



---

## PROCEDURE PR.515.SCO

**TITLE: STUDENT SUSPENSION AND EXPULSION**

**Date issued: 17 April 1998**

**Last revised: 11 June 2019**

**Authorization: Senior Staff: 13 March 1998**

---

### 1.0 OBJECTIVE

To maintain a safe, inclusive, and instructionally effective learning environment through applying equitable progressive discipline measures where necessary.

### 2.0 DEFINITIONS

In this procedure,

- 2.1 **Adult student** means a student who is 18 years or older or 16 or 17 and has removed themselves from parental control.
- 2.2 **Board** means the Board of Trustees.
- 2.3 **District** means the Ottawa-Carleton District School Board.
- 2.4 **Expulsion Hearing Panel** means the panel made up of members of the Board which has been delegated the authority to hear and decide upon the expulsion of a student.
- 2.5 **Mitigating factors** means extenuating circumstances that, when considered, may mitigate the application of a suspension and whether further investigation should be undertaken to recommend the expulsion of a student.
- 2.6 **Parent/guardian** means the custodial parent or guardian of a minor child who is not 16 or 17 and removed from parental control.
- 2.7 **Student Action Plan (SAP)** means an individualized plan developed under the direction of the principal for students suspended six or more school days or for students who have been expelled who are willing to participate in the program for expelled and suspended students.
- 2.8 **Volunteer** means a parent or community member who agrees to undertake, without pay, a designated task which supports a classroom, a school or a system-wide program.
- 2.9 **Weapon** means any object used to threaten or inflict harm on another person.

## 3.0 RESPONSIBILITY

- 3.1 The Superintendent of Instruction is responsible for:
- a) providing support to principals regarding imposing any progressive discipline measure;
  - b) approving a suspension for six to twenty days;
  - c) reviewing any suspension appeals; and
  - d) consulting with the Critical Incident Review Committee (CIRC) in determining the school of the District to which a suspended or expelled student may return.
- 3.2 The school principal is responsible for:
- a) communicating with parents/guardians and students their roles and responsibilities under this procedure and Board Policy P.125.SCO School District Code of Conduct;
  - b) ensuring the process for suspensions and expulsions is followed in accordance with all District policies and procedures;
  - c) investigating reported incidents that may lead to a suspension and/or expulsion;
  - d) notifying parents/guardians of students involved in a suspension-related incident, as required;
  - e) imposing a suspension up to a maximum of twenty (20) school days, as appropriate;
  - f) recommending to the Board that a student be expelled, if required; and
  - g) participating in hearings, as required.
- 3.3 Teachers are responsible for:
- a) responding to any student behaviour that has a negative impact on the school climate;
  - b) reporting to the principal student activities that must be considered for a suspension or expulsion; and
  - c) reporting to the principal or the vice-principal the details of investigations as soon as possible.
- 3.4 Employees of the District and school bus drivers providing transportation for students attending District schools and individuals identified in section 4.1 are responsible for:
- a) responding to any student behaviour that has a negative impact on the school climate; and
  - b) reporting to the principal student activities that must be considered for a suspension or expulsion.

- 3.5 Volunteers are responsible for:
- a) informing a teacher or principal of any student behaviour that may have a negative impact on the school climate.

## 4.0 GENERAL PROCEDURES

### Reporting Activities Negatively Impacting School Climate

- 4.1 The following individuals are mandated to report to the principal any activity that has a negative impact on school climate, including actions that must be considered for suspension or expulsion:
- a) every employee of the District, including teachers, education assistants (EA)s, and early childhood educators (ECE)s and their supervisors;
  - b) school bus drivers; and
  - c) any individuals who are not District employees who come into direct contact with students on a regular basis in the normal course of,
    - i. providing goods or services to the Board;
    - ii. carrying out their employment functions as an employee of a person who provides goods or services to the Board; or
    - iii. providing services to a person who provides goods or services to the Board.
- 4.2 As soon as possible and no later than the end of the school day, the persons listed above will report to the principal any activity that must be considered for suspension or expulsion using OCDSB 515 Safe Schools Incident Reporting Form (SSIR)-Part I (Appendix A).
- 4.3 The duty to report also includes reporting the details of initial investigations to the principal as soon as possible.
- 4.4 Reporting must consider the safety of others and the urgency of the situation.
- 4.5 In cases where an immediate action is required, an oral report to the principal may be made, followed by a written report using Appendix A.

