

SUSPENSION PROCEDURES

**AS 29.0
Section C
June 2014**

PREAMBLE

Any pupil whose behaviour does not comply with Provincial, Board or School Codes of Conduct or the requirements of a pupil as set out in the *Education Act* or its regulations may be suspended and, in some cases, expelled.

ADMINISTRATIVE PROCEDURES

Suspension – *Education Act*

Suspension is the withdrawal of a student from a specific school and from engaging in school-related activities if the pupil commits any infraction for which suspension must be considered under section 306 of the *Education Act*. Suspensions act as deterrents, provide an opportunity for students to think about their actions and hopefully encourage the student and/or their family to seek necessary assistance.

Prior to determining the consequences given to a student for inappropriate behaviour, the principal will conduct an investigation regarding the allegations in question.

The primary purpose underlying the implementation of a suspension is to achieve a positive consequence for the student. This may result through a self-reassessment by the student or a greater awareness on the part of the parent/guardian of the appropriate support and/or additional resources that may be required to assist the student.

In this regard, a suspension:

- operates as a deterrent by sending a strong signal to the pupil that certain types of behaviour are unacceptable;
- notifies family and other pupils that the precipitating behaviour is inappropriate and unacceptable;
- serves as a period of reflection to prepare a climate for conflict resolution where two or more students have been involved in a violent incident;
- encourages a pupil and a pupil's family to seek appropriate assistance themselves; and
- alerts school personnel to the need for ongoing observation, support and intervention.

DEFINITIONS

Suspension

Under subsection 306 (1) of the *Education Act*, a principal shall consider whether to suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

1. Uttering a threat to inflict serious bodily harm on another person.
2. Possessing alcohol or illegal drugs.
3. Being under the influence of alcohol.

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4. Swearing at a teacher or at another person in a position of authority.
5. 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.
6. Bullying.
7. Any other activity that is an activity for which a principal may suspend a pupil under the policy of the board.

If a principal decides to suspend a pupil for engaging in an activity described in subsection (1), the principal will suspend the pupil from his or her school and from engaging in all school-related activities.

The minimum duration of a suspension is one school day and the maximum duration is 20 school days. A principal may suspend a student for 1 to 5 days. The principal is required to consult with the appropriate Superintendent of Schools if the suspension is greater than 5 days.

In considering how long the suspension should be, a principal will take into account any mitigating and/or other factors prescribed by the regulations.

A principal may not suspend a pupil more than once for the same occurrence.

Mitigating Factors

For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (b) of the Act, the following mitigating factors shall be taken into account:

1. The pupil does not have the ability to control his or her behaviour.
2. The pupil does not have the ability to understand the foreseeable consequences of his or her behaviour.
3. The pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.

Notice of Suspension

A principal who suspends a pupil under section 306 shall:

- (a) inform the pupil's teacher of the suspension; and
- (b) make all reasonable efforts to inform the pupil's parent or guardian of the suspension within 24 hours of the suspension being imposed, unless,
 - (i) the pupil is at least 18 years old, or
 - (ii) the pupil is 16 or 17 years old and has withdrawn from parental control.

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A principal who suspends a pupil under section 306 shall ensure that written notice of the suspension is given promptly to the following persons:

1. The pupil.
2. The pupil's parent or guardian, unless,
 - (i) the pupil is at least 18 years old, or
 - (ii) the pupil is 16 or 17 years old and has withdrawn from parental control.

Contents of the Notice

The notice of suspension will include the following:

1. The reason for the suspension.
2. The duration of the suspension.
3. Information about any program for suspended pupils to which the pupil is assigned.
4. Information about the right to appeal the suspension under section 309, including,
 - (i) a copy of the Board policies and guidelines governing the appeal established by the Board under subsection 302 (6), and
 - (iii) the name and contact information of the appropriate superintendent of education to whom notice of the appeal must be given under subsection 309 (2).

Receipt of Notice

Where notice is given, it shall be considered to have been received by the person in accordance with the following rules:

1. If the notice is sent by mail or another method in which an original document is sent, the notice shall be considered to have been received by the person to whom it was sent on the fifth school day after the day on which it was sent.
2. If the notice is sent by fax or another method of electronic transmission, the notice shall be considered to have been received by the person to whom it was sent on the first school day after the day on which it was sent.

