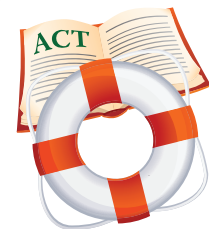


Understanding the Safe Schools Act



Does Ontario have an official policy about how students must behave in school?

Yes. There is a *Provincial Code of Conduct* in the Education Act that lists what kind of behaviour is unacceptable, and suggests a range of consequences for students who break the rules. The rules are new, and are often referred to as the *Safe Schools Act*. The new rules came into force in early 2008.

Does the *Safe Schools Act* focus on suspending and expelling students?

No. Though the Act still outlines the activities that can result in suspensions and expulsions, a number of changes have been made so that it focuses more on prevention, early intervention and support:

- Every school board and every school must now have its own Code of Conduct that incorporates the new Provincial Code of Conduct and sets out the consequences for certain kinds of behaviour. The Code of Conduct must be available to the public, and is usually posted in the school. The new act emphasizes 'progressive discipline', which means the principal will consider the most appropriate way to respond to each situation. It could include meeting with parents, a writing assignment or counseling. If the behaviour continues or if the offence is very serious, the discipline may escalate to either a suspension or, very rarely, an expulsion.
- Before a principal suspends a student, he or she has to think about the reasons why the student may have acted the way she did. Was racism involved? Was there bullying? Is the student a Special Education student? These are called "mitigating factors" and must be taken into account along with the effect a suspension might have on a student's continued education.
- Teachers can no longer suspend students: only the principal has that authority. A decision to expel a student is made by a committee of trustees, working with the principal and school board staff.

Can a student be suspended for bullying another student?

Yes. Bullying is now recognized as a serious offense. There are consequences for bullying, even if it takes place off school grounds or on the internet. Every school has to have a safe school team to help prevent bullying.

Do the rules cover behaviour off school property?

Yes. For the first time the Act covers unacceptable activity outside the school building. For example, if a student threatens another student or a teacher on the internet while the student is in his/her own home, that behaviour may qualify as having an impact on the school climate and a student could be suspended for up to 20 days.

What happens when a student is suspended?

- Principals must make every effort within 24 hours to inform the suspended pupil's parent of the suspension, in writing. The notice must include the reason for the suspension, information about any programs for suspended students and information about the right to appeal and how the appeal process works.
- A student can be suspended for between 1 and 20 school days, and suspended students cannot attend school or take part in school activities, including extra curricular activities.
- Students who are suspended for more than 5 school days must be offered an academic program that will help them keep learning. But they have the right to refuse to attend.
- Students who are suspended for more than 10 school days must be offered an academic program and non-academic services like counselling. But they have the right to refuse to attend.
- Principals, parents or guardians have the right to appeal all suspensions or expulsions, but the decision of the school board on the appeal is final
- When a student is suspended for an activity that falls under the mandatory suspension criteria, the principal must conduct an investigation to deter-



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mine whether to recommend to the board that the student be expelled.

- If a principal recommends expelling a student, the board must hold a hearing that includes the principal, the student, the student's parent(s) or guardian(s), and members of the school board to determine if the student should be expelled.
- If a student is expelled, the board must either find another school for the student or place the student in a program for expelled students.
- A Student Action Plan (SAP) must be developed for every expelled student. The SAP is to be de-

veloped by the principal, in cooperation with staff, the student and his or her parent(s) and, among other things, must set out a series of goals, measures of success, and types of support for the student.

- Before an expelled student comes back to class, a re-entry plan must be developed, to help ensure that the return goes smoothly.
- Every board and every school must have their own Safe Schools policies. You can find out more about your board's policy at your school, or on your board's website

Is there a list of things that result in automatic suspension?

Activities that MAY lead to suspension	Activities that MUST lead to suspension and for which the principal must consider expulsion
Uttering a threat to inflict serious bodily harm	Possessing a weapon
Possessing alcohol or illegal drugs	Using a weapon to cause or threaten bodily harm
Being under the influence of alcohol	Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner.
Swearing at a teacher or another person in a position of authority	Committing sexual assault
Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school	Trafficking in weapons or in illegal drugs
Bullying	Committing robbery
Any other activity for which a principal may suspend a pupil under school board policy	Giving alcohol to a minor
	Any other activity for which a principal may suspend a pupil under school board policy and therefore may conduct an investigation to determine whether to recommend to the board that the pupil be expelled

For more details about the activities that may lead to suspension or expulsion, go to www.peopleforeducation.com