### Responding to Inappropriate Behaviour

- 4.6 Responding to inappropriate behaviour includes, but is not limited to:
- a) identifying the behaviour;
  - b) asking the students to stop the inappropriate behaviour;
  - c) explaining why it is inappropriate or disrespectful; and
  - d) asking the students to change their behaviour in the future.
- 4.7 Employees are not required to respond, if in their opinion, responding would cause immediate physical harm to themselves or to a student or another person. However, the employee is expected to inform the principal as soon as possible.

- 4.8 When an incident is reported, and after ensuring the safety of the students, the principal will:
- a) verify the facts;
  - b) refer to sections 5.1, 5.2, 6.1, and 6.2 to determine, what action, if any, will be taken as a result of the action or behaviour;
  - c) consider all mitigating and other factors, as outlined in sections 4.23 and 4.24 when determining if suspension, expulsion, or other disciplinary action is appropriate;
  - d) inform parents/guardians of the student who committed the inappropriate behaviour, as per the procedures included herein;
  - e) immediately suspend a student who is believed to have engaged in an activity for which expulsion must be considered;
  - f) conduct an investigation, if expulsion is being considered; and
  - g) provide the individual who reported the incident with written acknowledgement of receipt of the report, using Appendix A: Safe Schools Incident Reporting Form – Part II (OCDSB 515-Part II Acknowledgement).

#### Delegation of Principal's Authorities

- 4.9 A principal may delegate their authorities under Part XIII of the *Education Act* to a vice-principal, 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.
- 4.10 When delegating authority to a vice-principal, the principal will use Appendix B: Delegation of Authority Letter (Principal to Vice-Principal).
- 4.11 Only when the principal and vice-principal are absent from the school, the principal may delegate the following responsibilities to a teacher:
- a) initially dealing with situations involving activities that must be considered for suspension or expulsion, including
    - i. contacting a parent/guardian of a student who is being disciplined; and
    - ii. contacting a parent/guardian of a student that has been harmed as a result of an activity that could result in a suspension or expulsion. This is limited to:
      - A. the nature of the harm to the pupil; and
      - B. the nature of the activity that resulted in the harm.
  - b) receiving reports from others about activities that must be considered for suspension.
- 4.12 A teacher will not be delegated the authority to make suspension decisions, or to recommend the expulsion of a student.
- 4.13 When delegating authority to a teacher, the principal will use Appendix C: Delegation of Authority Letter (Principal to Teacher).

- 4.14 Acting on this delegation is optional for a teacher. When a teacher is not sure whether or not to call a parent/guardian regarding a school incident, or does not wish to exercise this delegation, the teacher should contact the principal or appropriate Superintendent of Instruction for direction.
- 4.15 In situations involving inappropriate behaviour in Board-operated extended-day programs(EDP) and only in the absence of the principal and vice-principal, the principal may delegate in writing the authority to initially deal with situations involving activities that must be considered for suspension or expulsion to Early Childhood Educators (ECEs) and their EDP supervisors. This delegation will respect the terms of all applicable collective agreements.
- 4.16 ECEs and their EDP 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. This authority is only exercised with students enrolled in extended-day programs in the school, only during the time that the extended-day program is operated in the school.
- 4.17 Acting on this delegation is optional for a ECEs and their EDP supervisors; if they are not sure whether they should call the parents, they should contact the principal or supervisory officer for direction. The principal or vice-principal will follow up with the parents as soon as possible.
- 4.18 ECEs and their EDP supervisors will not be delegated the authority to:
- a) discuss the nature of any disciplinary measures taken in response to the activity; and
  - b) make suspension decisions or recommendations regarding expulsion of students.