A notice of suspension is given to the student at school, mailed to the parent and placed in the Ontario Student Record.

Other Factors

For the purposes of subsections 306 (2), 306 (4), 310 (3), 311.1 (4) and clauses 311.3 (7) (b) and 311.4 (2) (b) of the Act, the following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the pupil may be or is being suspended or expelled:

<p style="text-align: center;">SUSPENSION PROCEDURES</p>	<p style="text-align: center;">AS 29.0 Section C June 2014</p>
<ol style="list-style-type: none"> 1. The pupil's history. 2. Whether a progressive discipline approach has been used with the pupil. 3. Whether the activity for which the pupil may be or is being suspended or expelled was related to any harassment of the pupil because of his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment. 4. How the suspension or expulsion would affect the pupil's ongoing education. 5. The age of the pupil. 6. In the case of a pupil for whom an individual education plan has been developed, <ol style="list-style-type: none"> (i) whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan, (ii) whether appropriate individualized accommodation has been provided, and (iii) whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct. 	
<p>Suspension under Board Policy</p> <p>Under clause 306 (1) 7 of the <i>Education Act</i>, a pupil may be suspended if he or she engages in an activity that is an activity for which a principal may suspend a pupil under a policy of the board.</p> <p>A principal may suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:</p> <ol style="list-style-type: none"> 1. Persistent truancy; 2. Persistent opposition to authority; 3. Habitual neglect of duty; 4. Willful destruction of school property; vandalism causing damage to school or Board property or property located on school or Board premises; 5. Use of profane or improper language; 6. Use of tobacco; 7. Theft; 8. Aid/incite harmful behaviour; 9. Physical assault; 10. Being under the influence of illegal drugs; 11. Sexual harassment; 12. Racial harassment; 13. Fighting; 14. Possession or misuse of any harmful substances; 15. Hate-motivated violence; 16. Extortion; 17. Distribution of hate material; 	

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<p>18. Inappropriate use of electronic communications/media; and/or 19. Other – defined as any conduct injurious to the moral tone of the school or to the physical or mental well-being of others.</p>	
<p>Suspension Duration</p>	
<ul style="list-style-type: none"> • The minimum duration of a suspension is one school day. • The maximum duration is 20 school days. • A suspension will be in effect on the first school day following the infraction. 	
<p>Suspension Appeal</p>	
<p>Under section 309 of the <i>Education Act</i>, provisions are made for the parent/guardian/adult student to appeal the decision to suspend a student (<i>refer to Section D</i>).</p>	
<p>Record</p>	
<p>The principal or vice-principal will keep a record for each pupil with whom progressive discipline approach(es) are utilized. The record should include:</p>	
<ol style="list-style-type: none"> 1. Name of the pupil; 2. Date of the incident or behaviour; 3. Nature of the incident or behaviour; 4. Considerations taken into account; 5. Progressive discipline approach used; 6. Outcome; and 7. Contact with the pupil’s parent/guardian (unless the pupil is an adult pupil). 	
<p><u>RESPONDING TO INCIDENTS</u></p>	
<p>The Board is committed to supporting safe learning and teaching environments in which every pupil can reach his or her full potential. Appropriate action must consistently be taken by schools to address behaviours that are contrary to provincial, Board and school Codes of Conduct, which includes, but is not limited to, inappropriate sexual behaviour, gender-based violence, homophobia, and harassment on the basis of sex, gender identify, sexual orientation, race, colour, ethnicity, culture, citizenship, ancestry, origin, religion, creed, family status, socio-economic status, disability and/or any other immutable characteristic or ground protected by the <i>Human Rights Code</i>, as well as any other behaviour, such as bullying, swearing, malicious gossip, name-calling, sexist, homophobic or racial slurs, comments, jokes or teasing and defamatory or discriminatory electronic communication and postings, graffiti, and other behaviour that might cause a negative school climate.</p>	
<p>Board employees who work directly with students must respond to any student behaviour that is likely to have a negative impact on the school climate, if in the employee’s opinion, it is safe to do so. Such behaviour includes all inappropriate and disrespectful behaviour (e.g., swearing, homophobic or racial slurs, sexist comments or jokes, graffiti), as well</p>	

