



PROCEDURE

SO-006

STUDENT SUSPENSIONS

Superintendent Responsible: Superintendent of Education, Safe Schools	Initial Effective Date: 2019/11/25
Last Updated: 2023/06/26	Next Review Date: 2027/06/25

Purpose:

To outline the process which may result in the suspension of a pupil or the appeal of a suspension.

Guiding Principles:

A Principal's investigation of an incident should include consultation with the parents/caregivers and the pupil involved (or the adult pupil). [As per PPM 141, an adult pupil is a student who is eighteen (18) years of age or older or a sixteen (16) or seventeen (17) year old student who has withdrawn from parental control.]

If it is determined that a pupil has committed one 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 that pupil should be suspended.

Mitigating and other factors will be taken into account. An anti-oppressive and anti-racist lens will be applied to all decision-making.

The Principal will contact the police, consistent with the Grand Erie police protocol, if the alleged infraction requires such contact.

When in doubt, the Principal will consult with the Principal Leader of Safe Schools, the Family of Schools Superintendent and/or the Superintendent of Safe Schools.

1.0 Circumstances in Which a Principal May Consider Suspending a Student

- Threatening to inflict serious bodily harm on another person.
- Possession of alcohol, drug paraphernalia, illegal or restricted drugs, or cannabis, without a medical prescription.
- Under the influence of alcohol, illegal or restricted drugs, or cannabis, without a medical prescription.
- Swearing at, or in reference to, a teacher or another person in a position of authority.
- Committing an act of vandalism that causes significant damage to board or personal property on school premises or any school-related activities.
- Bullying, including cyberbullying.
- Physical or verbal aggression.
- Persistent opposition to authority.
- Any inappropriate behaviour 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 protected human right; or
- Any act considered by the Principal to be injurious to the moral tone of the school or the well-being of members of the school community.

2.0 The minimum duration of a suspension is one (1) school day and the maximum is 20 school days.

3.0 **Factors to Consider Before Deciding to Impose a Suspension**

3.1 Before deciding whether to impose a suspension, or some other form of discipline, a Principal will make every effort to consult with the parent(s)/caregiver(s) and pupil involved (or adult pupil) to identify whether any mitigating and/or other factors might apply in the circumstances. An anti-oppressive and anti-racist lens will be applied to all decision-making.

4.0 **Mitigating Factors**

4.1 The following mitigating factors will be taken into account:

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

4.2 If a pupil does not have the ability to control their behaviour or does not understand the foreseeable consequences of their behaviour, alternative discipline and/or other interventions may be considered by the Principal. If the pupil poses an unacceptable risk to the safety of others in the school, the Principal will consult with the Principal Leader of Safe Schools, the Family of Schools Superintendent, or the Superintendent of Safe Schools regarding appropriate accommodations and/or strategies that might be instituted to ensure the safety of employees and pupils.

5.0 **Other Factors to be Considered**

5.1 Where the pupil is able to control their behaviour and is able to understand the foreseeable consequences of their 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 pupil:

5.1.1 The pupil's history.

5.1.2 Whether a progressive discipline approach has been used with the pupil.

5.1.3 Whether the activity for which the pupil may be or is being suspended was related to any harassment of the pupil because of their race, ethnic origin, religion, disability, gender or sexual orientation.

5.1.4 How the suspension would affect the pupil's ongoing education.

5.1.5 The age of the pupil.

5.1.6 In the case of a pupil with a disability or for whom an individual education plan has been developed,

- whether the behaviour was a manifestation of the disability identified in the pupil's individual education plan.
- whether appropriate individualized accommodation has been provided; and
- whether the suspension is likely to result in an aggravation or worsening of the pupil's behaviour or conduct.

6.0 **Progressive Discipline**

The Principal will review the following in the context of progressive discipline:

6.1 Whether the educator, Principal or designate has utilized early and/or ongoing intervention strategies to prevent unsafe or inappropriate behaviours, such as:

- Contact with the pupil's parent(s)/caregiver(s)
- Oral reminders
- Review of expectations
- Written work assignments with a learning component
- Assigning the pupil to volunteer services to the community
- Conflict mediation and resolution
- Peer mentoring

- Referral to counseling
- 6.2 Whether the Principal has used a progressive discipline approach to address inappropriate behaviour for which a suspension could have been imposed, such as:
- Meeting(s) with the pupil's parent(s)/caregiver(s), pupil, and Principal
 - Referral of pupil to a community agency for anger management or substance abuse counselling
 - Detentions
 - Withdrawal of privileges
 - Withdrawal from class
 - Restitution for damages
 - Restorative practices; and/or
 - Transfer

In circumstances where one or more of the factors above mitigate the 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.

