

ADMINISTRATIVE PROCEDURE 358	
SECTION: STUDENTS	
Adopted/Original Date of Issue	2004
<input checked="" type="checkbox"/> Last Reviewed <input checked="" type="checkbox"/> Revised	2023
Next Review Date	2028
Contact	Superintendent of Safe Schools

STUDENT DISCIPLINE: SUSPENSION (for Students in Grades 4-12)

BACKGROUND / PURPOSE

This administrative procedure has been developed to support a progressive discipline approach that uses a continuum of interventions, supports and consequences to address inappropriate student behaviour. When early and ongoing interventions and support to promote positive behaviour have not been met with success, and/or in the case of serious incidents, Principals may find that short-term suspension is a useful response. Principals may respond to other situations with a long-term suspension, which is further along the continuum of progressive discipline. Principals have a duty under the *Education Act*, regulations and policy/program memoranda to maintain proper order and discipline in schools, and students are responsible to the Principal for their conduct.

DEFINITIONS

The following definitions apply for the purposes of student discipline.

Adult Student: An adult student is 18 years of age or older, or 16 or 17 and has removed themselves from parental control.

Bullying: Bullying is typically a form of repeated, persistent, and aggressive behaviour 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 a context where there is a real or perceived power imbalance.

Discipline Committee: The Discipline Committee is a committee of three (3) or more members of the Board of Trustees designated to decide upon suspension appeals.

Harassment: Harassment means words, conduct or action that is directed at an individual and serves no legitimate purpose, and which annoys, alarms or causes that individual emotional distress.

Parent: A reference to “parent” in this administrative procedure is intended to refer to all parents if applicable and to a guardian or guardians. Parent means the custodial parent or guardian of a minor child who is not an adult student.

School Climate: School climate refers to the sum total of all the personal relationships within a school. A positive climate exists when all members of the school community feel safe,

comfortable, and accepted.

Suspension: A short-term suspension means a suspension of no less than one (1) school day and no more than five (5) school days. A long-term suspension means a suspension of six (6) or more school days. The maximum duration of a suspension is twenty (20) school days.

Weapon: A weapon is any object or thing used to threaten or inflict harm on another person and includes, but is not limited to, knives, guns, replica guns, and animals.

PROCEDURE

1. SUSPENSION INFRACTIONS

When a Principal's investigation of an incident determines that a student in grades 4 to 12 has committed one (1) or more infractions outlined below on school property, during a school-related activity or event, and/or in circumstances where the infraction has an impact on the school climate, a Principal will consider whether the student should be suspended. The Principal will take into account any mitigating and other factors that might be applicable in the circumstances. The infractions for which a suspension may be considered by the Principal include:

- 1.1 uttering a threat to inflict serious bodily harm on another person;
- 1.2 possessing alcohol, illegal drugs or, unless the pupil is a medical cannabis user, cannabis;
- 1.3 being under the influence of alcohol or, unless the pupil is a medical cannabis user, cannabis;
- 1.4 swearing at a teacher or at another person in a position of authority;
- 1.5 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;
- 1.6 bullying;
- 1.7 any act considered by the Principal to be contrary to the Renfrew County District School Board (RCDSB) or school Code of Conduct.

A student may be suspended only once for a particular instance of an infraction and may be suspended for a minimum of one (1) school day and a maximum of twenty (20) school days.

The Principal shall also contact the police, consistent with the *Local Police and School Board Protocol* developed by police services and the district school boards operating in Renfrew County, if the infraction the student is suspected of committing requires such contact. When in doubt, the Principal will consult with the appropriate Superintendent.

2. FACTORS TO CONSIDER BEFORE IMPOSING A SUSPENSION

Before deciding whether to impose a suspension or some other form of discipline, a Principal

will make every effort to identify whether any mitigating or other factors might apply in the circumstances.

The mitigating factors to be considered by the Principal before deciding whether to impose a suspension are:

- 2.1 whether the student has the ability to control their behaviour;
- 2.2 whether the student has the ability to understand the foreseeable consequences of their behaviour; and
- 2.3 whether the student's continuing presence in the school does or does not create an unacceptable risk to the safety of any other individual at the school.

If a student does not have the ability to control their behaviour or does not understand the foreseeable consequences of their behaviour, the Principal may decide not to suspend the student. Alternative discipline and/or other intervention may be considered by the Principal in such circumstances.

If the student poses an unacceptable risk to the safety of others in the school, the Principal will consult with the appropriate Superintendent regarding the accommodations and/or strategies that could be instituted to ensure student and staff safety.