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<p>as those incidents that must be considered for suspension or expulsion. It is not necessary to report incidents to the principals that fall below the threshold for suspension or expulsion.</p> <p>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.</p> <p>Responses shall be made in a timely, supportive and sensitive manner and made in an effort to stop and correct the behaviour in a manner that is developmentally appropriate and takes into consideration any special and/or disability related needs that the pupil might exhibit or about which the employee might be aware. Responses may include one or more of:</p> <ol style="list-style-type: none"> 1. asking the pupil to stop the behaviour; 2. identifying the behaviour as inappropriate and disrespectful; 3. explaining the impact of the behaviour on others and the school climate; 4. modelling appropriate communication; 5. asking the pupil for a correction of their behaviour by restating or rephrasing their comments; 6. asking the pupil to apologize for their behaviour; 7. asking the pupil to promise not to repeat their behaviour; 8. asking the pupil to explain why and how a different choice with respect to their behaviour would have been more appropriate and respectful; and 9. where applicable, identifying the application of the <i>Human Rights Code</i>. <p><u>REPORTING SUSPENSION & EXPULSION INFRACTIONS TO THE PRINCIPAL</u></p> <p>The infractions for which a suspension may be imposed by the principal include:</p> <ol style="list-style-type: none"> 1. Uttering a threat to inflict serious bodily harm on another person; 2. Possessing alcohol, illegal and/or restricted drugs; 3. Being under the influence of alcohol; 4. Swearing at a teacher or at another person in a position of authority; 5. 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 6. Bullying; 7. Any other activity for which a pupil may be suspended under a policy of the Board. <p>The infractions for which a principal may consider recommending to the Board that a pupil be expelled from the pupil's school or from all schools of the Board include:</p> <ol style="list-style-type: none"> 1. Possessing a weapon, including possessing a firearm or knife; 2. Using a weapon to cause or to threaten bodily harm to another person; 3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner. 4. Committing sexual assault; 5. Trafficking in weapons, illegal or restricted drugs; 	

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<p>6. Committing robbery; 7. Giving alcohol to a minor; 8. Any other activity for which a pupil may be expelled under a policy of a Board.</p> <p>When a Board employee becomes aware of an incident that must be considered for suspension or expulsion by the principal, Board employees must report this to the principal and confirm their report in writing. Whether or not the behaviour leads to a suspension/expulsion is for the principal to determine, not for the staff to weigh.</p> <p>The employee must consider the safety of others and the urgency of the situation in reporting the incident, but, in any case, must report it to the principal by the end of the school day. The report is to be confirmed in writing in a timely manner, using the Safe Schools Incident Reporting form – Part 1 (Appendix A).</p> <p>Note that reporting does not replace conversations between the employee and the principal. The principal and the employee are encouraged to talk about the incident regardless of action taken. The purpose of reporting incidents is to ensure that the principal/vice-principal is aware of the behaviour.</p> <p>Once the form is received, the principal/vice-principal will assign a report number to the form and acknowledge the receipt of the form in writing by returning to the employee <i>Safe Schools Incident Reporting Form – Part 2</i> (Appendix B). On the form the principal or vice-principal will identify whether or not action was taken. No information identifying pupils will be included on Form – Part 2.</p> <p>When Form – Part 2 identified that no action has been taken, the employee shall destroy their copy of Form – Part 2. The principal/vice-principal shall retain their copy of the Form – Part 1 for the balance of the school year, and the following school year, at which time it shall be destroyed unless the matter has become the subject of a proceeding, including an application to the Human Rights Tribunal of Ontario, in which case Form – Part 2 shall be retained until the proceeding is finally decided.</p> <p>Where the Form – Part 2 indicates that action has been taken, the employee may destroy the Form – Part 2, but if they choose to retain it, it must be retained in a secure location for at least twelve (12) months.</p> <p>In circumstances in which action is taken by the principal or vice-principal with respect to the alleged incident and pupil who has been disciplined, a copy of Form – Part 1 shall be filed in that pupil's Ontario Student Record (OSR) for at least the balance of the school year and for the following school year, unless the Form – Part 1 is removed from the OSR in accordance with s.266 of the <i>Education Act</i>, or as the result of a suspension review, suspension appeal, expulsion appeal, or settlement or final determination of an appeal/review/proceeding/action/claim/application. The principal/vice-principal shall ensure that all information contained in the Form – Part 1 that could identify other pupils has been redacted (removed/blacked-out) before it is filed in the OSR of the pupil who has been disciplined. When action is taken against more than one pupil, the Form – Part 1 shall be filed in each pupil's OSR, as above, with all identifying information about other pupils redacted.</p>	