#### Progressive Discipline Measures

- 4.19 Progressive disciplines measures will be taken if inappropriate behaviour occurs at school, at a school-related activity (e.g. on school buses, during field trips, or at other school-related activities off school premises) or in other circumstances which will have an impact on the school climate.
- 4.20 Inappropriate behaviour should be understood as possibly a student's way of communicating a need or responding to something in the environment. Principals will pay careful consideration to the context of the behaviour and will strive to implement bias-free progressive discipline.
- 4.21 To modify a student's inappropriate behaviour, a principal may impose any progressive discipline measures such as written work assignment with a learning component, withdrawal of privileges, withdrawal from class, detention, restitution for damages, conflict resolution, individual, peer and group mediation, volunteer service to the school community, referral to counseling, short-term suspension, long-term suspension, and/or expulsion.
- 4.22 Before deciding whether to impose any progressive discipline measure, a principal will make every reasonable effort to consult with:

- a) the student;
- b) the student's parents/guardians;
- c) any student records including, but not limited to Ontario Student Record (OSR), Individual Education Plan (IEP) and Attendance Record; and
- d) any other relevant staff member(s).

#### Mitigating Factors

4.23 In considering progressive discipline measures, the principal will take into account mitigating factors prescribed by regulation. These factors include:

- a) whether the student does not have the ability to control their behaviour;
- b) whether the student does not have the ability to understand the foreseeable consequences of their behaviour; and
- c) whether the student's continuing presence in the school does not present an unacceptable risk to the safety of any person.

4.24 The following other factors will be taken into account if they would mitigate the seriousness of the activity for which the student may be or is being suspended or expelled:

- a) the student's history, including but not limited to considerations such as factors related to:
  - (i) mental health and well-being (e.g. family, social, and community circumstances, trauma history, etc.), and
  - (ii) systemic bias or discrimination
- b) whether a progressive discipline approach has been used with the student including the number and nature of previous disciplinary consequences;
- c) the student's age;
- d) whether the activity was related to harassment of the student because of their race, ethnic origin, religion, disability, gender or sexual orientation or to any other harassment;
- e) how the suspension or expulsion would affect the student's ongoing education;
- f) in the case of a student for whom an Individual Education Plan (IEP) has been developed,
  - (i) whether the behaviour was a manifestation of a disability identified in the student's IEP;
  - (ii) whether appropriate individualized accommodation has been provided; and/or
  - (iii) whether the suspension or expulsion is likely to result in an aggravation or worsening of the student's behaviour or conduct.

## 5.0 SUSPENSION OF A STUDENT

- 5.1 Under subsection 306(1) of the Education Act, a principal must consider whether to suspend a student from one to 20 school days, if they believe that the student has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:
- a) uttering a threat to inflict serious bodily harm on another person;
  - b) possessing alcohol or illegal drugs or, unless the student is a medical cannabis user, cannabis;
  - c) being under the influence of alcohol or, unless the student is a medical cannabis user, cannabis;
  - d) swearing at a teacher or another person in a position of authority;
  - e) committing an act of vandalism that causes extensive damage to school property or to property located on the premises of the student's school; or
  - f) bullying.
- 5.2 In addition, it is the policy of the Board that a principal shall consider whether to suspend a student from one to 20 school days if they believe that the student has engaged in any of the following activities:
- a) persistent opposition to authority;
  - b) habitual neglect of duty as a student as defined by the *Education Act*, District or school policies;
  - c) willful destruction or theft of school property or property located on school premises;
  - d) profane or improper language;
  - e) conduct injurious to the physical or mental well-being of others in the school;
  - f) inappropriate use of information technology, as defined in Board policies and procedures;
  - g) smoking or vaping on school/District premises;
  - h) selling, distributing, or providing any illegal drugs, alcohol, cannabis, and/or any vaping or tobacco products;
  - i) being under the influence of illegal drugs; or
  - j) any act considered to be contrary to the District or school code of conduct or Board policies.

