

APG# SS12: Progressive Discipline and Promoting Positive Student Behaviour

Adopted:	February 1, 2010	APG Number:	SS12
Revised:	January 24, 2013, April 26, 2019	Former APG Number (if applicable):	
Reviewed:	January 24, 2013, April 26, 2019	APG Category:	Academic and Student Services
Subsequent Review Date(s):	April 2022	Page(s):	10

PREAMBLE

Progressive discipline is a whole-school approach that utilizes a continuum of interventions, supports, and consequences to address inappropriate student behaviour and to build upon strategies that promote positive behaviours. When inappropriate behaviour occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to a focus that is both corrective and supportive. Schools should utilize a range of interventions, supports, and consequences that are developmentally appropriate and include learning opportunities for reinforcing positive behaviour while helping students to make good choices.

PURPOSE

The Sudbury Catholic District School Board acknowledges the importance of actively promoting and supporting appropriate and positive student behaviours that contribute to and sustain a safe, inclusive, and accepting learning and teaching environment in which every student can reach their full potential. Ontario's curriculum is integral to supporting students in developing positive behaviours. support a safe inclusive and accepting learning and teaching environment in which every student can reach his or her full potential as a person created in the likeness and image of God. The Board supports developmentally appropriate action to address behaviours that are contrary to the provincial and the board code of conduct including but not limited to bullying, harassing behaviour and discrimination based on, for example, race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability

A whole-school approach, which involves all members of the school community, is also important in supporting efforts to ensure that schools are safe, inclusive, and accepting. It is an effective approach to making systemic changes that will benefit all students and the broader community. Implementation of a whole-school approach needs to occur at all levels – the board, school, class, individual, family, and community. It involves the development of respectful and caring relationships between staff, between students, and between staff and students. All aspects of school life are included in a whole-school approach, such as curriculum, school climate, teaching practices, policies, and procedures. To improve the school climate, members of the school community need to share information to develop an awareness of factors that have an impact on the school climate and to provide information about the effectiveness of prevention and intervention strategies, practices, and programs in their school. A whole-school approach is also valuable in addressing such issues as racism, intolerance based on religion or disability, bullying, homophobia, and gender-based violence.

IMPLEMENTATION

1. Prevention and Awareness Raising

In order to promote a positive school climate, Sudbury Catholic Schools will provide opportunities for all members of the school community to increase their knowledge and understanding of such issues as bullying; violence; inappropriate sexual behaviour; bias, stereotyping, discrimination, prejudice, and hate; critical media literacy; and safe Internet use. Ontario's curriculum provides many opportunities for students to develop an understanding of these topics and the skills to make safe and healthy choices.

The board policies on prevention and awareness raising will include the requirements for the provision of special education programs and services for students with special education needs in a respectful caring, safe, and inclusive environment.

As part of the monitoring and evaluation of their policies, the school board will conduct anonymous school climate surveys of students, staff, and parents at least once every two years. These surveys must include questions on bullying/harassment related to sexual orientation, gender identity, and gender expression, as well as questions on sexual harassment.

Parents will be informed that these surveys are voluntary and that they can choose not to have their child participate. The board will not collect any name or any identifying number, symbol, or other particular assigned to a person, in accordance with subsection 169.1(2.2) of the Education Act.

Schools are to share school climate survey results with their safe and accepting schools teams and to build strategies into their school improvement plans to improve the school climate regarding issues identified through their climate surveys.

The board will support students who want to establish and lead activities and organizations that promote a safe and inclusive learning environment, acceptance of and respect for others, and the creation of a positive school climate, including activities or organizations that promote gender equity; antiracism; the awareness and understanding of, and respect for, people with disabilities; or awareness and understanding of, and respect for, people of all sexual orientations and gender identities, including organizations with the name “gay-straight alliance” or another similar name.