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<p><u>NOTIFICATION</u></p> <p>Notifying the Parent/Guardian</p> <p>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.</p> <p>The principal shall disclose,</p> <ul style="list-style-type: none"> a) the nature of the activity that results in harm to the pupil; b) the nature of the harm to the pupil; and c) the steps taken to protect the pupil's safety, including the nature of any disciplinary measures taken in response to the activity. <p>The principal must say that the student was suspended, if that is the progressive discipline that has been applied. It is not necessary for the principal to say for how many days a student was suspended.</p> <p>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.</p> <p>Not Notifying a Parent/Guardian</p> <p>Where, in the opinion of principal/vice-principal/teacher-in-charge, providing information to the victim's parent/guardian would put the victim at risk of harm, such that notification would not be in the victim's best interests, or where the victim is an adult pupil and does NOT consent to his/her parent/guardian being informed, the principal/vice-principal/teacher-in-charge shall not inform the victim's parent/guardian. A teacher-in-charge shall report to the administration at the earliest opportunity the reason(s) why notification was not provided to the parent/guardian. The principal or vice-principal shall:</p> <ol style="list-style-type: none"> 1. consider, as a result of the victim's disclosure, whether or not the victim is a child in need of protection and, if so, make a report to the Children's Aid Society, and if in doubt, the principal or vice-principal shall make a no-names call to CAS to inquire about the appropriateness of making a report; 2. document why the parent/guardian was not notified; 3. inform his/her superintendent that the parent/guardian was not informed and why; 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/guardian was not informed and why; and 5. inform other staff working to support the pupil, as appropriate. 	

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<p>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 a Safety Plan 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 <i>Human Rights Code</i>, or has been sexually assaulted, the principal or vice-principal shall provide the victim with contact information about professional supports, such as community agencies, public health facilities and telecommunications forums. Where the victim requires support for linguistic, ethno-cultural or disability related needs, information about community supports that are available shall also be shared with the victim in a form most accessible to the victim.</p>	
<p>Where the pupil who has been disciplined shall no longer be attending the same school as the victim, this fact may be confirmed.</p>	
<p><u>PROCEDURES FOR SUSPENSION</u></p>	
<ol style="list-style-type: none"> 1. Where a concern arises regarding possible student discipline, a principal will conduct an investigation and consider mitigating factors and other factors. 2. With respect to suspensions in excess of five school days, the principal will consult with the appropriate superintendent of education. 3. Following an investigation, if it is considered necessary to suspend a student, a principal/designate should contact the student's parent/guardian/adult student in order to discuss reasons for the suspension and engage them in becoming part of the plan to change behaviour. 4. The principal/designate will complete a Suspension Report Form. In completing the form, the principal/designate will set out the process used in considering and documenting his/her decision to suspend (<i>refer to Section J</i>). 5. Where there is a serious violent incident leading to a suspension or expulsion or a call to the police, the principal will complete a Violent Incident Form (<i>refer to Section J</i>). 6. A suspension shall be for a fixed period, not exceeding 20 school days. The minimum period of suspension is <i>one</i> school day. 7. A one-day suspension will be in effect on the first school day following the infraction. 8. A principal who suspends a pupil will: <ol style="list-style-type: none"> (a) inform the pupil's teacher of the suspension; and (b) make all reasonable efforts to inform the pupil's parent or guardian of the suspension within 24 hours of the suspension being imposed, unless, 	

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- (i) the pupil is at least 18 years old, or
 - (ii) the pupil is 16 or 17 years old and has withdrawn from parental control.
9. A principal who suspends a pupil will ensure that written notice of the suspension is given promptly to the following persons:
- 1. The pupil.
 - 2. The pupil's parent or guardian, unless,
 - (i) the pupil is at least 18 years old, or
 - (ii) the pupil is 16 or 17 years old and has withdrawn from parental control.
10. The notice of the suspension will include the following:
- 1. The reason for the suspension.
 - 2. The duration of the suspension.
 - 3. Information about any program for suspended pupils to which the pupil is assigned.
 - 4. Information about the right to appeal the suspension under section 309, including,
 - (i) a copy of the Board policies and guidelines governing the appeal established by the Board under subsection 302 (6), and
 - (ii) the name and contact information of the supervisory officer to whom notice of the appeal must be give under subsection 309 (2).