7.0 **Consultation**

- 7.1 Consultation will occur between the Principal and the Family of Schools Superintendent before imposing a suspension of ten (10) days or longer. As well, before imposing suspensions of fifteen (15) days or longer, the Superintendent of Safe Schools will also be consulted. In both circumstances, consultation will be regarding:
- The investigation undertaken.
 - The circumstances of the incident.
 - Whether or not one or more of the factors outlined above are applicable in the circumstances.
 - The appropriate length of the suspension.

8.0 **School Work**

- 8.1 A pupil who is subject to a suspension of under six (6) school days will be provided with schoolwork by school personnel to complete at home while serving the suspension.
- 8.2 In addition to receiving schoolwork for the first five (5) school days of suspension, a pupil who is subject to a suspension of over five (5) school days will be offered an academic program through the Grand Erie Safe Schools Program.

9.0 **Procedural Steps When Imposing a Suspension**

- 9.1 Where a Principal has determined that it is appropriate in the circumstances to impose a suspension, they will take the following steps:
- Within 24 hours of the decision, the Principal will make all reasonable efforts to inform the parent(s)/caregiver(s) (or adult pupil) of the suspension.
 - The Principal will inform the pupil's teacher(s) of the suspension within 24 hours of its issuance.
 - The Principal, in conjunction with the pupil's teacher(s), will organize schoolwork to be provided for the pupil to be completed during the duration of the pupil's suspension.
 - The Principal is responsible for the prompt written notification of the suspension to the parent(s)/caregiver(s) (or adult pupil) and the Family of Schools Superintendent.
- 9.2 The written notice of suspension will include:
- The reason for suspension.

- The duration of the suspension.
 - Information about the Grand Erie Safe Schools Program (GESSP), where the pupil is suspended for six (6) or more school days.
 - Information about the right to receive an informal review of the suspension by the Superintendent of Education and the right to appeal the suspension.
- 9.3 Every effort should be made to include the schoolwork with the letter of suspension on the day the pupil is suspended. If it is not possible to provide the letter because the pupil and/or parent(s)/caregiver(s) are not available, the letter should be mailed, couriered, faxed or e-mailed to the home address that day and the parent(s)/caregiver(s) (or adult student) should be notified that schoolwork will be made available for pick-up from the school the following school day.
- 9.4 If notice is sent by mail or courier, it will be deemed to have been received on the fifth school day after it was sent.
- 9.5 If notice is sent by fax or e-mail, it is deemed to have been received the first school day after it was sent.
- 10.0 **Grand Erie Safe Schools Program (GESSP)**
- 10.1 Where a pupil has been suspended for over five (5) school days, the pupil will be provided with schoolwork by school personnel for the first five (5) school days and will be offered a Safe Schools Program.
- 10.2 A pupil cannot be compelled to participate in this program. Should the parent(s)/caregiver(s) (or adult pupil) choose not to have the pupil participate, the pupil will continue to receive schoolwork consistent with the pupil's program, to be completed at home for the duration of the suspension. This schoolwork will be available at the school for pick-up during the suspension period.
- 10.3 A Student Action Plan (SAP) will be developed for every pupil subject to a suspension of six (6) or more school days who agrees to participate in a Grand Erie Safe Schools Program (GESSP).
- 10.4 Agreement or refusal to participate in a GESSP may be communicated to the school verbally by the parent(s)/caregiver(s) (or adult pupil). Where the parent(s)/caregiver(s) (or adult pupil) declines the offer to participate, the Principal will record the date and time of such refusal.
- 11.0 **Planning Meeting**
- 11.1 For pupils subject to a suspension for over five (5) school days who choose to participate in the GESSP, the Principal of the school or designate will hold a planning meeting for the purpose of developing the SAP.
- 11.1.1 The parent(s)/caregiver(s) and the pupil (where appropriate), (or adult pupil), as well as any appropriate teaching and support employees, including members of the Safe Schools Team, will be invited to participate in the planning meeting.
- 11.1.2 The Principal will strive to schedule a planning meeting to occur within three (3) school days of the parent(s)/caregiver(s) (or adult pupil) informing the school that the pupil will participate in a GESSP.
- 11.1.3 If the parent(s)/caregiver(s) (or adult pupil) is not available to participate in the planning meeting, the meeting will proceed, and a copy of the SAP will be provided following the meeting.
- 11.1.4 During the planning meeting the Principal will review the issues to be addressed in the pupil's SAP.