Neither the board nor the principal shall refuse to allow a student to use the name “gay-straight alliance” or a similar name for an organization, as outlined in subsection 303.1(2) of the Education Act. Nothing in this section of the Education Act shall be interpreted as requiring a board to support the establishment of an activity or organization in a school unless there is at least one student who wants to establish and lead it. The name of an activity or organization must be consistent with the promotion of a positive school climate that is inclusive and accepting of all students.

2. Responding to Incidents

The purpose of responding to incidents that can have a negative impact on school climate is to stop and correct it immediately so that the students involved can learn that it is unacceptable. “Behaviour that is not addressed becomes accepted behaviour.”

SCDSB employees who work directly with students – including administrators, teachers, and non-teaching staff (including staff in social work, child and youth work, psychology, and related areas, and educational assistants) – must respond to any student behaviour that is likely to have a negative impact on the school climate. Such behaviour includes serious student incidents and all inappropriate and disrespectful behaviour at any time at school and at any school-related event if, in the employee's opinion, it is safe to respond to it, in accordance with subsection 300.4 of Part XIII of the Education Act and Ontario Regulation 472/07. Such inappropriate behaviour may involve bullying, swearing, homophobic or racial slurs, sexist comments or jokes, graffiti, or vandalism.

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 to correct the behaviour (e.g., to apologize for a hurtful comment and/or to rephrase a comment) and to promise not to do it again. By responding in this way, board employees immediately address inappropriate student behaviour that may have a negative impact on the school climate. When board employees are aware that an incident involves a student with special education needs, they are expected to respond in a way that takes into account information in the student's Individual Education Plan.

Ontario Regulation 472/07 specifies that board employees are not required to respond to incidents when, in their opinion, responding would cause immediate physical harm to themselves or to a student or another

person. However, incidents for which suspension or expulsion must be considered, must be reported to the principal and confirmed in writing (see also “Reporting to Principals”). For other incidents, where suspension or expulsion would not be considered but board employees feel it is not safe to respond, they will be expected to inform the principal verbally as soon as possible. For example, a board employee would not be required to respond if it would mean putting themselves or a student in an unsafe situation.

3. Supports for Students

SCDSB will provide supports for all students who are affected by serious student incidents and all inappropriate behaviour, and for those who engage in these types of incidents, to assist them in developing healthy relationships, making choices that support continuing their learning, and achieving success. Supports may be provided by employees of the board, through board programs and resource personnel, or through community-based service providers, including social service agencies and mental health services.

In responding to any incident, board employees who work directly with students must act in a timely, sensitive, and supportive manner. They are expected to support students – including those who disclose or report incidents and those who wish to discuss issues of healthy relationships, gender identity, and sexuality – by providing them with contact information about professional supports (i.e. public health units, community-based service providers, Help Phone Lines.).

The Board outlines in their progressive discipline policy the procedures that are in place to support students who have been harmed or students who have engaged in serious student incidents. These policies and procedures must outline what schools are required to do to support these students, including the development of specific plans to protect students who have been harmed and must outline a process for parents to follow if they are not satisfied with the supports that their children receive.

4. Notifying Parents

Section 300.3 of the Education Act specifies when principals are required to notify the parents of students who have been harmed as the result of a serious student incident. Principals shall disclose the following information:

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

This section of the act now also specifies that principals are required to notify the parents of students who have engaged in serious student incidents. Principals shall disclose the following information:

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

When notifying parents of these incidents, the principal must invite parents to have a discussion with him or her about the supports that will be provided for their child.

Under subsection 300.3(3) of the Education Act, a principal shall not notify a parent of a student if, in the opinion of the principal, doing so would put the student at risk of harm from a parent of the student, such that notification is not in the student’s best interest. 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, as described above, 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. Principals shall also, if they determine it is appropriate to do so, inform other board employees of this decision. In addition, principals should refer students to board resources or to a community-based service provider that can provide the appropriate type of confidential support when his or her parents are not called (i.e. counselling; a sexual assault centre; Kids Help Phone; Lesbian, Gay, Bisexual, Transgendered Youth Line).