- 5.3 A principal may impose a suspension from one to five school days without the consent of the Superintendent of Instruction, and provide the suspended student with school work to complete at home while serving the suspension.
- 5.4 Before imposing a suspension of six (6) up to twenty (20) school days, the principal will seek approval from the Superintendent of Instruction following consultation regarding:
- (iii) the circumstances of the incident;
  - (iv) the investigation undertaken; and
  - (v) whether or not one or more of the mitigating or other factors apply.

#### Reporting and Retention Requirements

- 5.5 If a student was suspended, the SSIR (Appendix A) and the letter of suspension will be retained in their OSR for one year.
- 5.6 If the student was suspended for any of the following violent incidents occurring on school premises during school-run programs, the related documentation will be retained in their OSR for three years:
- a) possessing a weapon, including possessing a firearm;
  - b) physical assault causing bodily harm requiring medical attention;
  - c) sexual assault;
  - d) robbery;
  - e) using a weapon to cause or to threaten bodily harm to another person;
  - f) extortion; and/or
  - g) hate and/or bias-motivated occurrences.
- 5.7 If a student was expelled, the related documentation will be retained in their OSR for five years.
- 5.8 Only the name of the suspended student will be kept in the SSIR; the names of other students will be redacted.
- 5.9 In the case of the victim, no information about the incident will be placed in the student's OSR, unless the victim or parent of the victim expressly requests that it be placed in the victim student's OSR.
- 5.10 In the case of a disciplinary action short of suspension, the principal is not required to retain the report.
- 5.11 Each school will be responsible for documenting each suspension and/or expulsion into the Student Information System.

#### Notifying Parents/Guardians of a Student Victim

- 5.12 The principal will inform the parents/guardians of a student who may have been harmed as a result of any incidents for which suspension or expulsion must be considered.



Notwithstanding the above, a principal shall not notify parents/guardians of an adult student without prior consent from the student.

- 5.13 When notifying the parents/guardians of a victim, the principal will disclose the following:
- a) the nature of the incident that resulted in harm to the student;
  - b) the nature of the harm to the student;
  - c) the steps taken to protect the student's safety, including the nature of any discipline in response to the incident; and
  - d) the supports that will be provided for the student in response to the harm that resulted from the activity.
- 5.14 When notifying the parents/guardians, the principal will not disclose the name of or any identifying or personal information about a student who engaged in the activity that resulted in the harm, except in so far as is necessary to comply with the requirement to notify.
- 5.15 The principal will not notify a parent/guardian of a student if in the opinion of the principal, the disclosure will put the child at greater risk. If the principal decides not to notify a parent/guardian of a victim of a serious student incident, the principal will:
- a) refer the matter to the multi-disciplinary team and Superintendent of Instruction, if required;
  - b) document the rationale for the decision not to notify the parent/guardian of the student;
  - c) inform the appropriate Superintendent of Instruction of this decision;
  - d) if a teacher reported the harm to the principal, inform the teacher of the decision;
  - e) if appropriate to do so, inform other district employees of the decision not to notify the parent/guardian of the student; and
  - f) consult with Children's Aid Society, if required.

#### Notice of Suspension

- 5.16 When imposing a suspension, the principal will:
- a) make all reasonable efforts to orally inform the adult student or the parents/guardians within 24 hours of the decision, of the suspension;
  - b) inform the student's teacher(s) of the suspension; and
  - c) provide a written notice of the suspension to the adult student or the parents/guardians of a minor student that includes:
    - (i) the reason for suspension, using the terms specified in section 306 of the *Education Act* or Board policy;
    - (ii) the duration of the suspension;
    - (iii) information about the program for suspended students the student is assigned to, if applicable; and

- (iv) information about the right to appeal the suspension under section 309 of the Education Act, including:
  - A. copies of the Board's policies and procedures governing the appeal process; and
  - B. the name and contact information of the supervisory officer to whom the notice of appeal must be given, under the circumstances; and
- d) regardless of the method of delivery of notice (e.g. by hand, courier or registered mail), document delivery of the notice.