CONSEQUENCES OF INAPPROPRIATE STUDENT BEHAVIOUR

The information in this chart details the *Education Act* suspensions and suspension pending possible expulsion and the suspensions and suspension pending possible expulsion in accordance with Board policy.

Prior to using this chart, a principal will conduct an investigation, and consider mitigating factors and other factors and document the process that they use.

SUSPENSIONS A Principal Shall Consider <i>Education Act, Part XIII, subsection 306 (1)</i>		Principal May Issue Suspension	Notify Police	
			May	Shall
1.	Uttering a threat to inflict serious bodily harm on another person	1 –20 Days		X
2.	Possessing alcohol or illegal drugs	1 – 20 Days	X	
3.	Being under the influence of alcohol	1 – 20 Days	X	
4.	Swearing at a teacher or at another person in a position of authority	1 – 20 Days	NA	NA
5.	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	1 – 20 Days		X
6.	Bullying	1 – 20 Days	X	

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SUSPENSIONS That May Be Considered – Board Policy <i>Education Act, Part XIII clause 306 (1) 7</i>		Principal May Issue Suspension	Notify Police	
			May	Shall
1.	Persistent truancy – (only non-compulsory school age pupils)	1 – 20 Days	X	
2.	Persistent opposition to authority	1 – 20 Days	X	
3.	Habitual neglect of duty	1 – 20 Days	NA	
4.	Willful destruction of school property; vandalism causing damage to school or Board property or property located on school or Board premises	1 – 20 Days	X	
5.	Use of profane or improper language	1 – 20 Days	NA	
6.	Use of tobacco	1 – 20 Days	X	
7.	Theft	1 – 20 Days	X	
8.	Aid/incite harmful behaviour	1 – 20 Days	X	
9.	Physical assault	1 –20 Days	X	
10.	Being under the influence of illegal drugs	1 –20 Days	X	
11.	Sexual harassment	1 –20 Days	X	
12.	Racial harassment	1 –20 Days	X	
13.	Fighting	1 –20 Days	X	
14.	Possession or misuse of any harmful substances	1 –20 Days	X	X
15.	Hate-motivated violence	1 – 20 Days	X	X
16.	Extortion	1 –20 Days	X	X
17.	Distribution of hate material	1 – 20 Days	X	X
18.	Inappropriate use of electronic communications/media	1 –20 Days	X	
19.	Other*	1 –20 Days	X	

SUSPENSION PENDING POSSIBLE EXPULSION <i>Education Act, Part XIII, subsection 310 (1)</i>		Principal Must Issue Suspension	Notify Policy	
Principal shall issue a suspension pending possible expulsion, then conduct an investigation within 5 school days. Following the investigation impose a suspension or refer to Board for Hearing			May	Shall
1.	Possessing a weapon, including a firearm	20 Days		X
2.	Using a weapon to cause or to threaten bodily harm to another person	20 Days		X
3.	Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner	20 Days		X
4.	Committing sexual assault	20 Days		X
5.	Trafficking in weapons or in illegal drugs	20 Days		X
6.	Committing robbery	20 Days		X
7.	Giving alcohol to a minor**	20 Days		X

