's parent(s)/guardian(s);
  - oral reminders;
  - review of expectations;
  - written work assignments with a learning component;
  - assigning the pupil to volunteer services within the community;
  - conflict mediation and resolution;
  - peer mentoring;
  - referral to counselling; and/or
  - consultation.
  
- (b) Whether the principal or designate has used a progressive discipline approach to address inappropriate behaviour for which a suspension could have been imposed, such as:
  - meeting(s) with the pupil's parent(s)/guardian(s), pupil, and principal;
  - referral of pupil to a community agency for anger management or substance abuse counselling;
  - detentions;
  - withdrawal of privileges;
  - withdrawal from class;
  - restitution for damages;
  - restorative practices; and/or
  - transfer.

### *Factors Mitigating Decision to Suspend*

In circumstances where one or more of the factors above mitigate the decision to apply a suspension as a form of discipline for the pupil, the principal or designate(s) may consider whether alternative discipline and/or other intervention is appropriate in the circumstances.

### *Consultation*

Before imposing a suspension of six (6) or more school days, the principal will consult with the Administrative team concerning:

- (a) the investigation undertaken;
- (b) the circumstances of the incident;

- (c) whether or not one or more of the factors outlined above are applicable in the circumstances; and
- (d) the appropriate length of the suspension.

### 3. Prevention and Training

Prevention and awareness-raising strategies must be aimed at all members of the school community in areas including, but not limited to gender-based violence, sexual orientation, sexual harassment, inappropriate sexual behaviour, bullying (including cyberbullying), critical media literacy, and safe internet use.

*The School will:*

- ensure that prevention and awareness-raising planning is consistent with the requirements of Individual Education Plans (IEPs) for students with special needs, including requirements regarding accommodations and modifications; conduct anonymous school climate surveys of their students every two (2) years; promote a positive school climate that is inclusive and accepting of all pupils, including pupils of any race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability, promote the prevention of bullying/cyberbullying, and;
- share climate survey results with the School Administration.
- participate in Bullying Awareness and Prevention Week, occurring the week beginning on the third Sunday in November in each year.

### 4. Procedural Steps When Imposing a Suspension

Where a principal or designate(s) has determined that it is appropriate in the circumstances to impose a suspension, the principal is required to effect the following procedural steps:

- (a) Within 24 hours of the decision, the principal must make all reasonable efforts to inform the adult pupil or the pupil's parent/guardian of the suspension;
- (b) The principal must inform the pupil's teacher(s) of the suspension;
- (c) The principal in conjunction with the pupil's teacher(s) must organize school work to be provided for the pupil to be completed during the duration of the pupil's suspension;
- (d) The principal must provide written notice of the suspension promptly to the pupil, and the pupil's parent/guardian (unless the pupil is an adult pupil);
- (e) The written notice of suspension will include:
  - i. The reason for suspension;
  - ii. The duration of the suspension;
  - iii. Expectation for appropriate behaviour.

### 5. Re-Entry

Following a suspension of three (3) or more school days, a re-entry meeting will be held with appropriate staff, the pupil, and the pupil's parent/guardian if possible, to provide positive and

constructive redirection for the pupil. Further programs and services might be recommended by the principal of the school for the purpose of achieving additional or greater success in meeting the student's ongoing learning within the school community, such as restorative and reconciliation practices where necessary.

### ***Expulsion of Pupil***

If the principal has reasonable grounds to believe that a pupil has committed one or more infractions outlined below on school property, during a school-related activity or event, and/or in circumstances where the infraction has an impact on the school climate, the principal or designate(s) shall issue a suspension to the pupil that may lead to expulsion.

The principal or designate(s) will also contact the police consistent with the Police and School Response Protocol if the infraction the pupil is suspected of committing requires such contact.