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 and Family Services Act, 2017

5. School Transfers Related to School Safety

In extreme cases students may be transferred to another school in order to preserve school safety. These situations are unique and must have approval of the school Superintendent. In these cases, the Board is required to coordinate a "transfer meeting" between the school from which the student is being transferred and the receiving school. In cases where the transfer is necessary to protect a student, it is preferable that the student who has been harmed not be moved. The purpose of the transfer meeting is to put in place a transition strategy to identify any additional supports and resources that the student may require (i.e. supports provided by school-based employees of the board, by board personnel, or through a community-based service provider, including mental health services).

The meeting must include the teachers and other school staff that will have regular direct contact with the student. The student that is being moved and his or her parents should also be invited to the transfer meeting. Schools must make reasonable efforts to accommodate parent participation at this meeting. The transfer meeting must occur prior to the day or on the day the student is transferred. When the meeting occurs on the day the student is transferred, it must occur before the student attends class. The receiving school must also be in possession of the student's OSR prior to the occurrence of the transfer meeting, and the OSR must be available to be consulted at the meeting.

6. Reporting to the Principal

The purpose of reporting serious student incidents is to ensure that the principal is aware of any activities taking place in the school for which suspension or expulsion must be considered and to help ensure a positive school climate.

Section 300.2 of Part XIII of the Education Act states that an employee of the board who becomes aware that a student at a school of the board may have engaged in an activity for which suspension or expulsion must be considered, including sexual assault, shall report the matter to the principal as soon as reasonably possible. 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 no later than the end of the school day.

In cases where an immediate action is required, a verbal report to the principal may be made. A written report must be made when it is safe to do so.

In certain situations, members of the College of Psychologists of Ontario or the Ontario College of Social Workers and Social Service Workers who are engaged in a clinical relationship with a student shall report incidents of behaviour for which suspension or expulsion must be considered to the principal as soon as it is, in their professional opinion, reasonably possible to do so without having a negative impact on the nature of the clinical relationship, in accordance with section 300.2 of Part XIII of the Education Act. They shall also report, in a manner that is consistent with the code of ethics and the standards of practice of their respective professions, matters that could result in the student's doing physical, emotional, or psychological harm to themselves or to others.

All employee reports made to the principal must be confirmed in writing, using the "Safe Schools Incident Reporting Form". Where the principal is the sole witness to an incident, the principal is similarly required to use the reporting form to confirm in writing what they witnessed. The board will specify on this form any

other activities for which a student may be suspended or expelled, according to board policy. Each report should be assigned a number for filing and retrieval purposes.

The Board will provide information to board employees on completing the safe schools incident reporting forms. For example, employees who are reporting an incident must submit the "Safe Schools Incident Reporting Form – Part 1" to the principal in a timely manner.

The principal must investigate all reports submitted by board employees, as outlined in subsection 300.2(3) of the Education Act. Once the investigation is complete the principal must communicate the results of the investigation to the teacher who made the report. If a board employee who is not a teacher made the report, the principal will communicate the results of the investigation to that employee if the principal considers it appropriate. Communication between the principal and school staff about the investigation and the results of the investigation is a shared responsibility, and is an important factor in meeting student needs and fostering collaboration in the school.

The principal must not disclose more personal information than is reasonably necessary for the purpose of communicating the results of the investigation, in accordance with subsection 300.2(5) of the Education Act. This information must be provided in a timely manner so that school staff can work with the principal to best meet the needs of students, support a positive school climate, and help prevent future inappropriate behaviour from taking place.

In all cases, the principal must provide the employee who reported the incident with written acknowledgement, using the "Safe Schools Incident Reporting Form – Part II". The Board form has been modified, but retains the elements from the Ministry form, and must specify whether the investigation has been completed or is still in progress. If no further action is taken by the principals, the principal is not required to retain the report. Information that could identify the student(s) involved must not be part of the acknowledgement.

