

APG# SS10: Code of Conduct

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PREAMBLE

The Sudbury Catholic District School Board recognizes that all people are created in the image and likeness of God, and as such deserve to be treated with dignity, respect, and fairness. The Board fosters a Jesus-centered, positive school climate, free from discrimination or harassment where principles of equity and inclusive education support positive student behaviour. The Board's Code of Conduct will be consistently implemented in each school and facility of the Board.

PURPOSE

A positive school climate and a safe learning and teaching environment are essential if students are to succeed in school. A positive school climate is where everyone feels they are safe, included and accepted.

The provincial Code of Conduct sets clear standards of behaviour. These standards of behaviour apply to students whether they are on school property, on school buses, at school-related events or activities, in before- and after-school programs, or in other circumstances that could have an impact on the school climate. They also apply to all individuals involved in the publicly funded school system – principals, teachers, early childhood educators, other school staff, parents, school bus drivers, volunteers, and community groups.

IMPLEMENTATION

1. THE PROVINCIAL CODE OF CONDUCT

The *Education Act* permits the Minister of Education to establish a code of conduct governing the behaviour of all persons in schools. The purposes of the Provincial Code of Conduct are:

- 1.1 to ensure that all members of the school community, especially people in positions of authority, are treated with respect and dignity;
- 1.2 to promote responsible citizenship by encouraging appropriate participation in the civic life of the school community;
- 1.3 to maintain an environment where conflict and difference can be addressed in a manner characterized by respect and civility;
- 1.4 to encourage the use of non-violent means to resolve conflict;
- 1.5 to promote the safety of people in schools;
- 1.6 to discourage the use of alcohol and illegal drugs; and, except by a medical cannabis user, cannabis (as defined in the Education Act, a medical cannabis user is a person who is authorized to possess cannabis for the person's own medical purposes in accordance with applicable federal law);
- 1.7 to prevent bullying in schools.

2. STANDARDS OF BEHAVIOUR

Respect, Civility, and Responsible Citizenship

All members of the SCDSB school communities must:

- respect and comply with all applicable federal, provincial, and municipal laws;
- demonstrate honesty and integrity;
- respect differences in people, their ideas, and their opinions;
- treat one another with dignity and respect at all times, and especially when there is disagreement;
- respect and treat others fairly, regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability;
- respect the rights of others;
- show proper care and regard for school property and the property of others;
- take appropriate measure to help those in need;
- seek assistance from a member of the school staff, if necessary, to resolve conflict peacefully;
- not swear at a teacher or at another person in a position of authority;
- respect all members of the school community, especially persons in positions of authority;
- respect the need of others to work in an environment that is conducive to learning and teaching, including ensuring that personal mobile devices are only used during instructional time:
 - for educational purposes, as directed by an educator;
 - for health and medical purposes;
 - to support special education needs.

Safety

All members of the SCDSB school communities must not:

- engage in bullying behaviours;
- commit sexual assault;
- traffic weapons or illegal drugs;
- give alcohol or cannabis to a minor;
- commit robbery;
- be in possession of any weapon, including firearms;
- use any object to threaten or intimidate another person;
- cause injury to any person with an object;
- be in possession of, or be under the influence of, or provide others with alcohol, cannabis (unless the individual has been authorized to use cannabis for medical purposes), and illegal drugs;
- provide others with alcohol, illegal drugs, or cannabis (unless the individual has been authorized to use cannabis for medical purposes);
- inflict or encourage others to inflict bodily harm on another person;
- engage in hate propaganda and other forms of behaviour motivated by hate or bias;
- commit an act of vandalism that causes extensive damage to school property or to property located on the premises of the school.

3. ROLES AND RESPONSIBILITIES

a) The Board:

- The Board will provide direction to its Catholic schools to promote student achievement and well-being and to ensure accountability in the education system. It is the responsibility of school boards to:
- develop policies that set out how their schools will implement and enforce the Provincial Code of Conduct and all other rules that they develop that are related to the provincial standards that promote and support respect, civility, responsible citizenship, and safety;

- establish a process that clearly communicates the provincial Code of Conduct and school board codes of conduct to all parents, students, principals, teachers, other school staff, and members of the school community in order to obtain their commitment and support;
- review these policies regularly with those listed above and revise them as necessary;
- seek input from School Councils, their Regional Parent Involvement Committee, their Special Education Advisory Committee, and their Indigenous Education Advisory Committee;
- develop effective intervention strategies and respond to all infractions related to the standards for respect, civility, responsible citizenship, safety and equity and inclusive education;
- provide opportunities for all of the staff to acquire the knowledge, skills, and attitudes necessary to develop a Catholic school community and maintain academic excellence in a safe learning and teaching environment;
- Post the Code of Conduct on the Board website and make the code of conduct available to the public in other appropriate manners.