## 6.0 EXPULSION OF A STUDENT

- 6.1 As per section 310(1) of the *Education Act*, a principal must suspend a student from their school and all school-related activities for up to 20 school days and conduct an investigation to determine whether to recommend to the Board that the student be expelled, if the principal believes that the student has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:
- a) possession of weapons, including possession of a firearm;
  - b) using a weapon to cause or to threaten bodily harm to another person;
  - c) committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
  - d) committing sexual assault;
  - e) trafficking in weapons or illegal drugs;
  - f) robbery or extortion;
  - g) giving alcohol or cannabis to a minor;
  - h) bullying, if,
    - (i) the student has previously been suspended for engaging in bullying; and
    - (ii) the student's continuing presence in the school creates an unacceptable risk to the safety of another person;
  - i) any activity listed as a possible reason for suspension in subsection 306 (1) that is motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor; and
  - j) any other activity for which, under any of the OCDSB policies or procedures, a principal must suspend a pupil and conduct an investigation to determine whether to recommend to the Board that the student be expelled.

- 6.2 As per Board Policy P.026.SCO Student Suspension and Expulsion, the following must lead to suspension, investigation and possible expulsion:
- a) the student's pattern of behaviour is so refractory that their presence is injurious to the effective learning environment of others;
  - b) engaging in activities that cause a student's presence in the school to be injurious to the physical or emotional well-being of other persons in the school; or
  - c) engaging in activities that have caused extensive damage to the property of the District or to property on District premises.
- 6.3 The two types of expulsion permitted by the *Education Act* are:
- a) an expulsion from the school of the District that the student was attending at the time of the incident; or
  - b) an expulsion from all the schools of the District.
- 6.4 Where the principal believes a student may have committed an expulsion activity, the principal will consult with the Superintendent of Instruction as soon as possible.
- 6.5 When a student is suspended under subsection 310(1) of the *Education Act*, the principal will undertake an investigation to determine whether to recommend to the Board that the student be expelled.

#### Notice of Suspension Pending Investigation

- 6.6 When providing a notice of suspension, investigation, and possible expulsion, the principal will:
- a) make all reasonable effort to orally inform the adult student or the parents/guardians within 24 hours of the suspension pending investigation for possible expulsion;
  - b) inform the student's teacher(s) of the suspension pending investigation for possible expulsion; and
  - c) provide a written notice of the suspension pending investigation for possible expulsion to the adult student or the parents/guardians of a minor student. The notice includes:
    - i. the reason for suspension, using the terms specified in section 310 of the *Education Act* or Board policy;
    - ii. the duration of the suspension for 20 days pending investigation for possible expulsion;
    - iii. information about the investigation the principal is conducting to determine whether to recommend expulsion;
    - iv. information about the program for suspended students the student is assigned to; and
    - v. a statement to indicate that there is no immediate right to appeal the suspension. Only when expulsion is not recommended or at an expulsion hearing, the suspension may be appealed; and
  - d) regardless of the method of delivery of notice (e.g. by hand, courier or registered mail), document delivery of the notice.

### Principal's Investigation

- 6.7 The principal will consult with the Superintendent of Instruction throughout the investigation process.
- 6.8 The principal will follow the procedures stipulated in PR.533.SCO Police Involvement in Schools and PR.528.SCO Critical Incident Review Process [S.4.1], in accordance with the Protocol to Accompany Safe Schools Policies in the City of Ottawa, 2016.
- 6.9 The principal will make all reasonable efforts to complete the investigation within seven (7) school days from the date of suspension. Should the investigation take longer than seven (7) school days it will be completed as soon as practical.
- 6.10 The investigation will include interviews of witnesses whom the principal determines can contribute relevant information. The principal may take written statements at their discretion.
- 6.11 Where there is a conflict in the findings collected by the principal on the issue of whether a student committed the infraction, the principal will assess the findings and determine whether, on the balance of probabilities, it is more probable than not that the student did commit the infraction.
- 6.12 When conducting the investigation regarding the possible expulsion or in making the final determination about the length of the suspension, the principal will make every effort to consult with the adult student or the minor student's parents/guardians to identify whether mitigating or other factors might apply in the circumstances, review the principal's findings, provide opportunity to provide additional information which may be relevant and to make submissions on appropriate discipline, if any.
- 6.13 The conclusion of the investigation will either be:
  - a) recommend expulsion from either the school or all schools to the Board;
  - b) uphold a suspension and its duration;
  - c) uphold a suspension and shorten its duration;
  - d) impose an alternate disciplinary action; or
  - e) determine that no disciplinary action is required.

