

**JAMES BAY LOWLANDS
SECONDARY SCHOOL BOARD**

**BOARD GOVERNANCE POLICY
NO. GOV-20**

Date Adopted	October 24, 2018
Last Revised	
Board Motion	5598-10-18

SAFE SCHOOL ENVIRONMENT

1. PURPOSE

The James Bay Lowlands Secondary School Board has developed this governance policy to affirm the Board's commitment to creating a school learning environment that is caring, safe, nurturing, and respectful, and that enables all students to reach their full potential.

The Board is committed to the encouragement of appropriate behaviour by providing program and instructional supports for good conduct, as well as guidelines for dealing with inappropriate conduct.

This policy affirms the 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.

Codes of Conduct: The Board has established codes of conduct that set out standards of behaviour for students, staff, parents, and trustees. The Board also directs the principal, 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 the 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 a student 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.

Expulsion: Expelled students are removed from school and school activities for an indefinite time period. The board offers a program for expelled students which must be completed before the student returns to school.

Discipline Committee of the Board: The Discipline Committee of the Board is a committee of trustees of the Board designated to determine suspension appeals and recommendations for expulsion.

Parents: All references to parents in this document also refer to a parent or guardian(s).

3. GUIDING PRINCIPLES

- 3.1 The James Bay Lowlands Secondary School Board is committed to providing a safe, caring, learning and working environment.
- 3.2 Basic to a Safe School Environment policy is the premise that every student has the right to an education without disruption, and a corresponding responsibility not to deny this right to any other student.
- 3.3 The Board values clear codes of behaviour, based upon individual rights and responsibilities.
- 3.4 The Board believes that:
 - a) Support and education are required in order to promote the identification and correction of circumstances which are contrary to safety and security in the school.
 - b) No degree of violence, threat, or risk to the safety of students or adults is acceptable in the school system.
 - c) Safety extends beyond freedom from violence and physical harm to emotional well-being, mutual respect, and a sense of security.

- d) For any act of violence, however expressed, there will be an appropriate consequence, which could result in parallel but separate school and legal consequences.
- 3.5 Discipline is learned and should be taught in the home, the school, and the community. It is a developmental process that is intended to result in self-discipline and mature responses in society.
- 3.6 The Board recognizes that the majority of students live within the administrative procedures, rules, and regulations of the school. Some students occasionally require both a clear definition of the limits of behaviour, and of the consequences of breaking those limits.

4. **POLICY**

- 4.1 James Bay Lowlands Secondary School Board is committed to establishing and maintaining a safe and secure environment for its students, staff, and community through the implementation of an effective Safe School Environment policy. It is recognized that it is the principal's responsibility to address disruptive behaviour in partnership with the school staff, the parents, and the community and that a progressive discipline approach will be used to address disruptive behaviour wherever possible.
[See Administrative Procedure 379 Progressive Discipline.]
- 4.2 This Board policy and Administrative Procedure 379 Progressive Discipline set out three components: prevention, intervention, and the consequences of prohibited behaviour while on Board property, at Board sponsored events, or while engaging in any activity that will have a negative impact on the school climate.
- 4.3 All violent acts of which the school community is aware will result in some form of intervention which is designed to respond to the perpetrator and the victim. The level of intervention will be contingent upon the severity of the act and the established needs of the circumstance.
[See Administrative Procedure 385 Violence-Free School and Administrative Procedure 386 Student Assault on Staff/Volunteers.]
- 4.4 For the purposes of suspension and expulsion of any student, the staff will ensure that the following mitigating factors will be taken into consideration in accordance with Ontario Regulation 472/07 Behaviour, Discipline and Safety of Pupils.
 - a) The student does not have the ability to control his or her behaviour;
 - b) The student does not have the ability to understand the foreseeable consequences of his or her behaviour;
 - c) The student's continuing presence in the school does not create an unacceptable risk to the safety of any person.[See Administrative Procedure 379 Progressive Discipline, Administrative Procedure 381 Student Suspension, and Administrative Procedure 382 Student Expulsion.]

BOARD EXPECTATIONS

5. SAFE ENVIRONMENT

- 5.1 It is the obligation of all members of the school community to establish a safe and secure school environment. The school environment is both physical and social. The school climate can be affected by student activities that occur both inside and outside of the school, and could include such things as internet harassment or cyber bullying, or deliberate acts of violence against persons who are affiliated with the school environment.
- 5.2 The school staff will teach by example and will design activities to provide a positive, inviting school atmosphere and maintain a safe school culture.
- 5.3 Discipline strategies will be fair and non-violent and focus on teaching students about appropriate behaviours, while maintaining their self-respect. Discipline strategies may need to be individualized to meet student learning needs.
- 5.4 Guidelines for school supervision will be developed to ensure the safety of staff and students at school-sponsored activities. These guidelines will be consistent with the school's Code of Conduct.
- 5.5 The principal will deny entry to the school to a person found in possession of materials and/or substances deemed to be unsafe and/or inappropriate (e.g. hate literature, guns, knives, illegal drugs).
- 5.6 The principal may deny entry to school-sponsored activities to individuals with a record of violence, or who, in the administrator's judgement, might threaten, harass, verbally abuse or attack any students or staff.
- 5.7 The school will operate a Health and Safety Committee.