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SUSPENSION PENDING POSSIBLE EXPULSION – Board Policy Education Act, Part XIII, clause 310 (1) 8 Principal shall issue a suspension pending possible expulsion, then conduct an investigation within 5 school days. Following the investigation impose a suspension or refer to Board for Hearing		Principal Must Issue Suspension	Notify Police	
			May	Shall
1.	Possession of explosive substance	20 Days		X
2.	Serious or repeated misconduct	20 Days		X
3.	Other *	1 - 20 Days		X
<p>* Other is defined as any conduct injurious to the moral tone of the school or to the physical or mental well-being of others. The Other activity that leads to the suspension must be specifically detailed.</p> <p>** Minor is as interpreted by <i>Education Act</i> – under 18 years of age</p> <p>DEFINITIONS</p> <p>Bullying – is typically a form of repeated, persistent and aggressive behaviour that is directed at an individual or individuals that is intended to cause (or should be known to cause) fear and distress and/or harm to another person’s body, feelings, self-esteem, or reputation. Bullying occurs in the context where there is a real or perceived power imbalance.</p> <p>Explosive Substance – includes anything used to create an explosive device or is capable of causing an explosion.</p> <p>Extortion – using threats, accusations or violence or threats of violence to induce any person to do anything or cause anything to be done.</p> <p>Firearm – any barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable to causing serious bodily injury or death to a person.</p> <p>Harassment – harassment is often, but not always, persistent, ongoing conduct or communication in any form, of attitudes, beliefs, or actions towards an individual or group which might reasonably be known to be unwelcome. A single act or expression can constitute harassment, for example, if it is a serious violation. Harassment may be either subtle or blunt.</p> <p>Hate Material – includes literature, leaflets, posters, graffiti distributed (or sent by electronic means) to incite violence or hatred against an identifiable group and/or their property. The incitement of hatred or bias-motivated incidents against an identifiable group may include persons distinguished by their race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation or other similar factor.</p> <p>Inappropriate Use of Electronic Communications/Media – the intentional use of an electronic device or communication medium, such as, but not limited to, all features of a phone, a cell phone, digital camera, blackberry, e-mails, school hotlines, Web-based communication sites and print material, such as flyers, school newspapers and brochures, that negatively</p>				