b) Principals

Under the direction of the Board, principals take a leadership role in the daily operation of a school. They provide this leadership by:

- demonstrating care for the school community and a commitment to academic excellence in a safe teaching and learning environment;
- holding everyone under their authority accountable for his or her behaviour and actions;
- empowering students to be positive leaders in their school and community;
- communicating regularly and meaningfully with all members of their school community;
- Post the School Code of Conduct on the school website and make the code of conduct available to the public in other appropriate manners.

c) Teachers and Other School Staff Members:

Under the leadership of their principals, teachers and other school staff maintain a positive learning environment and are expected to hold everyone to the highest standard of respectful and responsible behaviour. As role models, teachers and other school staff uphold these high standards when they:

- help students work to their full potential and develop their sense of self-worth;
- empower students to be positive leaders in their classroom, school, and community;
- communicate regularly and meaningfully with parents;
- maintain consistent standards of behaviour for all students;
- demonstrate respect for one another, all students, staff, parents, volunteers, and other members of the school community;
- prepare students for the full responsibility of citizenship.

d) Students:

Students are to be treated with respect and dignity. In return, they must demonstrate respect for themselves, for others, and for the responsibilities of citizenship through acceptable behaviour. Respect and responsibility are demonstrated when students:

- come to school prepared, on time, and ready to learn;
- show respect for themselves, and for others, and for those in positions of authority;
- refrain from bringing anything to school that may compromise the safety of others;
- follow the established rules and takes responsibility for their own actions.

e) Parents:

Parents play an important role in the education of their children and can support the efforts of school staff in maintaining a safe, inclusive, accepting, and respectful learning environment for all students. Parents fulfil their role when they:

- are engaged in their child's school work and progress;
- communicate regularly with the school;
- help their child be appropriately dressed and prepared for school;
- ensure that their child attends school regularly and on time;
- promptly report to the school their child's absence or late arrival;

- become familiar with the Provincial Code of Conduct, the Board's Code of Conduct and school's code of conduct;
- encourage and assist their child in following the rules of behaviour;
- assist school staff in dealing with disciplinary issues involving their child.

f) **Community Partners:**

Through outreach, existing partnerships may be enhanced and new partnerships with community-based service providers and members of the community (e.g., Elders, Senators, Knowledge Keepers) may also be created. Community-based service providers are resources that boards can use to deliver prevention or intervention programs. Protocols are effective ways of establishing linkages between boards and community-based service providers and of formalizing the relationship between them. These partnerships must respect all applicable collective agreements.

g) **Police**

The police play an essential role in making our schools and communities safer. The police investigate incidents in accordance with the protocol developed with the local school board. These protocols are based on the *Provincial Model for a Local Police/School Board Protocol, 2015*, developed by the Ministry of Community Safety and Correctional Services and the Ministry of Education.

4. **SUSPENSIONS and EXPULSIONS at the Sudbury Catholic District School Board**

A. **SUSPENSIONS**

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:

- Uttering a threat to inflict serious bodily harm on another person.
- Possessing alcohol or illegal drugs, or unless the student is a medical cannabis user, cannabis
- Being under the influence of alcohol, or unless the student is a medical cannabis user, cannabis
- 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 at the pupil's school or to property located on the premises of the pupil's school.
- Bullying.
- Other: Activity that is an activity for which a principal may suspend a pupil under a board policy.
- Committing physical assault on another person.
- Conduct injurious to the moral tone of the school or to the physical or mental well-being of others
- Non-Consensual Distribution of Intimate Images.
- Under Bill C-13, it is illegal to distribute intimate images of a person without their consent, regardless of the age of the person in the picture.
- Non-consensual sharing of intimate images: Knowingly publishing, distributing, transmitting, selling, making available, or advertising an intimate image of another person while knowing that the person depicted in the image did not give their consent, or being reckless as to whether the person gave their consent. The term "intimate image" refers to a visual recording such as a photograph, instant message, or video recording of a person in which the person is nude or engaged in explicit sexual activity and which was created in circumstances that gave rise to a reasonable expectation of privacy.
- Police must be notified when an occurrence happens.

If a principal decides to suspend a pupil for engaging in an activity described in subsection (1) of the *Education Act*, 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.