In addition to employees of the board, third parties, specified below, who are under contract or agreement with the board are required to report such incidents in writing to the principal of the school. The requirements for the board are as follows:

- SCDSB is required to include reporting requirements for school bus drivers in their transportation policies and contracts
- SCDSB is required to include reporting requirements for employees and contractors as a condition in their agreements with third-party operators who are providing before- and/or after-school programs for children in Kindergarten to Grade 6, in accordance with section 28 of Ontario Regulation 221/11. These reporting requirements apply to employees or contractors of the operator who, in the normal course of providing the program, regularly come into direct contact with children enrolled in the third-party program.

Early childhood educators in board-operated extended-day programs, as well as employees and contractors of third-party operators as described above, must report to the principal as soon as reasonably possible. The board is expected to provide information to these third-party operators on how to complete the "Safe Schools Incident Reporting Form – Part I".

Individuals who are not employees of the board who come into direct contact with students on a regular basis, as outlined in subsection 302(3.1) of Part XIII of the Education Act are to report such matters to the principal.

The Board will also follow the direction provided in the ministry document *Provincial Model for a Local Police/School Board Protocol, 2015*, with respect to incidents that require policy notification and response.

If the principal has decided that action must be taken as a result of a serious student incident, he or she will file a copy of the reporting form with documentation indicating the action taken in the OSR of the student whose behaviour was inappropriate. The names of all other students that appear on the form – both

students who engaged in the activity and students who have been harmed – must be removed from the form before it is filed.

Starting in 2018, the form will be filled electronically and is only printed if a suspension or expulsion was the result.

Where the principal has taken action in the case of more than one student, a copy of the reporting form with documentation indicating the action taken must be filed in the OSR of each student whose behaviour was inappropriate. The names of all other students that appear on the form – both students who have engaged in the activity and students who have been harmed – must be removed from the form before it is filed.

In the case of the students who has been harmed, no information about the incident must be placed in his or her OSR, unless that student's parents expressly request that it be placed in the OSR.

In situations where the student who has been harmed has also engaged in a serious student incident, information regarding the incident and the action taken will be placed in the student's OSR.

The form and documentation must be kept in the OSR for a minimum of one year.

If the principal has identified the incident as violent, and if the student engaged in the incident is a student of the school, the reporting form must be retained that student's OSR for:

- one year, if the student's suspension was quashed or withdrawn and the record of suspension expunged. Documentation of any other action taken (other than suspension or expulsion) must also be retained for this period;
- three years, if the student was suspended for the violent incident;
- five years, if the student was expelled for the violent incident.

For non-violent incidents, if no further action is taken by the principal, the principal is not required to retain the report.

7. Building Partnerships

Relationships that engage the whole community and its partners promote a positive school environment and support the progressive discipline approach. Protocols between the board and community-based service providers are effective ways to establish linkages and to formalize the relationship between them. These protocols facilitate the delivery of prevention, intervention, and response programs, the use of referral processes, and the provision of services and support for students and their parents and families. Where such protocols already exist, they should be reviewed, and where they do not, protocols should be developed to increase the board's capacity to respond to the needs of students. These partnerships must build upon provincially developed protocols, principles, and frameworks for collaborative strategies that have been designed to support the school board in meeting the needs of students. These partnerships must also respect collective agreements.

The Board should refer to Policy/Program Memorandum No. 149, "Protocol for Partnerships with External Agencies for Provision of Services by Regulated Health Professionals, Regulated Social Service Professionals, and Paraprofessionals", 2009, which sets out the requirements for the development of a local protocol between a school board and external agencies.

To facility the building of partnerships, the SCDSB will:

- direct schools to work with community-based service providers, mental health agencies, or other organizations that have professional expertise in the areas of bullying, discrimination, violence, and

harassment to provide appropriate support to students, parents, and teachers, and other school staff in addressing these issues:

- maintain an up-to-date contact list of community-based service providers that have professional expertise in these areas, making the list available to staff and students of every school;
- ensure that all publicly funded schools work in partnership with, and provide access to, public health units in order to support implementation of the Ontario curriculum together with mandated public health policies.