The enumerated activities are:

- (a) Possessing a weapon, including possessing a firearm or a replica;
- (b) Using a weapon to cause or to threaten bodily harm to another person;
- (c) Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
- (d) Committing sexual assault;
- (e) Trafficking in weapons or replica, illegal or restricted drugs;
- (f) Committing robbery;
- (g) Giving alcohol to a minor;
  - i. Bullying, if,
    - the pupil has previously been suspended for engaging in bullying, and/or
    - the pupil's continuing presence in the school creates an unacceptable risk to the safety of another person.
  - ii. Any activity listed in the *Education Act*, subsection 306 (i) that is motivated by age, bias, colour, gender expression, gender identity, mental or physical disability, language, national or ethnic origin, prejudice or hate based on race, religion, sex, sexual orientation, or any other similar factors;
- (h) Any other activity that, under a policy of the School, 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 expel the pupil:
  - i. An act considered by the principal to be significantly injurious to the moral tone of the school and/or to the physical or mental well-being of others;
  - ii. A pattern of behaviour that is so inappropriate that the pupil's continued presence is injurious to the effective learning and/or working environment of others;
  - iii. Activities engaged in by the pupil on or off school property that cause the pupil's continuing presence in the school to create an unacceptable risk to the physical or mental well-being of other person(s) in the school or Board;

- iv. Activities engaged in by the pupil on or off school property that have caused extensive damage to the property of the School or to goods that are/were on School property;
- v. The pupil has demonstrated through a pattern of behaviour that he has not prospered by the instruction available to him and that he is persistently resistant to making changes in behaviour which would enable him to prosper; or
- vi. Any act considered by the principal to be a serious violation of the School Code of Conduct.

### 1. Factors to Consider When Determining Duration of Suspension Leading to a Possible Expulsion and Whether to Recommend Expulsion

The *Education Act* requires the principal to consider mitigating and other factors set out below in determining the length of the suspension and in determining whether to recommend expulsion.

The principal will make every effort to consult with the pupil, where appropriate, and the pupil's parent/guardian, if the pupil is not an adult pupil, to assist to identify whether any mitigating factors might apply in the circumstances. However, despite consultation, the identification of mitigating and other factors remains the responsibility of the principal.

### 2. Suspension Pending Recommendation for Expulsion

If the pupil is suspended pending an investigation to determine whether expulsion will be recommended, mitigating and other factors must be considered in determining the length of the suspension that can be for one (1) to (20) twenty school days.

The *Education Act* requires the principal to consider mitigating and other factors in determining the length of the suspension.

### 3. Procedural Steps When Imposing a Suspension Leading to a Possible Expulsion

When imposing a suspension, the principal or designate(s) is required to effect the following procedural steps:

- (a) Within 24 hours of the decision, the principal must make all reasonable efforts to inform the adult pupil or the pupil's parent/guardian of the suspension;
- (b) The principal must inform the pupil's teacher(s) of the suspension;
- (c) The principal must provide written notice of the suspension promptly to the adult pupil or the pupil's parent/guardian and pupil and the Superintendent of Education. The written notice of suspension will include:
  - i. The reason for suspension;
  - ii. The duration of the suspension;
  - iii. Information about the investigation the principal is conducting to determine whether to recommend expulsion;
  - iv. A statement that there is no immediate right to appeal the suspension. Any appeal must wait until the principal decides whether to recommend an expulsion, and if

the principal decides not to recommend an expulsion, a statement that the suspension may be appealed to the School president, as governed by article 6 (*Guidelines for Appeals*) of the **SMCS Parent Concern Policy**.

#### 4. Principal's Investigation

The principal or designate will conduct an investigation promptly following the suspension of the pupil to determine whether the pupil should be expelled.

Any police investigation will be conducted separately from the principal's inquiry. As part of the investigation, the principal will:

- (a) Make all reasonable efforts to speak with the adult pupil, the pupil and the pupil's parent/guardian;
- (b) Include interviews with witnesses who the principal or designate determines can contribute relevant information to the investigation;
- (c) Make every reasonable effort to interview any witnesses suggested by the pupil, or the pupil's parent/guardian;
- (d) Make every reasonable effort to obtain a statement from the pupil; and
- (e) Consider the mitigating and other factors when determining whether to determine that the pupil be expelled.

#### *Mitigating Factors*

The mitigating factors to be considered by the principal before deciding the length of a suspension and whether to recommend an expulsion are:

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

#### *Other Factors for Consideration*

The principal will also consider whether the following factors mitigate the length of a suspension and whether the pupil should be subject to expulsion.

