



BOARD POLICY No. GOV 12	
Adopted	March 25, 2014
Last Revised	May 23, 2018
Review Date	
Board Motion	18-R85

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LEARNING AND WORKING ENVIRONMENT: SAFE SCHOOLS

1. RATIONALE

The goal of this governance policy is to support a safe, inclusive, and accepting learning and working environment in which every student can reach his or her full potential. This policy affirms Rainbow District School Board's commitment to a whole-school approach that supports all students in developing healthy relationships, making good choices, continuing their learning, and achieving success.

2. DEFINITIONS

School Climate: School climate refers to the environment, values, and relationships found within a school. A positive school climate exists when all members of the school community feel safe, included, and accepted, and actively promote positive behaviours and interactions.

Code of Conduct: The Board has established a Code of Conduct that sets out standards of behaviour for students, staff, parents/guardians, volunteers, school council members, trustees, and visitors engaged in any school activity. The Board also directs principals, in conjunction with members of the school council, to develop a school Code of Conduct clarifying acceptable and non-acceptable behaviour for all members of their school community.

Progressive Discipline: Progressive discipline is a whole-school approach that uses a continuum of prevention programs, interventions, supports, and consequences to address inappropriate student behaviour and to build upon strategies that promote and foster positive behaviours.

Bullying: Bullying means aggressive and typically repeated behaviour by an individual that is intended to cause (or should be known to cause) harm, fear, or distress to another individual, including physical, psychological, social, or academic harm, or harm to the individual's reputation or property. Bullying creates a negative environment for another individual and occurs in a context where there is a real or perceived power imbalance.

Cyber-bullying: Cyber-bullying is using electronic means to intimidate, harm, exclude, or ruin a reputation. Cyber-bullying includes the use of e-mails and instant messaging,

text or digital imaging sent on cell phones, web pages and blogs, chat rooms, and discussion groups to spread rumours, images, or hurtful comments.

Mitigating and Other Factors: Mitigating and other factors must be taken into account when discipline is being considered. These factors are described in Ontario Regulation 472/07 Behaviour, Discipline and Safety of Pupils.

Suspension: A suspension means a student is removed from school and school activities for a specific period of time ranging from one school day to 20 school days. A student who is suspended for more than five school days is considered to be on long-term suspension and may participate in a program for suspended students.

School Expulsion: Expelled students are removed from school and school activities for an indefinite time period. A school expulsion is an expulsion from the school of the board that the student was attending. The student will be assigned to another school in the board.

Board Expulsion: Is an expulsion from all schools of the board. A student who is expelled from the board must complete an alternative program before returning to school.

Tribunal of the Board: The tribunal of the board is a committee of at least three members of the board designated to determine suspension appeals and recommendations for expulsion.

3. POLICY

3.1 Positive Climate

- a) The Board acknowledges the impact of the school climate on student and staff success and is committed to fostering positive school climates through practices that support healthy student, staff, and school community relationships.
- b) Rainbow District School Board's Code of Conduct establishes positive expectations for student behaviour. The Board strives to create positive attitudes towards punctuality, regular attendance, completion of classroom assignments, and interest in learning through classroom participation.
- c) The Board recognizes that discipline of students begins at home with parents/guardians who are the first and primary educators for their children. This includes responsibility for social development, behaviour, and discipline. The Board encourages a partnership with parents in the support of students' social, emotional and academic growth.

3.2 Prevention and Intervention

- a) Rainbow District School Board believes that students, staff, and the community have the right to learn and work in a healthy, non-threatening environment free from physical and psychological violence.

- b) The Board supports the use of prevention practices as a foundation for a healthy environment. These practices include character development, Student Success strategies, anti-bullying and violence prevention programs, citizenship development, student leadership, and healthy lifestyle initiatives. These positive measures involve the whole school and school community.
- c) Prevention and intervention measures also include effective behaviour management practices such as program modifications or accommodations; appropriate class placement; positive encouragement and reinforcement; individual, peer and group counselling; conflict resolution; mentorship programs; safety plans; and school, district and community support programs.

3.3 Progressive Discipline

- a) The Board supports the use of progressive discipline that promotes positive student behaviour and is appropriate to meet the developmental, individual, and special needs of all students.
- b) The Board believes that every student has the right to an education.
- c) The Board expects that a firm and fair application of the Board's Code of Conduct shall prevail in all matters related to Rainbow District School Board, including school activities, school board business, and school buses.
- d) The Board requires a response to all inappropriate student behaviour. The Board supports the staff in the use of a continuum of practices that include predictable and supportive consequences to inappropriate behaviours that are contrary to the Board or school codes of conduct.

