KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD

ADMINISTRATIVE REGULATION

Regulation Name: Suspension **Regulation Code: ES-1.1.2**
Section: Educational Services **Policy Code Reference: ES-1.1**

Established: May 4, 1998
Revised or
Reviewed: May 24, 2001; January 31, 2008; December 15, 2009; October 25, 2012;

Culturally Responsive
An approach that intentionally nurtures the uniqueness of each student in background, language, family structure, and social and cultural identity, integrating the student's background and identity into curriculum, teaching and school life to created effective conditions for learning and well-being.

Expulsion
The removal of a student from school for an indefinite time. An expulsion does not have a time limit. Students who are expelled from school must be: provided with opportunities to continue their education, and offered non-academic supports, such as counselling, to help promote positive behaviours.

Harassment
Based on any prohibited ground(s) identified in the Human Rights Code, engaging in a course of vexatious comments or conduct that is known or reasonably known to be unwelcome, unwanted, offensive, intimidating, hostile or inappropriate and includes sexual harassment.

Human Rights
Human Rights pertains to Ontario law that grants every person with a right to equal treatment with respect to services, goods, and facilities without discrimination where one or more of the 17 protected grounds (as stipulated in the Human Rights Code) is applicable. Human Rights pertain specifically to Code-based complaints and will always be handled according to Board Policy B-3.3, Human Rights: Code-Based Discrimination and Harassment and corresponding administrative regulation.

Imminent Risk
Imminent risk refers to an immediate and impending threat of a person causing substantial physical injury to self or others.

LTSEP
Long Term Suspension and Expulsion Program

Mitigating and Other Factors
Circumstances that must be considered by the board and school principals in situations involving suspension and/or expulsion of a student, as required by the Education Act and as set out in Ontario Regulation 472/07.

Physical Assault
When a person directly or indirectly applies force intentionally to another person, or who attempts or threatens to do so.

PPM
Policy and Program Memorandum

sanctioned activities, while at school or engaged in a school-related activity, or in other circumstances (e.g., online) where engaging in the activity has had a negative impact on the school climate.

5.1.2 A student may be suspended only once for an infraction related to a specific incident. The minimum length of a suspension is one school day and the maximum duration is twenty school days. For any suspension from six to nine days, inclusive, the principal must consult with their family of schools superintendent. For any suspension ten days or greater, the principal must consult with their family of schools superintendent first and following that, the Safe and Caring Schools department. If a student self-identifies as Indigenous, or is a member of a racialized, and/or marginalized community, the principal shall also consult with the Indigenous Education department at their discretion.

the principals that fall below the threshold for suspension or expulsion, clear, transparent and ongoing communication is always encouraged between Board employees and school administration.

5.2.3 For incidents where suspension or expulsion would not be considered, but the Board employees feel it is not safe to respond, they will be expected to inform the principal verbally as soon as possible, and in writing using the Serious Student Incident Report form, and/or the Workplace Violence Report, if appropriate.

5.2.4 It is the expectation of the Board that, provided that there is no imminent risk to any individual, Board employees shall respond to any behaviour

Suspension

Grade 3 should be addressed with the appropriate positive behaviour supports and proactive interventions in the school setting.

And any other activity for which a student may be suspended under a policy of the Board being the following activities:

5.3.3.7 persistent opposition to authority,

5.3.3.8 habitual neglect of duty,

5.3.3.9 the willful destruction of school or Board property,

5.3.3.10 the use of profane or improper language,

5.3.3.11 conduct injurious to the moral tone of the school or to the physical or emotional well-being of self or others in the school,

5.3.3.12 being involved in a physical altercation,

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5.5.2.6.2 whether appropriate individualized accommodation has been provided, and

5.5.2.6.3 whether the suspension is likely to result in an aggravation or worsening of the student's behaviour or conduct.

5.5.3 The student who is suspended shall not attend classes, school-related activities, or attend on Board property, unless specifically authorized by the principal.

5.6 Suspension Notice

5.6.1 Upon suspension, the student and the student's parent(s)/guardian(s) (if the student is under 18 years of age), unless the student is 16 or 17 years old and has withdrawn from parental control, must be advised of the suspension and of the right to appeal the suspension.

When notifying a parent or guardian of a student who has engaged in serious student incidents, the principal shall disclose:

5.6.1.1 the nature of the activity that resulted in harm to the other student,

5.6.1.2 the nature of the harm to the other student,

5.6.1.3 the nature of any disciplinary measures taken in response to the activity, and

5.6.1.4 the supports that will be provided for the student in response to their engagement in the activity.