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

B. SUSPENSION PENDING POSSIBLE EXPULSION

Under subsection 310 (1) of the *Education Act*, a Principal shall 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:

- Possessing a weapon, including possessing a firearm;
- Using a weapon to cause or to threaten bodily harm to another person;
- Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
- Committing a sexual assault;
- Trafficking in weapons or in illegal drugs;
- Committing robbery;
- Giving alcohol or cannabis to a minor;
- Bullying, if,
 - the pupil has previously been suspended for engaging in bullying, and
 - the pupil's continuing presence in the school creates an unacceptable risk to the safety of another person
- Any activity listed in subsection 306 (1) that is motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor.
- Any other activity that, under a policy of a board, is an activity for which a principal must suspend a pupil and, therefore in accordance with this Part, conduct an investigation to determine whether to recommend to the Board that the pupil be expelled.
 - Conduct that is seriously injurious to the moral tone of the school or to the physical or mental well-being of others

A pupil who is suspended under this section is suspended from his or her school and from engaging in all school-related activities.

C. MITIGATING FACTORS AND OTHER FACTORS

In considering whether to suspend a pupil or whether to recommend to the Board that a pupil be expelled, a principal will take into account any mitigating factors or other factors prescribed by the regulations.

Mitigating Factors

Pursuant to the Suspension and Expulsion of Pupils Regulation, the following mitigating factors shall be taken into account:

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

Other Factors

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:

- the pupil's history
- whether a progressive discipline approach has been used with the pupil

- 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
- how the suspension or expulsion would affect the pupil's ongoing education
- the age of the pupil
- in the case of a pupil for whom an individual education plan has been developed;
 - whether the behaviour was a manifestation of a disability identified in the pupil's individual education plan,
 - whether appropriate individualized accommodation has been provided, and
 - whether the suspension or expulsion is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.

D. NOTICE TO PARENT OR GUARDIAN

Section 300.3 of the Education Act specifies that if a Principal believes that a pupil has been harmed as a result of an activity described in subsection 306 (1) or 310 (1), the principal shall, as soon as reasonably possible, notify:

- The parent or guardian of the pupil who the principal believes has been harmed;
- The parent or guardian of any pupil of the school who the principal believes has engaged in the activity that resulted in the harm.

When notifying a parent or guardian of a pupil who has been harmed, the Principal shall disclose:

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

When notifying a parent or guardian of a pupil who has been harmed, the Principal shall not disclose the name of or any other identifying or personal information about a pupil who engaged in the activity that resulted in the harm, except in so far as is necessary to comply with his or her obligation to disclose the required information.

When notifying a parent or guardian of a pupil who has engaged in the activity that resulted in harm, the Principal shall disclose:

- the nature of the activity that resulted in harm to the other pupil;
- the nature of the harm to the other pupil;
- the nature of any disciplinary measures taken in response to the activity; and
- the supports that will be provided for the pupil in response to his or her engagement in the activity.

When notifying a parent or guardian of a pupil who has engaged in the activity that resulted in harm, the Principal shall not disclose the name of or any other identifying or personal information about a pupil who has been harmed as a result of the activity, except in so far as is necessary to comply with his or her obligation to disclose the required information.

When notifying parents of these incidents, the Principal shall invite the parent or guardian to have a discussion with the Principal about the supports that will be provided for his or her child.

However, the Principal shall not, without the pupil's consent, notify a parent or guardian of a pupil who is 18 years or older, or who is 16 or 17 years old and has withdrawn from parental control. The Principal also shall not notify a parent or guardian of a pupil if in the opinion of the principal doing so would put the pupil at risk of harm from a parent or guardian of the pupil, such that the notification is not in the pupil's best interests. Under subsection 301(5.5) of the *Education Act*, when principals have decided not to notify

the parents that their child was involved in a serious student incident, they must, in accordance with Ontario Regulation 472/07, document the rationale for this decision and notify both the teacher who reported the incident and the appropriate supervisory officer of this decision.

In circumstances where board employees have reason to believe that a student may be in need of protection, board employees must call a children's aid society according to the requirements of the Child, Youth and Family Services Act, 2017.

5. LOCAL CODES OF CONDUCT IN SCHOOLS

A School's Code of Conduct must be consistent with the Board's Code of Conduct, however, may be tailored to address individual school needs. Principals complete and revise their school code of conduct in collaboration with the Catholic School Council.

DOCUMENTS

APG [SS11 Bullying Prevention and Intervention](#)

APG [SS15 Personal Electronic Devices \(PEDs\) - Students](#)

APG [SS19 Program for Long Term Suspension Students](#)

APG [SS20 Program for Expelled Students](#)

Safe School Manual 2017

[Policy/Program Memorandum 128; The Provincial Code of Conduct and the School Board Codes of Conduct](#)

[Policy/Program Memorandum 120: Reporting Violent Incidents to the Ministry of Education](#)

[Policy/Program Memorandum 144: Bullying Prevention Intervention](#)

[Policy/Program Memorandum 145: Progressive Discipline and Promoting Positive Student Behaviour](#)

[Ontario Ministry of Education - Cellphones and Other Personal Mobile Devices in Schools - Questions and Answers for Parents and Guardians](#)