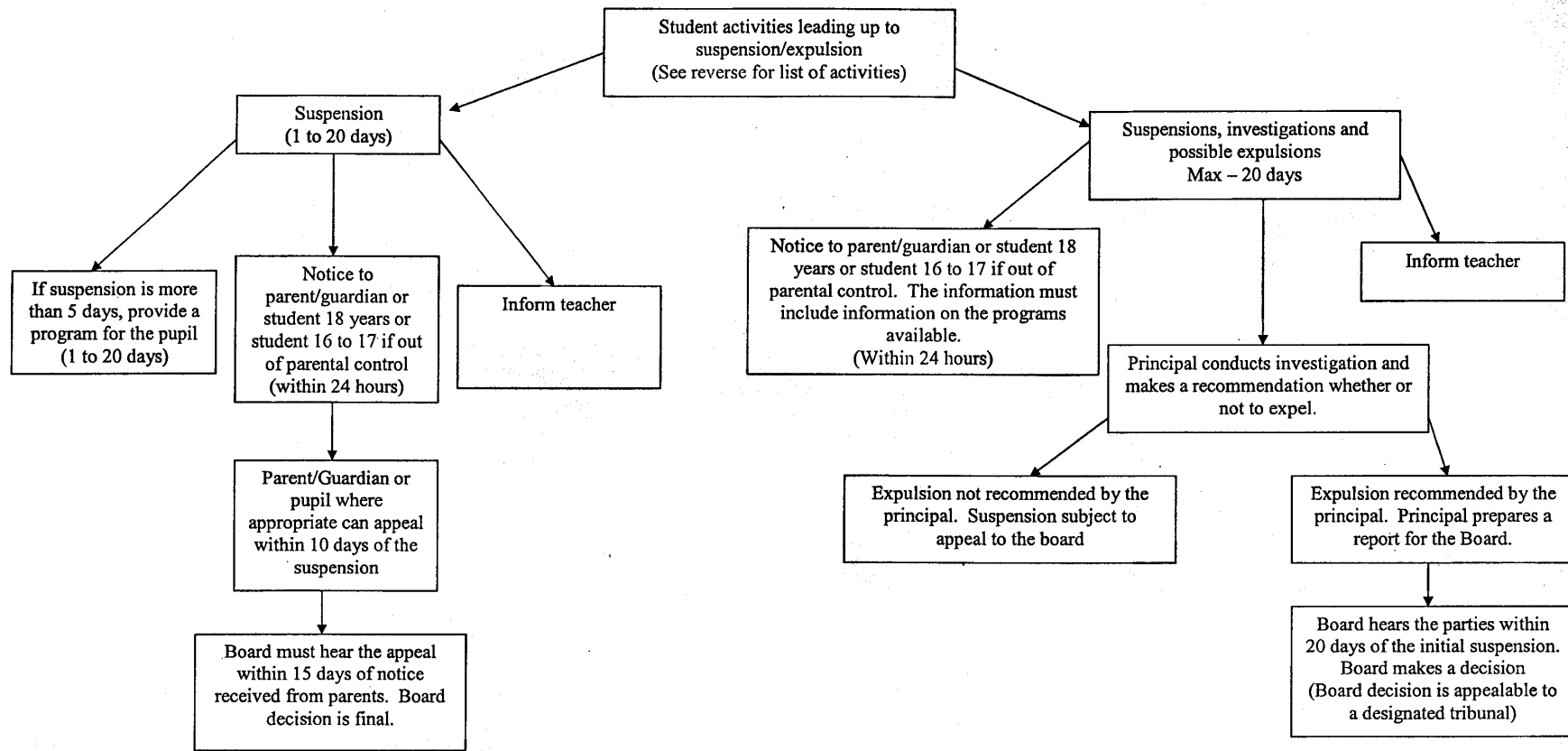
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<p>impact on the well-being of another person and/or the learning environment in accordance with the definition of Harassment (as set out above).</p> <p>Impact on the School Climate – an event which occurs off of school property and/or outside of school hours and/or outside of the school year which has a reasonable connection or nexus to the school, members of the school community and/or the school climate.</p> <p>Physical Assault – the intentional application of force directly or indirectly in any degree at all, to a person without the person’s consent.</p> <p>Physical Assault Causing Bodily Harm – physical assault is the intentional application of force (in any degree at all) to a person without that person’s consent. Bodily harm refers to any hurt or injury that is more than merely transient or trifling in nature which interferes with the health or comfort of the person, and includes (but is not limited to) injuries that receive medial attention. Any cut that requires stitches or any broken or fractured bone should be considered a serious injury. Serious injury could also include multiple minor injuries.</p> <p>Possession of a Weapon – means anything used, designed to be used or intended for use in causing death or injury to any person, or to threaten or intimidate any person. It can include objects which can be used as weapons. Objects such as a pen, or a screwdriver, if displayed to threaten or intimidate, become weapons under this definition. Weapon includes a firearm and any device that is designed or intended to exactly resemble or to resemble with near precision, a firearm.</p> <p>Racial Harassment – means engaging in a course of vexatious comment or conduct pertaining to a person’s race which is known, or is reasonably known, to be offensive, inappropriate, intimidating, hostile and unwelcome. Race refers to a group of people of common ancestry, distinguished from others by physical characteristics, such as colour of skin, shape of eyes, hair texture or facial features. The term is also used, at present, to designate social categories into which societies divide people according to such characteristics.</p> <p>Replica Firearm – is any device that is designed or intended to exactly resemble or to resemble with near precision, a firearm.</p> <p>Robbery – a robbery occurs where a person uses violence or threats of violence to steal money or other property from a victim.</p> <p>Sexual Assault – a sexual assault occurs where a person, without consent, intentionally applies force to another person in circumstances of a sexual nature such as to violate the sexual integrity of the victim.</p> <p>Sexual Harassment – sexual harassment occurs when a person receives unwelcome sexual attention from another person, whose comments or conduct are known or should reasonably be known to be offensive, inappropriate, intimidating, hostile and unwelcome. It also includes an environment in which sexist or homophobic jokes and materials are allowed.</p>	

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<p>Threat to Inflict Serious Bodily Harm – a threat to cause death or serious bodily harm to a person. The term “threat”, as used here, does not apply to situations in which no real threat was intended.</p> <p>Trafficking in Drugs and/or Harmful Substances – means to sell, administer, transfer, transport, send or deliver any harmful substance, illicit drug or narcotic as set out in the <i>Controlled Drugs and Substance Act</i>.</p>	