- (a) The pupil's academic, discipline and personal history;
- (b) Whether progressive discipline has been attempted with the pupil, and if so, the progressive discipline approach(es) that has/have been attempted and any success or failure;
- (c) Whether the infraction for which the pupil might be disciplined was related to any harassment of the pupil because of race, ethnic origin, religion, creed, disability, gender or gender identity, sexual orientation or to related harassment for any other reason;
- (d) The impact of the discipline on the pupil's prospects for further education;

- (e) The pupil's age;
  - i. Where the pupil has an Individual Education Plan or disability related needs,
  - ii. Whether the behaviour causing the incident was a manifestation of the pupil's disability;
  - iii. Whether appropriate individualized accommodation has been provided; and
- (f) Whether a suspension is likely to result in aggravating or worsening the pupil's behaviour or conduct or whether a suspension is likely to result in a greater likelihood of further inappropriate conduct; and
- (g) Whether or not the pupil's continuing presence at the school creates an unacceptable risk to the safety of anyone in the school.

### *Progressive Discipline*

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

- (a) Whether the teacher, principal or designate has utilised early and/or ongoing intervention strategies to prevent unsafe or inappropriate behaviours, such as:
  - contact with the pupil's parent(s)/guardian(s);
  - oral reminders;
  - review of expectations;
  - written work assignments with a learning component;
  - assigning the pupil to volunteer services to the community;
  - conflict mediation and resolution;
  - peer mentoring;
  - referral to counselling; and/or
  - consultation
- (b) Inappropriate behaviour for which a suspension could have been imposed, such as:
  - meeting(s) with the pupil's parent(s)/guardian(s), pupil, and principal;
  - referral of pupil to a community agency for anger management or substance abuse counselling;
  - detentions;
  - withdrawal of privileges;
  - withdrawal from class;
  - restitution for damages;
  - restorative practices; and/or
  - transfer

### *Consultation*

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

## 5. Building Partnerships

The School will:

- work with police agencies and partners to establish a Police Protocol.
- work with agencies/organization that support Catholic teachings where available and who have knowledge/expertise in gender-based violence, sexual assault, sexual harassment, bullying (cyberbullying) and inappropriate sexual behaviour to provide appropriate support to students, parents and teachers in addressing these issues;
- maintain an up-to-date contact list of other agencies/organizations that have professional expertise and knowledge in these areas;
- make the list available to staff and students;

### *Other Requirements*

- The School will evaluate the effectiveness of its safe schools' policies and programs through the use of school climate surveys which are to be undertaken a minimum of every two (2) years.

As set out in the Definitions section above, a violent incident is defined as any one of the following or the occurrence of the combination of any of the following:

- 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
- hate and/or bias-motivated occurrences

All violent incidents that occur on the School premises during school-run programs must be reported to the principal or designate(s), whether it was committed by a student, or by another person.

The School will maintain a record of all violent incidents during each school year (including details of the incident and contact information maintained by the principal and designate(s)).

The principal or designate(s) will produce a Violent Incident Annual Report for remittal to the School president by October 15<sup>th</sup> of the subsequent school year.

The School will collect and analyze data on the nature of violent incidents to support the development of School policies and to inform School information plans.

**Appendix 1A**

<p><b>Report No:</b> _____ —</p>	<p align="center"><i>Confidential</i> <b>SMCS SAFE SCHOOLS INCIDENT REPORTING FORM- PART I</b></p>
<p><b>1. Name of Student(s) involved (if known)</b></p>	<p>_____</p> <p>—</p> <p>_____</p> <p>—</p>
<p><b>2. Location of Incident (check one)</b></p>	<p><input type="radio"/> At location or on school property (please specify) _____</p> <p><input type="radio"/> At school-related activity (please specify) _____</p> <p><input type="radio"/> On school-chartered transportation (specify route number) _____</p> <p><input type="radio"/> Other (please specify) _____</p>
<p><b>3. Time of Incident</b></p>	<p>Date: _____ Time: _____</p>
<p><b>4. Type of Incident (check all that apply)</b></p>	<p><b>Activities for which suspension must be considered under the Education Act</b></p> <ul style="list-style-type: none"> <li><input type="radio"/> Uttering threat to inflict serious bodily harm on another person</li> <li><input type="radio"/> Possessing alcohol, illegal drugs or, unless the pupil is a medical cannabis user, cannabis. Being under the influence of alcohol and/or illegal or restricted drugs/substances, and/or, unless the pupil is a medical cannabis user, cannabis.</li> <li><input type="radio"/> Swearing at a teacher or at another person in a position of authority</li> <li><input type="radio"/> Committing an act of vandalism that causes extensive damage to the school or to the property located on the premises of the school</li> <li><input type="radio"/> Bullying</li> </ul>