12.0 Student Action Plan (SAP)

- 12.1 A pupil subject to suspension for eleven (11) or more school days will be provided with both academic and non-academic supports, which will be identified in the pupil's SAP. Pupils subject to a suspension of fewer than eleven (11) school days may be offered non-academic supports where such supports are appropriate and available.
- 12.2 The SAP will be developed under the direction of the Principal with assistance from the Safe Schools Team.
- 12.3 The Principal will make every effort to complete the SAP within three (3) school days of the parent(s)/caregiver(s) (or adult pupil) informing the school that the pupil will participate in a GESSP. This timeline will be communicated to the parent(s)/caregiver(s) (or adult pupil).
- 12.4 Once completed, the SAP will be shared with the parent(s)/caregiver(s) and the pupil (or adult pupil) and all necessary employee(s) to facilitate implementation.
- 12.5 A copy of the SAP will be stored in the pupil's Ontario Student Record until such time as it is no longer conducive to the improvement of instruction of the pupil.
- 12.6 The SAP will identify:
- The incident for which the pupil was suspended.
 - The progressive discipline steps taken prior to the suspension, if any.
 - Any other disciplinary issues regarding the pupil that have been identified by the school.
 - Any learning needs or other needs that might have contributed to the underlying infraction resulting in discipline.
 - Any program(s) or service(s) that might be provided to address those learning or other needs.
 - The academic program to be provided to the pupil during the suspension period and details regarding how that academic program will be accessed by the pupil.
 - Where the pupil has an IEP, information regarding how the individualized program will be implemented during the period of suspension.
 - The non-academic program and services to be provided to the pupil, if applicable, during the suspension and details regarding how that non-academic program and those services will be accessed; and
 - The measurable goals the pupil will be striving to achieve during the period of suspension.

13.0 Re-Entry

- 13.1 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 pupil. Where the pupil has participated in a long-term suspension program, the pupil's success in achieving the goals outlined in the SAP will be reviewed with the parent(s)/caregiver(s) and pupil (or adult pupil). 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 SAP.

14.0 Informal Review Process

- 14.1 An informal review by the Superintendent of Education may be requested by the parent(s)/caregiver(s) (or adult pupil) - prior to an appeal. If, after consulting the Superintendent of Education, the parent(s)/caregiver(s) or adult pupil wishes to appeal the suspension under section 309 of the *Education Act*, the appellant will provide written notice of intention to appeal to the Superintendent of Education within ten (10) school days of the commencement of the suspension.
- 14.2 A request for review does not stay the suspension.

15.0 Suspension Appeal Process

- 15.1 The Suspension Appeal will be held in accordance with the *Education Act* and Grand Erie's Suspension Policy. All suspension appeals will be received by the Superintendent of Education.
- 15.2 An appeal of a suspension does not stay the suspension.
- 15.3 A person who intends to appeal a suspension will give written notice of the intention to appeal within ten (10) school days of the commencement of the suspension.
- 15.4 Grand Erie will hear and/or determine the appeal within fifteen (15) school days of receiving the notice of intention to appeal unless the parties - school Principal and parent(s)/caregiver(s) (or adult pupil) agree to an extension.
- 15.5 Appeals of suspensions will be heard by the Student Discipline Committee sitting as a committee of three (3) Trustees appointed by Grand Erie. One of the appointed Board of Trustees will be elected the Student Discipline Committee Chair. Appeals will be scheduled by the Superintendent of Safe Schools or Designate.