5.6.2 Procedural steps when a student is suspended:

The principal shall:

5.6.2.1 within 24 hours of a student being suspended, take all reasonable steps to contact the parent(s)/guardian(s) (if the student is under 18 years of age), unless the student is 16 or 17 years old and has withdrawn from parental control;

5.6.2.2 log the attempts made to contact the parent(s)/guardian(s);

5.6.2.3 contact the parent(s)/guardian(s) of a student 18 years of age or over, unless the student is 16 or 17 years old and has withdrawn

Where the student has been suspended for two or more school days the principal or vice-principal shall ensure that the schoolwork provided to the student will be available the day the student is suspended or the following school day.

5.7.2 In addition to receiving schoolwork for the first five school days of suspension, a student who is subject to a suspension of six or more school days must be assigned an alternative program for students subject to lengthy suspension Long Term Suspension and Expulsion Program (LT2 ((o)-10 (i (on L)1 (ong T)1 (e)4 (rT)1 (e)de)4.1 (nt)-2.13.61Tw 12 0.0 Td[(of)2o)-10

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5.8.5 In the case of suspensions between six and ten days, the school and support staff shall:

5.8.5.1 develop an SAP for every student who makes a commitment to a program that includes academic support,

5.8.5.2 provide support consistent with the student's IEP for students on IEPs,

5.8.5.3 provide support consistent with the student's Safety Plan, and/or Wellness Plan, if applicable.

5.8.6 In the case of suspensions between eleven and twenty days, school and support staff shall:

5.8.6.1 develop an SAP with both academic and non-academic support, reflective of the student's individual identities and lived experiences,

5.8.6.2 for students with special education needs, the Board will provide appropriate support consistent with the student's IEP,

5.8.6.3 provide support consistent with the student's Safety Plan, and/or Wellness Plan, if applicable, and

5.8.6.4 for students who self-identify as First Nation, Metis, or Inuit, the Board will provide the option for Indigenous-centered cultural supports through a connection with an Indigenous student worker.

5.8.7 Components of programs for students on long-term suspensions will demonstrate the following:

5.8.7.1 The content and balance of the program will depend upon the needs of the student, the length of the suspension, and the nature and severity of the behaviour including any mitigating or other factors.

5.8.7.2 Elementary school students must be supported in continuing to acquire the necessary knowledge and skills outlined in the Ontario Curriculum Policy documents.

5.8.7.3 Secondary school students must be supported in continuing to earn credits towards their Ontario Secondary School Diploma.

5.8.8 School administration shall ensure that the Serious Student Incident Report has been completed in compliance with the Ministry of Education's directives, when the student's action is any expression of physical, psychological, or verbal abuse that infringes on the rights of another person or another's property.

5.8.9 The letters of suspension and relevant incident reports will be filed in the Ontario Student Record (OSR) and retained in accordance with Board procedures. If the principal has identified the incident as a violent incident on the Serious Student Incident Reporting Form, the reporting form and documentation must be retained in the student's OSR for the following periods:

- five years if the student was expelled for the violent incident,
- three years if the student was suspended for the violent incident,
- at least one year if the student's suspension was quashed or withdrawn.

5.8.10 Following a suspension of six or more school days (or in cases of multiple suspensions of a lesser duration), a re-entry meeting will be held with school and Board staff, the student, and the student's parent(s)/guardian(s) if possible, to provide positive and constructive redirection for the student. Where the student has participated in an the LTSEP, the

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5.9.2.1 The family of schools superintendent, in consultation with the principal, will:

5.9.2.1.1 investigate the facts of the situation,

5.9.2.1.2 review the suspension with parent(s)/guardian(s) or student if 18 years of age, unless the student is 16 or 17 years old and has withdrawn from parental control, and

5.9.2.1.3 make a decision on the review of the suspension and notify the parent(s)/guardian(s) or the student if 18 years of age, unless the student is 16 or 17 years old and has withdrawn from parental control.

5.9.2.2 For the purpose of the review, the family of schools superintendent has the authority to confirm the suspension or modify the suspension, and/or expunge the record of the suspension.

5.9.3 The adult student or the student's parent(s)/guardian(s) may appeal a suspension.

5.9.4 All suspension appeals will be received by the family of schools superintendent.

5.9.5 An appeal of a suspension does not stay the suspension.

5.9.6 A person who intends to appeal a suspension must give written notice of their intention to appeal the suspension within **ten school days** of the commencement of the suspension.

5.9.7 The Board must hear and/or determine the appeal within **fifteen school days** of receiving the notice of intention to appeal (unless the parties agree to an extension).