	<ul style="list-style-type: none"> <li>○ Any other activity for which a student may be suspended under school policy</li> </ul> <p><b>Activities for which expulsion must be considered under the Education Act</b></p> <ul style="list-style-type: none"> <li>○ Possessing a weapon, including possessing a firearm or a replica</li> <li>○ Using a weapon to cause or to threaten bodily harm to another person</li> <li>○ Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner</li> <li>○ Committing sexual assault</li> <li>○ Trafficking in weapons or replica, illegal and/or restricted drugs</li> <li>○ Committing robbery</li> <li>○ Bullying</li> <li>○ Any activity that is motivated by bias, prejudice, or hate</li> <li>○ Giving alcohol/illegal drugs, or cannabis to a minor</li> <li>○ Any other activity for which a pupil may be expelled under school policy</li> </ul>
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**5. Report Submitted By:** Name: \_\_\_\_\_ **Role in School Community:** \_\_\_\_\_

Signature: \_\_\_\_\_

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

**Contact Information:** Location: \_\_\_\_\_

Telephone: \_\_\_\_\_

**6. FOR PRINCIPAL’S USE ONLY:** Check if incident was a **violent incident**, as defined in PPM 120.

- **Violent incident**

Information collected is under the authority Part XII of the Education Act in accordance with the Municipal Freedom of Information and Protection of Privacy Act, and shall be used for the purposes of student discipline. Questions about information collected on this form shall be direct to the school principal.

**Appendix 1B**

**Acknowledgement of Receipt of Report**

**Report No:** \_\_\_\_\_

**Report Submitted By:**

**Name:** \_\_\_\_\_

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

If Investigation Completed

- Principal or designate to communicate results to teacher at a mutually convenient time.\*
- Principal or designate to communicate results to other school employees at a mutually convenient time, as appropriate.\*

If Investigation in progress

- Once investigation is completed, principal or designate to communicate results to teacher at a mutually convenient time.\*
- Once investigation is completed, principal or designate to communicate results to other school employees a mutually convenient time, as appropriate.\*

**Name of  
Principal/Designate:** \_\_\_\_\_  
\_\_\_\_\_

**Signature:** \_\_\_\_\_

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

**Note: This receipt only provided to the person who submitted the report.**

\*In accordance with s. 300.2 of the Education Act, after investigating a matter reported by an employee, the principal or designate shall communicate the results of the investigation to the teacher or other school employee who is not a teacher, as appropriate. In accordance with the Municipal Freedom of Information and Protection and Privacy Act and the Education Act, when reporting the results of the investigation the principal or designate shall not disclose more personal information than is reasonably necessary for the purpose of communicating the results of the investigation.

## Appendix 2A

### Elementary Progressive Discipline and School Safety Chart

Progressive Discipline is a step-by-step intervention process that is a partnership approach with administration, staff, and parents with the goal of assisting the student to change their behavior

#### Suggested Classroom Teacher Intervention Options

- Problem solving/reflection activity – sent home and acknowledged by parent/guardian
- Speak with student – verbal reminder regarding appropriate behaviour
- Review Code of conduct/Behaviour
- Focus on teachable moments about cultural competencies to foster an inclusive learning environment
- Note in Agenda/Communication Book to parent/guardian
- Phone call to parent /guardian
- Reinforce/reward improved behaviour
- Detention
- Behaviour contract
- Loss of privilege, e.g. attending a school co-instructional activity
- Supervised area to complete work, if available
- Parent/teacher/student meeting
- Share information and redirection strategies with administration and support staff