16.0 Student Discipline Committee Rules of Procedure:

- 16.1 A suspension may be appealed by a parent(s)/caregiver(s) (or adult pupil) or any third party with legal decision-making authority for a student.
- 16.2 The Superintendent of Safe Schools or Designate will act as Secretary to the Student Discipline Committee to facilitate the Appeal, ensure that a copy of the Principal's Report is forwarded to the Appellant prior to the Appeal and provided to the Student Discipline Committee at the beginning of the Appeal, and to ensure that any documents, reports and/or submissions prepared by the Appellant are provided to the Principal at the earliest opportunity and to the Student Discipline Committee at the beginning of the Appeal.
- 16.3 A lawyer or advocate may represent the Appellant. Prior notice of a lawyer's or an advocate's attendance at the Appeal will be provided to the Superintendent of Safe Schools. If prior notice is not provided, the suspension appeal may be rescheduled by the Student Discipline Committee at the request of the Principal.
- 16.4 The Principal may exercise the right to legal counsel.
- 16.5 The Principal will prepare a report summarizing the incident, the evidence relied upon and the rationale for discipline, including the pupil's disciplinary and academic history, any progressive discipline strategies that have been used and any mitigating and other factors that may be applicable.
- 16.6 The Student Discipline Committee will wait for thirty (30) minutes after the time communicated for the commencement of the suspension appeal. If the Appellant(s) or their representative have not yet attended and notice that they may be late has not been provided, the Student Discipline Committee may proceed to hear the appeal or dismiss the appeal in the absence of the Appellant.
- 16.7 The Superintendent of Safe Schools or Designate will invite the parties into the Student Discipline Committee meeting room and will introduce the parties to the Student Discipline Committee.
- 16.8 The Student Discipline Committee Chair will introduce the committee and indicate:
- That they have been appointed by Grand Erie to hear the matter.
 - That they are not connected as Trustees to the school in question.
 - That they have had no prior involvement with the matter that has come before them.
 - That this matter will be heard in camera (in private); and
 - That the decision of the Discipline Committee is final.
- 16.9 The Student Discipline Committee Chair will call the Suspension Appeal meeting to order.

- 16.10 The Student Discipline Committee Chair will outline:
- The process to be followed during a Suspension Appeal.
 - The matter on appeal before the Student Discipline Committee, including the Suspension that was imposed and the infraction for which the pupil was suspended.
- 16.11 The Appellant will make a verbal presentation to the Student Discipline Committee.
- 16.12 Members of the Committee and the Principal may ask questions of clarification through the Chair.
- 16.13 The Principal will make a verbal presentation.
- 16.14 Committee members and the Appellant may ask questions of clarification through the Chair.
- 16.15 The Appellant will be invited to respond to the Administration's presentation, but only with respect to issues the Appellant has not previously addressed.
- 16.16 At the conclusion of both presentations, the Appellant and the Administration will be invited to make summary statements but may not introduce new issues.
- 16.17 The Student Discipline Committee may choose to have a brief recess prior to hearing the summary statements.
- 16.18 Committee members may ask final questions of clarification.
- 16.19 The Student Discipline Committee Chair will explain that:
- 16.19.1 All persons, except the Student Discipline Committee and the Secretary of Grand Erie, will be asked to leave the room while the Student Discipline Committee deliberates and makes its decision.
- 16.19.2 The Student Discipline Committee will consider, based on the written and/or oral submissions of both parties, whether the decision to discipline and the discipline imposed were reasonable in the circumstances, and will determine:
- The Suspension was justified and should be upheld; or
 - The Suspension was justified but that the number of days imposed was too many, in which case the Student Discipline Committee may reduce the length of the Suspension and amend the record of suspension; accordingly, or
 - The Suspension was justified, but that the record of Suspension be removed after a period of time if there are no further incidents requiring discipline; or
 - The Suspension was not justified, in which case the record of Suspension will be expunged, and the pupil will be permitted to return to school if the suspension remains outstanding.
- 16.20 At the conclusion of the hearing, the Student Discipline Committee may deliver the decision to the parties. However, the committee, if it considers appropriate may reserve its decision to be delivered at a later time.
- 16.21 The Superintendent of Safe Schools will inform the Appellant, in writing, of the decision of the Student Discipline Committee.

Reference(s):

- Student Suspensions Policy (SO-06)
- [Education Act, R.S.O. c. E.2](#)
- [Education Amendment Act \(Progressive Discipline and School Safety\) 2007](#)
- Ontario Regulation 472/07
- Policy/Program Memorandum 141
- [Safe Schools Act, 2000](#)