If the student is able to control their behaviour and is able to understand the foreseeable consequences of that behaviour, the Principal will consider whether the following factors mitigate the length of a suspension or the decision to apply a suspension as a form of discipline for the student:

- 2.4 the student's academic, discipline (including any previous suspension for bullying) and personal history;
- 2.5 whether progressive discipline has been attempted with the student, and if so, the approaches that have been attempted and any success or failure;
- 2.6 whether the infraction for which the student might be disciplined was related to any harassment of the student because of race, ethnic origin, religion, creed, disability, gender or gender identity, sexual orientation or harassment for any other reason;
- 2.7 the impact of the discipline on the student's prospects for further education;
- 2.8 the student's age;
- 2.9 if the student has an Individual Education Program (IEP) or disability-related needs,
 - (a) whether the behaviour causing the incident was a manifestation of the student's disability;
 - (b) whether appropriate individualized accommodation has been provided; and
 - (c) whether a suspension is likely to result in aggravating or worsening the student's behaviour or whether a suspension is likely to result in further inappropriate conduct; and
 - (d) whether or not the student's continuing presence at the school

creates an unacceptable risk to the safety of anyone in the school.

3. PROGRESSIVE DISCIPLINE

The Principal will review whether progressive discipline has been attempted with the student, and if so, the approaches that have been attempted and any success or failure. The Principal will consider the following:

- 3.1 whether or not early interventions such as contact with the parent, verbal reminders, a review of expectations, or a written work assignment with a learning component have provided appropriate supports for the student;
- 3.2 whether or not ongoing interventions such as meeting with the parent, volunteer service to the school community, conflict mediation, peer mentoring and/or a referral to counseling have been attempted; and,
- 3.3 whether or not consequences for inappropriate behaviour such as meeting with the parent, student and Principal; referral to a community agency for anger management or substance abuse; detentions; restitution for damages; restorative practices; or loss of privileges have been used.
- 3.4 In circumstances where one (1) or more of the factors to be considered mitigate the Principal's decision to apply a suspension as a form of discipline, the Principal may consider whether alternative discipline and/or other intervention is appropriate in the circumstances.

4. CONSULTATION

Before imposing a suspension of eleven (11) or more days, the Principal will consult with the appropriate Superintendent regarding:

- 4.1 the investigation undertaken
- 4.2 the circumstances of the incident
- 4.3 whether or not one (1) or more of the factors outlined above are applicable in the circumstances, and
- 4.4 the appropriate length of the suspension

5. SCHOOL WORK

A student who is subject to a suspension of five (5) or fewer school days must be provided with school work to complete at home while serving the suspension. The school work must be available to the student's parent or designate or adult student or designate the day the student is suspended, if the student is suspended for one (1) day. If the student has been suspended for two (2) or more school days the Principal will ensure that the school work provided to the student will be available the day the student is suspended or the following school day.

In addition to receiving school work for the first five (5) school days of suspension, a student

who is subject to a suspension of six (6) or more school days must be assigned an alternative program for students subject to a long-term suspension. A student participating in an alternative suspension program is not considered to be engaging in school or school-related activities. See section 7 below for a description of the alternative suspension program.

The Principal may determine that a student serving a suspension be provided an opportunity to write an examination or complete a culminating activity.

6. PROCEDURAL STEPS WHEN IMPOSING A SUSPENSION

When a Principal has determined that it is appropriate in the circumstances to impose a suspension, the Principal is required to follow these procedural steps:

- 6.1 Within twenty-four (24) hours of the decision, the Principal must make all reasonable efforts to orally inform the parent or adult student of the suspension.
- 6.2 The Principal must inform the student's teacher(s) and bus driver(s) (if applicable) of the suspension.
- 6.3 The Principal, in conjunction with the student's teacher(s), must organize school work to be provided for the student to be completed during the duration of the student's suspension.
- 6.4 The Principal must provide written notice of the suspension to the student's parent or to the adult student and the appropriate superintendent.
- 6.5 The written notice of suspension will follow the template, *Form F358-1 Notification of Suspension*, including the following information:
 - (a) the reason for the suspension;
 - (b) the duration of the suspension;
 - (c) information about the alternative suspension program to which the student is assigned, if the student is suspended for six (6) or more school days;
 - (d) information about the right to appeal the suspension, including the relevant procedure and policy; and
 - (e) the contact information for the superintendent responsible.
- 6.6 Every effort should be made to include the school work with the notice of suspension to the student's parent or adult student on the day the student is suspended, if the notice is provided to the student to take home. If this is not possible because the parent or student is not available, the notice shall be mailed, couriered, faxed or e-mailed to the home address that day and school work should be made available to be picked up the following school day.
- 6.7 If the notice is sent by mail or courier, it will be deemed to have been received on the fifth school day after it was sent.
- 6.8 If the notice is sent by fax or e-mail, it is deemed to have been received the first school day after it was sent.
- 6.9 If the incident is a serious violent incident, including a credible threat to inflict serious bodily harm or vandalism causing extensive damage to RCDSB property or

property located on RCDSB premises, *Form F311-1 Violent Incident Report* shall be completed and filed in the student's Ontario Student Record (OSR).