### No Expulsion Recommended

- 6.14 If the principal decides not to recommend to the Board that the student be expelled, the principal has the following alternative disciplinary actions to choose from as appropriate with the circumstances:
  - a) to uphold the suspension and its duration;
  - b) to uphold the suspension and shorten its duration and amend the record accordingly; or

- c) to withdraw the suspension and expunge the record.
- 6.15 The principal will provide written notice of this decision to the adult student or the parents/guardians of a minor student that includes:
- a) a statement of the principal's decision not to recommend expulsion to the Board;
  - b) a statement indicating whether the suspension has been upheld, upheld and shortened, or withdrawn;
  - c) the reason for the suspension, if upheld; and
  - d) information about the right to appeal the upheld suspension to the Board, will include:
    - (i) copies of Board policies and guidelines regarding suspension appeals;
    - (ii) contact information for the Superintendent of Instruction;
    - (iii) a statement that written notice of an intention to appeal must be given within five (5) school days following receipt by the party of notice of the decision not to recommend expulsion; and
    - (iv) if the length of the suspension has been shortened, notice that the appeal is of the shortened length of the suspension.

Expulsion Recommended

- 6.16 If, in consultation with the Superintendent of Instruction, a principal determines that a referral for expulsion is warranted, the principal will refer the recommendation for expulsion to the Expulsion Hearing Panel to be heard within twenty (20) school days from the date the principal suspended the student, unless the parties to the expulsion hearing agree upon a later date.
- 6.17 For the purpose of the expulsion hearing, the principal will:
- a) provide a written notice of the recommendation for expulsion to the adult student or the parents/guardians of a minor student. The notice will include:
    - (i) a statement that the student is being referred to the Expulsion Hearing Panel to determine whether the student will be expelled for the activity that resulted in suspension;
    - (ii) a copy of PR.513.SCO: Expulsion Hearing Panel (Students);
    - (iii) a copy of the suspension investigation pending expulsion letter [Section 6.6, c];
    - (iv) information about the investigation the principal is conducting to determine whether to recommend expulsion;
    - (v) a statement that the student and/or his/her parents/guardians has the right to respond to the principal's report in writing;
    - (vii) the name and contact information for the Associate Director of Education who acts as the advisor to the Expulsion Hearing Panel; and
    - (vi) information about the procedures and possible outcomes of the expulsion hearing, including:
      - A. if the Expulsion Hearing Panel does not expel the student they will confirm, confirm and shorten, or withdraw the suspension;

- B. parties have the right to make submissions with respect to the suspension;
  - C. any decision with respect to the suspension is final and cannot be appealed;
  - D. if the student is expelled from the school, they will be assigned to another school;
  - E. if the student is expelled from the all schools of the District, they will be assigned to a program for expelled students; and
  - F. if the student is expelled, there is a right of appeal to the Child and Family Services Review Board.
- b) Prepare a report, in consultation with the Superintendent of Instruction, to be submitted to the Associate Director of Education and provide the report to the student, the student's parents/guardians (unless the student is an adult student) along with the notice of the recommendation to expel. The report will include:
- (i) A summary of the findings the principal made in the investigation;
  - (ii) An analysis of which, if any, mitigating or other factors might be applicable;
  - (iii) A recommendation of whether the expulsion should be from the student's school or from all the schools of the Board; and
  - (iv) A recommendation regarding the type of school that would benefit the student if the student is subject to a school expulsion, or the type of program that might benefit the student if the student is subject to a Board expulsion from all schools of the District.
- c) Electronically notify the Senior Coordinator in Board Services that a written notification for an expulsion hearing is forthcoming and indicate the dates of the suspension in the notification.