SUSPENSION/EXPULSION FLOW CHART



ACTIVITIES LEADING UP TO POSSIBLE SUSPENSION	ACTIVITIES LEADING UP TO SUSPENSION AND POSSIBLE EXPULSION
<ol style="list-style-type: none"> 1. Uttering a threat to inflict serious bodily harm on another person. 2. Possessing alcohol or illegal drugs. 3. Being under the influence of alcohol. 4. Swearing at a teacher or at another person in a position of authority. 5. 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. 6. Bullying. 7. Any other activity that is an activity for which a principal may suspend a pupil under a policy of the board. 	<ol style="list-style-type: none"> 1. Possessing a weapon, including possessing a firearm. 2. Using a weapon to cause or threaten bodily harm to another person. 3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner. 4. Committing sexual assault. 5. Trafficking in weapons or in illegal drugs. 6. Committing robbery 7. Giving alcohol to a minor. 8. Any other activity that is an activity for which a principal may suspend a pupil and, therefore in accordance, conduct an investigation to determine whether to recommend to the board that the pupil be expelled.
<p style="text-align: center;">MITIGATING FACTORS</p> <ul style="list-style-type: none"> - The student does not have the ability to control his or her behaviour - The student does not have the ability to understand the foreseeable consequences of his or her behaviour - The student's continuing presence in the school does not create an unacceptable risk to the safety of any persons - The student's history - Whether a progressive discipline approach has been used with the student - 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 his or her race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment. - How the suspension or expulsion would affect the student's ongoing education - Whether the behaviour was a manifestation of a disability identified in the individual's education plan - Whether appropriate individualized accommodation has been provided - Whether the suspension or expulsion is likely to result in an aggravation or worsening of the student's behaviour or conduct 	

Appendix 1: Safe Schools Incident Reporting Form

Report No: _____	CONFIDENTIAL SAFE SCHOOLS INCIDENT REPORTING FORM – PART 1
1. Name of Student(s) Involved (if known)	_____ _____
2. Location of Incident (check one)	<input type="checkbox"/> At a location in the school or on school property (please specify) _____ <input type="checkbox"/> At a school-related activity (please specify) _____ <input type="checkbox"/> On a school bus (please specify route number) _____ <input type="checkbox"/> Other (please specify) _____
3. Time of Incident	Date: _____ Time: _____
4. Type of Incident (Check all that apply)	<p>Activities for which suspension must be considered under section 306(1) of the <i>Education Act</i></p> <input type="checkbox"/> Uttering a threat to inflict serious bodily harm on another person <input type="checkbox"/> possessing alcohol or illegal drugs <input type="checkbox"/> Being under the influence of alcohol <input type="checkbox"/> Swearing at a teacher or at another person in a position of authority <input type="checkbox"/> 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 <input type="checkbox"/> Bullying <input type="checkbox"/> Any act considered by the principal to be injurious to the moral tone of the school <input type="checkbox"/> act considered by the principal to be injurious to the physical or mental well-being of any member of the school community <input type="checkbox"/> Any act considered by the principal to be contrary to the Board or school Code of Conduct <p>Activities for which expulsion must be considered under section 310(1) of the <i>Education Act</i></p> <input type="checkbox"/> Possessing a weapon, including possessing a firearm <input type="checkbox"/> Using a weapon to cause or to threaten bodily harm to another person <input type="checkbox"/> Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner <input type="checkbox"/> Committing sexual assault <input type="checkbox"/> Trafficking in weapons or in illegal drugs <input type="checkbox"/> Committing robbery <input type="checkbox"/> Giving alcohol to a minor <input type="checkbox"/> 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 <input type="checkbox"/> 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 <input type="checkbox"/> 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 <input type="checkbox"/> Activities engaged in by the pupil on or off school property that have caused extensive damage to the property of the Board or to goods that are/were on Board property <input type="checkbox"/> The pupil has demonstrated through a pattern of behaviour that s/he has not prospered by the instruction available to him or her and that s/he is persistently resistant to making changes in behaviour which would enable him or her to prosper <input type="checkbox"/> Any act considered by the principal to be a serious violation of the requirements for pupil behaviour and/or a serious breach of the Board or school Code of Conduct <input type="checkbox"/> Where a pupil has no history of discipline or behaviour intervention, or no relevant history, a single act, incident or infraction considered by the principal to be a serious violation of the expectations of pupil behaviour and/or a serious breach of the Board or school Code of Conduct.
5. Report Submitted By: Name: _____	
Signature: _____ Date: _____	
Contact Information: Location: _____ Telephone: _____	

Appendix 1: Safe Schools Incident Reporting Form

**SAFE SCHOOLS INCIDENT REPORTING FORM – PART II
ACKNOWLEDGEMENT OF RECEIPT OF RECEIPT OF REPORT**

Report No: _____

Report Submitted By: Name: _____ Date: _____

Action Taken **No Action Required**

Name of Principal: _____

Signature: _____ **Date:** _____

Note: Only Part II is to be given to the person who submitted the report.