6. PROGRESSIVE DISCIPLINE

- 6.1 The Board supports and implements progressive discipline programs using a continuum of prevention, interventions, supports, and consequences, including opportunities to reinforce positive behaviour while assisting students to make appropriate choices.
- 6.2 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.
- 6.3 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 provincial or school codes of conduct.
- 6.4 Progressive discipline programs will model a framework that shifts the focus from a purely punitive to a corrective and supportive model.

7. PREVENTION PRACTICES

- 7.1 The Board supports the use of prevention practices as a foundation for a healthy environment and progressive discipline. These practices include character development, Student Success strategies, anti-bullying and violence prevention programs, citizenship development, student leadership, and healthy lifestyle initiatives.
- 7.2 Prevention strategies must be incorporated into the curriculum. It is the joint responsibility of the school, home, and community to work together to guide students to become good citizens in a society that promotes an equitable, environment for all that is free of bullying and violence.
- 7.3 Administrative Procedure 379 Progressive Discipline includes more detailed prevention strategies.

8. INTERVENTION PROGRAM

- 8.1 The Board will build on its early identification practices and procedures to help students at risk of being bullies and/or victims. As much as possible, this assistance must take place within the classroom and with the involvement of parents.
- 8.2 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; safety plans; and school and community support programs.
- 8.3 Intervention programs, as well as helping students to reduce their teasing, bullying, anger, or timidity, should attempt to discover and document the underlying cause(s) of the student's behaviour. As well as addressing, or helping students address, the cause(s), intervention should build on their strengths, enabling them to develop a healthy self-concept and appropriate interpersonal skills. Intervention programs must take into account the different learning needs of all students.
- 8.4 Where appropriate, the Board will develop and implement programs to address the special needs of exceptional students as identified through the Individual Education Plan process.
- 8.5 Procedures must be developed to ensure that teachers have the opportunity to consult with parents about the inappropriate misbehaviour of their children. Where appropriate, an offer of available resources such as in-school counselling or a referral to a mental health agency must be made.
- 8.6 The Board will continue to develop partnerships with community organizations and agencies which can provide support to students in need.
[See Administrative Procedure 379 Progressive Discipline for more detailed intervention strategies.]

9. SCHOOL CODE OF CONDUCT

- 9.1 The school will develop a Code of Conduct that clearly indicates the behaviour expectations of its school community, as referenced in the Ontario Ministry of Education Guideline—The Provincial Code of Conduct and School Board Codes of Conduct.
- 9.2 The Code of Conduct will be:
- a) developed in collaboration with students, staff, parents/guardians and the community;
 - b) reviewed annually;
 - c) displayed prominently in the school;
 - d) communicated to students, staff, parents and the school community at the beginning of the school year, and at other times when appropriate; and
 - e) focussed on the principles of fairness and non-violence and on teaching appropriate behaviour while maintaining individual self-respect.
- 9.3 The Code of Conduct will reflect a philosophy that for every inappropriate act the perpetrator will be given an appropriate consequence chosen from a continuum of consequences.
- 9.4 The contents of the Code of Conduct will include:
- a) the standard of behaviour that is expected from all members of the school community;
 - b) a clear statement that violence in any form that has an effect on the school climate will not be tolerated in the school community, including school grounds, buses, and school or Board-sponsored events;
 - c) a statement that physical, verbal (oral or written), sexual, or psychological abuse, harassment, bullying, or discrimination on the basis of race, culture, religion, gender, language, disability, sexual orientation, or any other attribute is unacceptable;
 - d) a statement that damage to property in the school environment (including school grounds, school buses) is unacceptable;
 - e) a statement that desks and lockers are considered school property and that a search of such property is permissible by school administration based on reasonable grounds;
 - f) a statement that administrators may ask students to open up personal backpacks or handbags or to remove shoes and socks where there are reasonable grounds to believe that a student is carrying stolen property, a dangerous weapon, or an illegal substance;
 - g) a description of the school dress code; and
 - h) a statement that there will be clear and fair consequences for unacceptable behaviour that are consistent with this Board Policy and administrative procedures.

[See Administrative Procedure 385 Violence-Free School, and Administrative Procedure 386 Student Assault on Staff/Volunteers.]