6.18 The procedures for conducting an expulsion hearing are set out in Board procedure PR.513.SCO: Expulsion Hearing Panel (Students).

## 7.0 APPEALS

7.1 The adult student or parents/guardians have the right to appeal a suspension or expulsion according to the provisions below.

### Suspension Appeals

7.2 Notice of the intention to appeal to the Superintendent of Instruction is required within ten (10) school days of the commencement of the suspension.

7.3 The Superintendent of Instruction has the discretion to settle the appeal through a review.

7.4 An Appeals Hearing Panel constituted under Board policy P.022.SCO and procedure PR.512.SCO will hear the appeal at a duly constituted meeting.

- 7.5 A request for an appeal does not stay the suspension. The panel will determine whether the suspension and duration should be confirmed or modified and whether the record should be modified accordingly.
- 7.6 The appeal will be heard within fifteen (15) school days of receiving the notice of the intention to appeal.
- 7.7 In the case of an expunged expulsion and shortened suspension, the principal will send the suspended adult student or the parents/guardians of the suspended student information about the right to appeal the suspension to the Board including:
- a) a copy of the Board policies and guidelines regarding suspension appeals;
  - b) contact information for the Superintendent of Instruction;
  - c) a statement that written notice of an intention to appeal must be given within five (5) school days following receipt by the party of notice of the decision not to recommend expulsion; and/or
  - d) notice that the appeal is of the shortened length of the suspension.

#### Expulsion Appeals

- 7.8 Board's decision to expel a student may be appealed to the Child and Family Services Review Board of the Province of Ontario. The decision of the tribunal is final.
- 7.9 Board procedure PR.513.SCO provides for further direction on expulsion hearing panels.

## **8.0 STUDENT ACTION PLANS**

- 8.1 Where a student has been suspended for six (6) or more school days or expelled, the student will be assigned a program stipulated in a Student Action Plan (SAP).
- 8.2 Participation in the program for suspended or expelled students is voluntary.
- 8.3 Agreement to participate in a program may be communicated to the school orally by the parents/guardians or adult student.
- 8.4 Within two (2) school days of the communicated approval to participate in the program, a planning meeting will be scheduled.
- 8.5 In the planning meeting, a SAP will be developed under the direction of the principal of the school with assistance, as appropriate, from the vice-principal of the school, and the multi-disciplinary team, including teaching and support staff as well as the adult student or the parents/guardians.
- 8.6 If the adult student and/or the parents/guardians are not available to participate in the planning meeting, the meeting will proceed in their absence and a copy of the SAP will be provided to them following the meeting.

- 8.7 SAPs of students suspended for six (6) to ten (10) days will include academic supports (Appendices D and E).
- 8.8 SAPs of students suspended for eleven (11) to twenty (20) school days or of expelled students will include both academic and non-academic supports (Appendices D and E).
- 8.9 The principal will make every effort to complete the SAP within five (5) school days following the adult student or the parents/guardians informing the school that the student will participate in a program.
- 8.10 The principal will provide the SAP to the adult student, or the student's parents/guardians and the student and all necessary staff to facilitate the implementation.
- 8.11 A copy of the SAP will be stored in the student's OSR for the same time period established for all other related suspension documentation.
- 8.12 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;
  - c) any alternative discipline measures imposed in addition to the suspension;
  - d) any other disciplinary issues regarding the student that have been identified by the school;
  - e) any learning needs or other needs that might have contributed to the underlying infraction resulting in discipline;
  - f) any program(s) or service(s) that might be provided to address those learning or other needs;
  - g) the academic program to be provided to the student during the suspension period and details regarding how that academic program will be accessed by the student;
  - h) where the student has an IEP, information regarding how the accommodations/modifications of the student's academic program will be provided during the period of suspension;
  - i) the non-academic program and services to be provided to the student, for students suspended eleven or more days, during the suspension and details regarding how that non-academic program and those services will be accessed; and
  - j) the measurable goals the student will be striving to achieve during the period of suspension.