7. ALTERNATIVE SUSPENSION PROGRAM

When a student has been suspended for six (6) or more school days, the student will be provided with school work for the first five (5) school days and will be assigned an alternative program for students subject to a long-term suspension.

A student cannot be compelled to participate in an alternative suspension program. If a student's parent or adult student decides against participation in such a program, the student will continue to be provided with school work consistent with the Ontario curriculum or that student's modified or alternative curriculum, to be completed at home for the duration of the suspension. This school work will be available at the school for pick-up by the student's parent or designate or the adult student's designate at regular intervals during the suspension period.

Agreement to participate in an alternative suspension program or refusal to participate may be communicated to the school orally by the parent or adult student. The Principal shall record the date and time of such refusal.

A Student Action Plan will be developed for every student subject to a suspension of six (6) or more school days who agrees to participate in an alternative suspension program.

Planning Meeting

For the purpose of developing the Student Action Plan, the Principal of the school or designate will hold a planning meeting for pupils with a suspension of six (6) or more school days who participate in an alternative suspension program.

The purpose of the planning meeting is to:

- 7.1 identify the needs of the student;
- 7.2 identify the student's risk factors and protective factors;
- 7.3 clearly identify any types of support that the student may need to continue their learning; and
- 7.4 establish the objectives of the Student Action Plan.
- 7.5 The student and their parent, or the adult student, as well as the appropriate teaching and support staff members, will be invited to participate in the planning meeting.
- 7.6 Every reasonable effort will be made for the planning meeting to be scheduled within two (2) school days of the parent or adult student informing the school that the student will participate in an alternative suspension program.
- 7.7 If the parent or adult student is not available to participate in the planning meeting, the meeting will proceed in his or her absence and a copy of the Student Action Plan

will be provided to the parent or adult student following the meeting.

Student Action Plan

The Student Action Plan will be developed under the direction of the Principal of the school with assistance, as appropriate, from the classroom teacher, Vice Principal, guidance counsellor, special education teacher, system consultant, system administrator, social worker or others. The content and balance of the planned program will depend on the needs of the student, the length of the suspension, and the nature and severity of the behaviour that led to the suspension, including any mitigating or other factors.

A student subject to a suspension of fewer than eleven (11) school days shall be provided with an academic program to support the student in continuing their education. For suspensions of this length, there is no requirement to provide a non-academic component to the program, but this component may be offered. In the case of a student with special education needs, the program shall provide appropriate support consistent with the student's Individual Education Plan.

- 7.8 A student subject to a suspension of eleven (11) or more school days shall be provided with both an academic and a non-academic program component, which will be identified in the Student Action Plan. In the case of a student with special education needs, the program shall provide appropriate support consistent with the student's Individual Education Plan.
- 7.9 The Student Action Plan will identify:
- (a) the incident for which the student was suspended;
 - (b) the progressive discipline steps taken prior to the suspension, if applicable;
 - (c) any alternative discipline measures imposed in addition to the suspension;
 - (d) any other disciplinary issues identified by the school staff;
 - (e) any learning needs or other needs that might have contributed to the inappropriate behaviour;
 - (f) any program(s) or service(s) that can be provided to address those learning or other needs;
 - (g) the academic program to be provided and details regarding how that program will be accessed by the student;
 - (h) if the student has an Individual Education Plan, information as to how the accommodations or modifications of the academic program will be provided during the period of suspension;
 - (i) the non-academic program and services to be provided, if applicable, and details about how the non-academic program and services will be accessed; and
 - (j) the measurable goals the student will be striving to achieve during the alternative suspension program.

- 7.10 The Principal will make every effort to complete the Student Action Plan within five (5) school days of learning that the student will participate in an alternative suspension program. This timeline will be communicated to the parent or adult student if they are unable to attend the planning meeting.
- 7.11 Once completed, the Student Action Plan will be shared with the parent and student or the adult student and all staff members involved in facilitating the alternative suspension program.
- 7.12 A copy of the Student Action Plan will be stored in the student's Ontario Student Record (OSR) until such time as it is no longer conducive to the improvement of instruction of the student.