#### Office Consultation

- Discuss classroom interventions implemented
- Discuss alternative discipline options/interventions

#### Office Referral

- Office referral completed that includes classroom interventions that have been implemented

#### Principal/Vice Principal Intervention Options

- Administrator speaks with student
- Review Code of Conduct with student and/or parent/guardian
- Phone call home to parent/guardian
- Letter to parent outlining concerns
- Office detention
- Supervised independent study – in school
- Logical consequence put in place
- Behaviour contract
- Consultation with support staff, e.g. Student Affairs, Wellness Officer
- Meeting with parent and student
- Meeting with parent and support staff
- Referral to support staff and/or community agency
- Mitigating Factors have been considered
- May suspend or recommend expulsion

#### Suspension

- Uttering a threat to inflict serious bodily harm on another person
- Possessing alcohol, illegal drugs, or unless the student is a medical cannabis user, cannabis
- Smoking/vaping in prohibited areas
- Being under the influence of alcohol, and/or illegal or restricted drugs/substances, and/or, unless the student is a medical cannabis user, cannabis
- Bullying (including Cyberbullying)
- Swearing at a teacher or at another person in a position of authority
- Committing an act of vandalism that causes extensive damage to school property or to property located on school premises
- Other as outlined in School policy

#### Expulsion

- Possessing a weapon, including possessing a firearm or a replica
- Using a weapon to cause or threaten bodily harm to another person
- Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner
- Committing sexual assault
- Trafficking in weapons or replica, illegal and/or restricted drugs
- Committing robbery
- Giving alcohol/illegal drugs or cannabis to a minor
- Bullying (including Cyberbullying)
- Other as outlined in School policy

## Appendix 2B

### Secondary Progressive Discipline and School Safety Chart

Progressive Discipline is a step-by-step intervention process that is a partnership approach with administration, staff, and parents with the goal of assisting the student to change their behavior

#### Suggested Classroom Teacher Intervention Options

- Expectations communicated to student and parent/guardian
- Verbal reminder of appropriate behaviour
- Review Code of Conduct
- Problem solving/reflective activity
- Contact with parent
- Supervised, quiet area to work
- Loss of privilege
- Update call to parent/guardian
- Detention
- Behaviour contract
- Consult with Guidance, Special Education, and/or Student Success teacher
- Conflict mediation
- Consultation and/or Office referral to Principal or Vice Principal

#### Office Consultation

- Discuss classroom interventions implemented
- Discuss alternative discipline options

#### Office Referral

- Office referral completed that includes classroom interventions that have been implemented

#### Principal/Vice Principal Intervention Options

- Administrator(s) speaks with student
- Review the Code of Conduct with student and/or parent/guardian
- Behaviour reflection completed by student and signed by parent/guardian
- Phone call to parent/guardian
- Letter to parent/guardian outlining concerns
- Office detention
- Withdrawal from class – specified length of time
- Behaviour contract
- Meet with parent/guardian and student
- Consultation with support staff, e.g. Student Affairs, Wellness Officer, etc.
- Meeting with parent/guardian, student and support staff
- Referral to support staff and/or community agency
- Mitigating factors have been considered

#### Suspension

- Uttering a threat to inflict serious bodily harm on another person
- Possessing alcohol. Illegal drugs, unless the student is a medical cannabis user, cannabis.
- Being under the influence of alcohol, and/or illegal or restricted drugs/substances, and/or, unless the student is a medical cannabis user, cannabis
- Bullying (including Cyberbullying)
- Swearing at a teacher or at another person in a position of authority
- Committing an act of vandalism that causes extensive damage to school property or to property located on school premises

#### Expulsion

- Possessing a weapon, including possessing a firearm or a replica
- Using a weapon to cause or threaten bodily harm to another person
- Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner
- Committing sexual assault
- Trafficking in weapons or replica, illegal and/or restricted drugs
- Committing robbery
- Giving alcohol to a minor
- Bullying (including Cyberbullying)