The Board should, wherever possible, collaborate to provide coordinated prevention and intervention programs and services and, where possible, share effective practices.

8. Implementation Strategy

The Board recognizes the following principles:

- require schools to implement a school-wide progressive discipline policy that is consistent with the board's policy;
- outline a range of prevention programs, interventions, supports, and consequences, including circumstances in which short-term suspension, long-term suspension, or expulsion may be the response required;
- require use of the most appropriate response, as outlined in the board's or school's progressive discipline policy, to respond to a student's behaviour. For students with special education needs, the information in the student's IEP must be considered in the determination of intervention, consequences, and supports.
- develop a process for building on existing partnerships and for developing new partnerships with community agencies, including local police services, to support students and their families;
- provide for ongoing dialogue with parents on student achievement and behaviour at every step of the progressive discipline continuum;
- provide opportunities for students to improve the school climate through assuming leadership roles (i.e. peer mediation, mentorship);
- ensure that the board's code of conduct is aligned with its progressive discipline approach.

9. Professional Development Strategies for Administrators, Teachers, and Other School Staff

SCDSB is required to establish and provide annual professional development programs to educate teachers and other school staff about the prevention of inappropriate behaviour and strategies for promoting a positive school climate, in accordance with subsection 170(1) of the Education Act.

Training should include opportunities for teachers to explore curriculum connections related to bullying prevention, social and emotional skills (i.e. interpersonal skills, personal-management skills), and critical and creative thinking skills to help students develop healthy relationships.

The Board will put in place a strategy on the board's progressive discipline policy for all administrators, teachers, and other school staff. The strategy must include ways of responding to serious student incidents, including inappropriate sexual behaviour.

To further support students, SCDSB will work with the local children's aid societies to develop and implement annual training for board staff concerning their duty to report under the Child, Youth and Family Services Act, 2017

The Board should make sure that members of the school community are aware of the board's policy on progressive discipline, including students, parents, school secretaries, custodians, volunteers, community-based service providers, school bus operators and drivers, early childhood educators, and employees and contractors of third-party operators of before and after-school programs supporting the

Full-Day Kindergarten program on the school site for children in Kindergarten to Grade 6 on the school site.

The training should address the fact that creating and sustaining a safe, inclusive, and accepting learning environment through appropriate interactions between all members of the school community is the responsibility of the whole school community.

The Board will support ongoing training for teachers, administrators, and other school staff through such opportunities as new-teacher induction programs and e-learning.

10. Communications Strategy

For a progressive discipline approach to be effective, it is important that all members of the school community, including teachers, other school staff, students, and parents, understand and support the progressive discipline approach. To support a whole-school approach, the board will actively communicate policies and guidelines to all students, parents, staff members, their Special Education Advisory Committee, and school council members. The Board will also provide this information to their Parent Involvement Committee, Indigenous Education Advisory Committee, Special Education Advisory Committee and other relevant groups.

11. Monitoring and Review

SCDSB will monitor, review, and evaluate the effectiveness of board policies and procedures established in consultation with teachers, non-teaching staff, students, parents, school councils, their Special Education Advisory Committee, their Parent Involvement Committee, the Indigenous Education Advisory Committee and community-based service providers. SCDSB will conduct regular reviews of their policies and procedures in a timely manner.

In evaluating and monitoring safe school policies and programs, the board must direct schools to address serious student incidents, as well as other inappropriate behaviour (including inappropriate sexual behaviour), in their school improvement plans.

Schools are to evaluate the effectiveness of their safe schools policies and programs through the use of school climate surveys of students, parents, and staff, which must be undertaken every two years at a minimum.

12. Delegation of Authority Regarding Discipline

The Education Act provides a principal with the authority to delegate – in accordance with this memorandum and any applicable board policies and guidelines – powers, duties, or functions under Part XIII, “Behaviour, Discipline and Safety”. Whenever possible, Sudbury Catholic must ensure that at least one school administrator is present on school property.