10. BULLYING

- 10.1 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 from school.
- 10.2 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.
- 10.3 Bullying will not be accepted on school property, at school-related activities, on school buses, and in any other circumstances (e.g., online) where engaging in bullying will have a negative impact on pupils and the school climate.
[See Administrative Procedure 379 Progressive Discipline, Administrative Procedure 381 Student Suspension, and Administrative Procedure 382 Student Expulsion.]

11. SUSPENSION AND EXPULSION

- 11.1 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.
- 11.2 The Board will deal with suspension of students in accordance with the Part XIII of the *Education Act*, related Regulations, and Memoranda.
[See Administrative Procedure 381 Student Suspension.]
- 11.3 The Board will deal with expulsions of students in accordance with Part XIII of the *Education Act*, related Regulations, and Memoranda.
[See Administrative Procedure 382 Student Expulsion.]
- 11.4 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.

12. APPEALS AND HEARINGS

- 12.1 The Board recognizes its duties and powers to decide upon appeals of student suspensions and to decide upon a principal's 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*.
- 12.2 The Board authorizes a Discipline Committee of the Board to conduct appeals of student suspensions and hearings of recommendations for student expulsion. The Board formally delegates to the Discipline Committee 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.

- 12.3 In the case of an appeal of a suspension, the Discipline Committee of the Board shall follow the directives in Board Policy GOV-21 Appeals and Hearings Regarding Student Discipline. In accordance with this policy, the Discipline Committee will either: confirm the suspension and its duration; confirm the suspension but shorten its duration, even if the suspension has already been served, and order that the record of the suspension be amended accordingly; or quash the suspension and order that the record be expunged, even if the suspension has already been served.
- 12.4 The decision of the Discipline Committee is final.
- 12.5 In the case of an expulsion hearing, the Discipline Committee of the Board will follow the directives in Board Policy GOV-21 Appeals and Hearings Regarding Student Discipline. In accordance with this policy, the Discipline Committee shall conduct a hearing to 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 Board shall decide whether or not to expel the student.
- 12.6 A student's parent or adult student may appeal a Board's decision to expel a student 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.
- 12.7 The Board provides programs for students who are on long-term suspension and for expelled students. The programs support students in both academic and non-academic areas.

REFERENCE DOCUMENTS

Legal:

Education Act, Section 169.1 Board Powers and Duties: Positive School Climate

Education Act: 264 (1) (e) Duties of Teachers: Maintain order and discipline

Education Act: 265 (1) (a) Duties of Principal: Maintain Proper Order and Discipline

Education Act: 265 (1) (j) Duties of Principal: Care of Materials and School Property

Education Act, Part XIII Behaviour, Discipline and Safety of Pupils

Ontario Regulation 298, 11 (3) (e): Duties of Principals. Supervision of Students

Ontario Regulation 298, 23 (1) (b) Requirements for Pupils: Exercise self-discipline

Ontario Regulation 298, 23 (1) (c) Requirements for Pupils: Accept discipline

Ontario Regulation 298, 23 (1) (h) Requirements for Pupils: Show respect for school property

Ontario Regulation 298, 23 (4) Requirements for Pupils: Responsible to principal for conduct
Ontario Regulation 472/07 Behaviour, Discipline and Safety of Pupils: Mitigating Factors
Ontario Regulation 474/00 Access to School Premises
Canadian Charter of Rights and Freedoms
Ontario Human Rights Code
Occupational Health and Safety Act
Youth Criminal Justice Act
Ontario Ministry of Education Guideline—The Provincial Code of Conduct and School Board Codes of Conduct
Policy/Program Memorandum No. 120 Reporting Violent Incidents to the Ministry of Education
Policy/Program Memorandum No. 141 School Board Programs for Students on Long-term Suspension
Policy/Program Memorandum No. 142 School Board Programs for Expelled Students
Policy/Program Memorandum No. 144 Bullying Prevention and Intervention
Policy/Program Memorandum No. 145 Progressive Discipline and Promoting Positive Student Behaviour

Board References:

Board Policy GOV-01 Values, Vision, and Mission
Board Policy GOV-02 Role of the Corporate Board
Board Policy GOV-03 Role of the Supervisory Officer
Board Policy GOV-05 Multi-Year Strategic Plan
Board Policy GOV-11 Board Code of Conduct
Board Policy GOV-13 Equity and Inclusion
Board Policy GOV-19 Special Education
Board Policy GOV-21 Appeals and Hearings Regarding Student Discipline
Administrative Procedure 379 Progressive Discipline
Administrative Procedure 381 Student Suspension
Administrative Procedure 382 Student Expulsion
Administrative Procedure 385 Violence-Free School
Administrative Procedure 386 Student Assault on Staff/Volunteers