3.4 Bullying

- a) Part XIII of the *Education Act* includes bullying with other inappropriate student activities that may lead to suspension, or lead to a principal's recommendation to the Board for expulsion.
- b) The Board believes that bullying adversely affects students' ability to learn, healthy relationships, and the school climate as well as a school's ability to educate its students.
- c) Bullying will not be accepted on school property, at school-related activities, on school buses, online and in any other circumstances where engaging in bullying will have a negative impact on students and the school climate.

3.5 Suspension and Expulsion

- a) In order to meet the goal of creating a safe and caring school environment, the Board supports the use of positive practices as well as consequences for inappropriate behaviour, when necessary.

- b) The Board will deal with suspension of pupils in accordance with the Part XIII of the *Education Act*, related Regulations, and Memoranda.
- c) The Board will deal with expulsions of pupils in accordance with Part XIII of the *Education Act*, related Regulations, and Memoranda.
- d) In considering whether to suspend a student or to recommend to the Board that a student be expelled, a principal shall take into account any mitigating or other factors prescribed by the regulations.

3.6 Appeals and Hearings

- a) The Board recognizes its duties and powers to decide upon appeals of student suspensions and principals' recommendations for expulsion. In exercising these duties and powers, the Board interprets the provisions of the *Education Act* and Regulations in a broad and liberal manner consistent with the *Ontario Human Rights Code*.
- b) The Board recognizes that the *Ontario Human Rights Code* has primacy over provincial legislation and school board policies and procedures, such that the *Education Act*, Ontario Regulations, Program Policy Memoranda, and Rainbow District School Board policies and administrative procedures are subject to and shall be interpreted and applied in accordance with the *Ontario Human Rights Code*.
- c) The Board authorizes a Tribunal of the Board of no fewer than three (3) Board members to conduct appeals of student suspensions and hearings of recommendations for student expulsion. The Board formally delegates to the Tribunal of the Board the powers set out in the *Education Act*, Regulations under the *Act*, and the *Statutory Powers Procedure Act* to implement any appropriate order and to make decisions on behalf of the Board.
- d) In the case of an appeal of a suspension, the Tribunal shall either: confirm the suspension and its duration; confirm the suspension but modify its duration, quash the suspension and order that the record be expunged, even if the suspension has already been served.
- e) The decision of the Tribunal for suspension appeals is final.
- f) In the case of an expulsion hearing, the Tribunal shall review the submissions and views of the parties and shall consider whether the decision to expel and the type of expulsion recommended by the principal are reasonable in the circumstances. The Tribunal shall decide whether to expel the student; and if the student is to be expelled, whether the student is expelled from his or her school only or from all schools of the district.
- g) A student's parent/guardian or an adult student may appeal a Tribunal's decision to the Child and Family Services Review Board in accordance with procedures set out by the Ministry of Education. The decision of the Child and Family Services Review Board is final.

- h) The Board provides a program for students who are on long-term suspension and for students expelled from all schools of the board. The program supports students in both academic and non-academic areas.

4. BOARD EXPECTATIONS

- 4.1 The Board expects that each school will establish a student dress code in consultation with the School Council.
- 4.2 The Board expects staff and students to maintain the highest standards of respectful and responsible behaviour when using all information technologies.
- 4.3 A student who commits an act of vandalism or theft may be required to provide restitution.
- 4.4 The Board supports ongoing information sharing between school officials and justice system personnel within the *Youth Criminal Justice Act* subject to the *Municipal Freedom of Information and Protection of Privacy Act*.

REFERENCE DOCUMENTS

Legal:

Education Act, Part XIII Behaviours, Discipline and Safety
Ontario Regulation 472/07 Behaviour, Discipline and Safety of Pupils
Ontario Regulation 474/00 Access to School Premises
PPM 119 Developing and Implementing Equity and Inclusive Education Policies 2013
PPM 120 Reporting Violent Incidents to the Ministry of Education
PPM 128 The Provincial Code of Conduct and School Board Codes of Conduct
PPM 141 School Board Programs for Students on Long-term Suspension
PPM 142 School Board Programs for Expelled Students
PPM 144 Bullying Prevention and Intervention
PPM 145 Progressive Discipline and Promoting Positive Student Behaviour
Ontario Human Rights Code
Statutory Powers Procedure Act
Youth Criminal Justice Act
Municipal Freedom of Information and Protection of Privacy Act

Board:

Board Policy No. GOV-01 Vision, Mission, and Values
Board Policy No. GOV-11 Learning and Working Environment: Equity and Inclusion
Strategic Directions for Rainbow Schools
Rainbow District School Board *Code of Conduct*
Rainbow District School Board: *A Guide for Students and Parents*
Administrative Procedures