The Board has a policy in place on delegation of this authority. What may be delegated is clearly defined in board policy. This is outlined in the Teacher in Charge Handbook, Teacher in Charge Delegation of Authority form (located on the intranet)

A delegation under Part XIII of the Education Act must be in writing and is subject to any restrictions, limitations, and conditions set out in the delegation, which, at a minimum, must be as follows:

Vice-Principals

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

Teachers

Board policies and guidelines includes the following:

- The principal's authority under Part XIII of the Education Act may only be delegated in writing to a teacher in the absence of the principal and vice-principal, and must respect the terms of all applicable collective agreements.
- Teachers may be delegated the authority to initially deal with situations involving activities that occur that must be considered for suspension or expulsion. The most important consideration in these circumstances is the safety of those involved. Any initial investigation must be undertaken according to board direction. The teacher must report all details of the initial investigation to the principal as soon as possible.
- The teacher must report to the principal or vice-principal any activities that must be considered for suspension or expulsion that are received from staff or others during the principal's absence. A teacher may not be delegated authority regarding suspension decisions or recommendations regarding expulsion of students.
- A teacher may be delegated limited authority to contact the parents of a student who has been harmed as the result of a serious student incident and the parents of the student who has engaged in the activity. The information provided to the parents by a teacher must be limited to the nature of harm to the student and the nature of the activity that resulted in the harm.
- The teacher must not be delegated the authority to discuss the nature of any discipline measure taken in response to the activity.
- If the teacher is not sure whether he or she should call the parents, the teacher should contact the principal or supervisory officer for direction. The principal or vice-principal will follow-up with the parents as soon as possible.

Board-Operated Extended-Day Programs

Board policies and guidelines must include the following:

- The principal's authority under Part XIII of the Education Act may only be delegated in writing to early childhood educators (ECEs) working in board-operated extended-day programs and their supervisors, in the absence of the principal and vice-principal. The delegated authority is only exercised with respect to a student enrolled in an extended-day program in the school, and is only exercised during the time that the extended-day program is operated in the school. The delegation of authority must respect the terms of all applicable collective agreements.
- ECEs working in board-operated extended-day programs, and their supervisors, may be delegated the authority to initially deal with situations involving activities that occur that must be considered for suspension or expulsion. The most important consideration in these circumstances is the safety of those involved. Any initial investigation must be undertaken according to board direction. The ECE or supervisor must report all details of the initial investigation to the principal as soon as possible.
- The ECE or supervisor must report to the principal or vice-principal any activities that must be considered for suspension or expulsion that are received from staff or others during the principal's absence. ECEs working in board-operated extended-day programs, and their supervisors, may not be delegated authority regarding suspension decisions or recommendations regarding expulsion of students.

- ECEs working in board-operated extended-day programs, and their supervisors, may be delegated limited authority to contact the parents of a student who has been harmed as the result of a serious student incident and the parents of the student who has engaged in the activity. The information provided to the parents by the ECE or supervisor must be limited to the nature of the harm to the student and the nature of the activity that resulted in the harm.
- The ECE or supervisor must not be delegated the authority to discuss the nature of any disciplinary measures taken in response to the activity.
- If the ECE or supervisor is not sure whether he or she should call the parents, he or she should contact the principal or supervisory officer for direction. The principal or vice-principal will follow up with the parents as soon as possible.

13. Exclusion

SCDSB does not support the use of exclusion as a disciplinary measure. However, in Part X of the Education Act, clause 265(1)(m) permits a principal to “refuse to admit” to the school or to a class someone whose presence in the school would be “detrimental to the physical or mental well-being of the pupils”. This provision is frequently referred to as the “exclusion provision”. Exclusion is not to be used as a form of discipline. If a principal does decide that it is necessary to exclude a student from the school, the principal is expected to notify the student’s parents of the exclusion as soon as possible in the circumstances, and to inform them of their right to appeal under clause 265(1)(m).