5.9.8 Upon receipt of written notice of the intention to appeal the suspension, the family of schools superintendent:

5.9.8.1 will promptly advise the superintendent overseeing Safe and Caring Schools and the school principal of the appeal;

5.9.8.2 will promptly advise the adult student or the student's parent(s)/guardian(s) (if the student is under 18 years of age), unless the student is 16 or 17 years old and has withdrawn from parental control, that notice of the intention to appeal has been

received, and invite the appellant to discuss any matter respecting the incident and/or appeal of the suspension;

5.9.8.3 will request a meeting with the adult student or the student's parent(s)/guardian(s) (if the student is under 18 years of age), unless the student is 16 or 17 years old and has withdrawn from parental control, and the principal to narrow the issues and try to effect a settlement, and arrange a date for the appeal before the Suspension Committee;

5.9.8.4 will, where a settlement is not achieved, in consultation with the superintendent overseeing Safe and Caring Schools, coordinate the preparation of a written report for the Board. This report will contain at least the following components:

5.9.8.4.1 a report prepared by the principal regarding the incident, the rationale for suspension and how the principles of equity and inclusion were applied,

5.9.8.4.2 a copy of the original suspension letter, and

5.9.8.4.3 a copy of the letter requesting the suspension appeal.

5.9.9 The superintendent overseeing Safe and Caring Schools will coordinate the suspension appeal. They will inform the adult student or the student's parent(s)/ guardian(s) (if the student is under 18 years of age), unless the student is 16 or 17 years old and has withdrawn from parental control, of the date of the suspension appeal, provide a guide to the process for the appeal and a copy of the documentation that will go to the Suspension Committee, and ensure the item is placed on the Suspension Committee's agenda.

5.10 Suspension Committee

5.10.1 The Suspension Committee, made up of a minimum of three trustees, will hear and decide upon appeals.

5.10.2 The parties in an appeal to the Suspension Committee shall be:

5.10.2.1 the principal, and

5.10.2.2 the adult student or the student's parent(s)/guardian(s) (if the student is under 18 years of age), unless the student is 16 or 17 years old and has withdrawn from parental control, if they appealed the decision.

5.10.3 The Suspension Committee may:

5.10.3.1 confirm the suspension,

5.10.3.2 modify the duration of the suspension, and/or

5.10.3.3 expunge the student's record of the suspension.

5.10.4 The Suspension Committee shall notify, in writing, all parties of the

5.12.1.3 inform the family of schools superintendent that the parent(s)/guardian(s) was/were not informed and why;

5.12.1.4 inform the teacher or other professional or para-professional staff person, if that individual informed the principal or vice-principal of the potential for harm, that the parent(s)/guardian(s) was/were not informed and why; and

5.12.1.5 inform other staff working to support the student, as appropriate.

5.12.2 The principal or vice-principal shall inform the victim of the steps being taken by the school to protect the victim's safety. These measures might include creating a plan to keep the victim safe, either verbally or in writing, and the implementation of prevention strategies identified in this procedure. Where the victim has been harassed, bullied or suffered violence as a result of one or more immutable characteristics, including any grounds protected by the Human Rights Code, or has been sexually assaulted, the principal or vice-principal shall provide the victim with contact information about professional supports, such as counselling provided by a Board mental health clinician or community agency, public health facilities and telecommunications forums, such as a help-phone-line or website, that the victim may access for information, assistance and support. Supports might include, but are not limited to, Kids Help Phone and the Lesbian, Gay, Bisexual and Transgendered Youth Line (LGBT Youth Line). A written list of community contacts shall be provided to the victim. Where the victim requires equity-centered and culturally responsive interventions, supports can be offered through the Equity, Diversity, and Inclusion Department. If the student identifies as First Nation, Metis, or Inuit, supports can be offered through the Indigenous Education Department. Where possible, all supports shall be shared with the victim in a form most accessible to them.

6. RELATED POLICIES, ADMINISTRATIVE REGULATIONS OR PROCEDURAL DOCUMENTS

ES-1.1.4, Child in Need of Protection
ES-1.1.8, Procedures in the Event of a Bomb Threat
ES-1.1.9, Substance Use
ES-1.1.10, Safe Arrival Program
ES-1.1.12, Sexual Misconduct by Students
ES-1.1.12A, Appendix A: Police School Board Protocol
ES-1.1.13, Anti-Sex Trafficking

Procedural Documents (internal):
Ensuring Student Safety and Protection Together Protocol, 2019
Police/School Board Protocol (2016)