



**TITLE: EXPULSION HEARING PANEL (STUDENTS)**

**Date Issued: 17 April 1998**  
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**Authorization: Board: 25 November 2014**

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**1.0 OBJECTIVE**

To provide a process for the Board upon a recommendation from a principal, to hear and decide upon the expulsion of a student.

**2.0 POLICY**

- 2.1 The *Education Act*, Section 311.3 (1), requires that the Board hold an expulsion hearing when a principal refers an expulsion matter to the Board.
- 2.2 The *Education Act* provides that the Board may delegate its duty to hold an expulsion hearing to a committee of the Board.
- 2.3 The Board shall establish an expulsion hearing panel of three trustees, as outlined in 2.4 below, to hear and decide on the expulsion of a student.
- 2.4 Establishment of Expulsion Hearing Panel
  - a) The Chair of the Board shall establish a panel for each expulsion hearing and appoint up to three trustee members as follows:
    - (i) the Chair and/or Vice-Chair or designate; and
    - (ii) one or two other trustees for a total of three members, one of whom, insofar as is practicable, shall be the elected trustee from the zone in which the student or students reside or attend school.
  - b) The chair of the panel shall be the Chair or Vice Chair of the Board, or, if neither is available, the Chair may designate another member to act as Chair of the panel.
  - c) When, despite best efforts, one of the appointed members of an expulsion hearing panel is unavoidably prevented from attending on the appointed hearing date, the Chair may appoint another trustee to substitute.
  - d) The hearing shall be postponed unless all three members of the panel are present, except in a case where the Chair has been able to replace one member of the panel by appointing another trustee to substitute.

- e) In exceptional circumstances, which occur just immediately before the hearing is scheduled to commence, the panel may hold the hearing by telephone conference for determination of any or all issues, in the same manner as an oral hearing.

2.5 Expulsion Hearing Panel

- a) The expulsion hearing panel must hold the expulsion hearing within 20 school days of the start of the suspension as outlined in Board Procedure PR.513.SCO: Expulsion Hearing Panel (Students). The Board cannot expel a student if more than 20 school days have elapsed since the suspension was issued unless the parties to the hearing agree to a later deadline.
- b) The decisions of the Board with respect to the expulsion of a student may be appealed to the Child and Family Services Review Board of the Province of Ontario.

2.6 The Director of Education is authorized to issue such procedures as may be necessary to implement this policy.

### **3.0 REFERENCES**

*Education Act*

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

Ontario Regulation 472/07 Suspension and Expulsion of Students

*Education Statute Law Amendment Act, 1993*

Board By-Laws, Annex 2, Section 3.2.4

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

Board Policy P.032.SCO: Safe Schools

Board Procedure PR.515.SCO: Student Suspension and Expulsion

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

Board Procedure PR.521.SCO: Safe Schools