- 8.13 Should the adult student or the parents/guardians refuse to participate in the program for suspended and expelled students, the principal will record the date and time of such refusal and will provide the student with school work consistent with the Ontario curriculum or modified curriculum to be completed at home for the duration of their suspension.

## 9.0 Return to School

- 9.1 For students returning from a suspension (one to twenty school days) the principal will hold a re-entry meeting to facilitate the student's transition back to school and identify any additional academic or non-academic supports that may be required upon returning to school.
- 9.2 Students expelled from all schools of the District are entitled to apply in writing to the Director of Education for readmission to a school of the Board once they have successfully completed the program for expelled students or have satisfied the objectives outlined in the SAP.
- 9.3 The Critical Incident Review Committee has the ultimate decision of whether an expelled student has satisfied all requirements established by the Board for return to school. Only when such requirements are met, the Superintendent responsible for the school which the student was attending at the time of expulsion will, in consultation with the Associate Director and the principals involved, determine the school of the District to which the student may return.

## 10.0 APPENDICES

(Please right-click on the links below to open appendices in new tabs)

- [Appendix A: OCDSB 515 Safe Schools Incident Reporting – Part I Reporting](#)  
[Appendix A: OCDSB 515 Safe Schools Incident Reporting – Part II Acknowledgement](#)  
[Appendix B: Delegation of Authority Letter \(Principal to Vice-Principal\)](#)  
[Appendix C: Delegation of Authority Letter \(Principal to Teacher\)](#)  
[Appendix D: Student Action Plan \(Elementary\) – OCDSB 516](#)  
[Appendix E: Student Action Plan \(Secondary\) – OCDSB 517](#)  
[Appendix F: Suspension/Expulsion Flow Chart](#)  
Appendix G: Suspension Template

## 11.0 REFERENCE DOCUMENTS

*Education Act*

*Education Amendment Act (Progressive Discipline and School Safety), 2007*

Policy/Program Memorandum 120, Reporting Violent Incidents to the Ministry of Education, May 16, 2011.

Policy/Program Memorandum 141, School Board Programs for Students on Long-Term Suspension, December 5, 2012.

Policy/Program Memorandum 142, School Board Programs for Expelled Students, December 5, 2012.

Policy/Program Memorandum 128, The Provincial Code of Conduct and School Board Codes of Conduct, October 17, 2018.

Policy/Program Memorandum 144, Bullying Prevention and Intervention, October 17, 2018.

Policy/Program Memorandum 145, Progressive Discipline and Promoting Positive Student Behaviour, October 17, 2018.

*Bill 157: Education Amendment Act (Keeping Our Kids Safe at School Act), 2009*

*Ontario Regulation 472/07, Suspension and Expulsion of Students*

Ontario Student Record (OSR) Guideline, Ontario Ministry of Education, 2000

[Supporting Bias Free Progressive Discipline in Schools, 2013](#)

The Protocol to Accompany Safe Schools Policies in the City of Ottawa, August 2016.

Board Policy P.022.SCO: Appeals Hearing Panel (Student Suspension)

Board Policy P.023.SCO: Expulsion Hearing Panel (Students)

Board Policy P.026.SCO: Student Suspension and Expulsion

Board Policy P.032.SCO: Safe Schools

Board Policy P.033.SCO: Smoking and Vaping on Board Premises

Board Policy P.034.SCO: Substance Abuse

Board Procedure PR.512.SCO: Appeals Hearing Panel (Student Suspension)

Board Procedure PR.513.SCO: Expulsion Hearing Panel (Students)

Board Procedure PR.521.SCO: Safe Schools

Board Procedure PR.523.SCO: Substance Abuse

Board Procedure PR.525.SCO: Weapons

Board Procedure PR.528.SCO: Critical Incident Review Process

Violent Incident Form, Trillium Database