8. THE RE-ENTRY MEETING

In order to build relationships, use a restorative re-entry process designed to formally welcome the returning pupil back into the school community and to establish a support system for them, as they transition back into their daily school routine.

Participants to this re-entry meeting should include the returning pupil, Principal of the school or designate, parent, or the adult student. Other contributors could include appropriate teaching and support staff members, community agency staff or other persons or professionals.

Following a suspension of six (6) or more school days, a re-entry meeting will be held to provide positive and constructive redirection for the student, provide support and plan for future success

Where the student has participated in an alternative suspension program, the student's success in achieving the goals outlined in the Student Action Plan will be reviewed with the student and parent or adult student. Further programs and services might be recommended by the Principal for the purpose of achieving additional or greater success in meeting the goals outlined in the Student Action Plan.

9. SUSPENSIONS APPEAL PROCESS

The parent of a student or an adult student may appeal a suspension. An appeal of a suspension does not stay the suspension.

A person who intends to appeal a suspension must give written notice of this intention within ten (10) school days of the commencement of the suspension. This notice must include information about the reasons for the appeal and will be sent to the Superintendent of Schools responsible for their review.

Upon receipt of the notice to appeal the suspension, the Superintendent responsible:

- 9.1 will promptly advise the school Principal and Director of Education of the appeal;
- 9.2 will promptly advise the parent or adult student that a review of the suspension will take place, using *Form F358-2 Notice of Suspension Review*, and invite them to discuss any matter respecting the incident and/or the appeal of the suspension;
- 9.3 will review the suspension, including a review of the reason for the suspension, its duration, and any mitigating or other factors;
- 9.4 may consult with the Superintendent of Safe Schools regarding modification or expunging the suspension;
- 9.5 will request a meeting with the parent or adult student and the Principal to discuss the issues and try to bring about a settlement;
- 9.6 will consult with the Director to arrange a date for the appeal before the RCDSB Discipline Committee so that the appeal can be conducted within fifteen (15) school days following notice of intent to appeal, if a settlement is not effected;
- 9.7 will, where a resolution is not found, provide notice of the review decision to the parent or adult student, using *Form F358-3 Suspension Review Decision*.

10. THE INFORMATION REPORT FOR THE BOARD

If the suspension is upheld on review and the parent or adult student chooses to continue with the appeal, the Superintendent responsible will coordinate the preparation of a written report for the Board. This report will contain at least the following components:

- 10.1 a report of the incident and rationale for suspension prepared by the Principal;
- 10.2 a copy of the suspension notice, *Form F358-1 Notification of Suspension*;
- 10.3 a copy of the letter from the parent or adult student stating the intent to appeal the suspension; and
- 10.4 a copy of *Form F358-3 Suspension Review Decision*, stating the decision of the Superintendent responsible regarding the suspension review.

The Superintendent responsible shall inform the parent or adult student of the date of the suspension appeal and provide them with a guide to the process for the appeal and a copy of the documentation that will go to the Discipline Committee. The process for the appeal of a suspension is described in *Board Policy 13 - Appeals and Hearings Regarding Student Matters*.

LEGAL REFERENCES

Education Act, Part XIII, Behaviour, Discipline and Safety

Ontario Regulation 471/07 Access to School Premises

Ontario Regulation 472/07 Suspension and Expulsion of Pupils

Ontario Regulation 440/20 Suspension of Elementary School Pupils

Ontario Student Record Guideline

Bill 13 – Accepting Schools Act

Policy/Program Memorandum No. 128 - The Provincial Code of Conduct and School Board

Codes of Conduct

Policy/Program Memorandum No. 141 - School Board Programs for Students on Long-Term Suspension

Policy/Program Memorandum No. 144 - Bullying Prevention and Intervention

Policy/Program Memorandum No. 145 - Progressive Discipline and Promoting Positive Student Behaviour

RCDSB REFERENCES

Board Policy 13 Appeals and Hearings Regarding Student Matters

Administrative Procedure 140 Code of Conduct

Administrative Procedure 304 Anti-Racism and Anti-Oppression

Administrative Procedure 311 Violence Prevention and Reporting of Incidents

Administrative Procedure 350 Student Conduct and Progressive Discipline

Administrative Procedure 359 Student Discipline: Expulsion

Administrative Procedure 450 Human Rights

Form F311-1 Violent Incident Report

Form F358-1 Notification of Suspension

Form F358-2 Notice of Suspension Review

Form F358-3 Suspension Review Decision

Form F358-4 Suspension Information Form

Procedure History

Approved:	2004; January 2008; January 2013; June 2023
Reviewed:	January 2008; January 2013; April 2023
Revised:	January 2008; January 2013; April 2023