



A Safe Learning Environment

Safe Schools Communities

The Toronto District School Board schools are safe, nurturing, positive and respectful learning environments that enable all students to succeed to their full potential. TDSB schools and program sites are places that promote peaceful problem solving, academic excellence and a sense of belonging for all students. Students are expected to demonstrate respect for human rights and social justice and promote the values they need to become responsible members of society.

Safe Schools Prevention and Intervention Initiatives

The Safe Schools Committees in TDSB schools are comprised of parents, students, school staff and community members. Each school's committee develops, implements and reviews their Safe Schools Plan which includes prevention and intervention programs and strategies to help students to develop appropriate social/personal skills and peaceful problem-solving techniques.

The Safe Schools Act, 2000

The *Safe Schools Act, 2000* passed by the Legislature in June, 2000 applies to all publicly-funded schools in Ontario. Effective September 1, 2001 the Act makes suspensions and expulsions mandatory for specified infractions, as indicated inside this brochure. The Act gives teachers the power to suspend a student for a day and principals the power to suspend students for up to 20 school days. The Act also gives principals the power to expel a student for up to one year or refer the matter to the Board for a hearing. If after a hearing the Board is satisfied that the student committed the infraction, it may impose either a limited expulsion for up to

one year (or until its recommendations are satisfied) or a full expulsion. A full expulsion requires the student to be excluded from all publicly-funded schools in the province until the student meets specified requirements.

Ontario Schools Code of Conduct

The *Ontario Schools Code of Conduct* sets out standards of behaviour and specifies the mandatory consequences for student actions that do not comply with these standards. The Code became policy of the Minister of Education on September 1, 2000. The intent of the Code is to create a safe learning environment that promotes "responsibility, respect, civility and academic excellence". The Provincial standards of behaviour apply not only to students, but also to all individuals involved in the publicly funded school system – parents/guardians, volunteers, teachers and other staff members – whether they are on school property, on school buses or at school-authorized events or activities.

Toronto District School Board Code of Conduct

The *Toronto District School Board Code of Conduct* states that the Board "will not tolerate behaviour which jeopardizes the emotional well-being or physical safety of members of the school community". At the same time, the decision to discipline a student is a serious matter and will not be imposed lightly. The mitigating circumstances set out when expulsion and suspension is not mandatory and give school administrators needed flexibility to exercise appropriate discretion to ensure that fairness and common sense are used in applying consequences. In addition, the principal has the authority to consider the student's history and other appropriate circumstances when determining the type and duration of a suspension or expulsion.

Notes:

1. In addition to principals, teachers are empowered under recent revisions to the *Education Act* to impose a suspension on a student for one school day.
2. Pursuant to the *Suspension of a Pupil Regulation*, the suspension of a pupil is not mandatory if:
 - (a) the pupil does not have the ability to control his or her behaviour;
 - (b) the pupil does not have the ability to understand the foreseeable consequences of his or her behaviour; or
 - (c) the pupil's continuing presence in the school does not create an unacceptable risk to the safety or well-being of any person.
3. Pursuant to the *Expulsion of a Pupil Regulation* the expulsion of a pupil is not mandatory if:
 - (a) the pupil does not have the ability to control his or her behaviour;
 - (b) the pupil does not have the ability to understand the foreseeable consequences of his or her behaviour; or
 - (c) the pupil's continuing presence in the school does not create an unacceptable risk to the safety of any person.

Consequences of Inappropriate Student Behaviour Charts

(revised May 2001)

MANDATORY SUSPENSIONS <i>(Education Act, Part XIII, section 306)</i>	Principal Shall Issue Suspension	Notify Police		Discretionary Expulsion
		May	Shall	
Uttering a threat to inflict serious bodily harm on another person	10 Days (Minimum)		X	X
Possessing alcohol or illegal drugs	5 Days (Minimum)	X		
Being under the influence of alcohol	1 Day (Minimum)	X		
Swearing at a teacher or at another person in a position of authority	1 Day (Minimum)	NA	NA	NA
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	5 Days (Minimum)		X	X

MANDATORY EXPULSIONS <i>(Education Act, Part XIII, section 309)</i> Principal shall conduct an inquiry and impose a limited expulsion or refer to Board for Hearing	Principal Shall Issue Suspension	Notify Police	
		May	Shall
Possessing a weapon, including a firearm	20 days		X
Using a weapon to cause or to threaten bodily harm to another person	20 days		X
Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner	20 days		X
Committing sexual assault <i>(Please Refer to TDSB Policy D.001)</i>	20 days		X
Trafficking in weapons or in illegal drugs	20 days		X
Committing robbery	20 days		X
Giving alcohol to a minor	20 days		X
Possession of explosive substance <i>(TDSB Safe Schools Policy and Administrative Procedures)</i>	20 days		X

MANDATORY SUSPENSIONS <i>(TDSB Safe Schools Policy and Administrative Procedures)</i>	Principal Shall Issue Suspension	Notify Police		Discretionary Expulsion
		May	Shall	
Physical assault	5 Days (minimum)		X	X
Threats of serious physical injury	10 Days (minimum)		X	X
Extortion	10 Days (minimum)		X	X
Sexual harassment	3 Days (minimum)	X		
Racial harassment	3 Days (minimum)	X		
Distribution of hate material	5 Days (minimum)		X	X
Hate motivated violence	10 Days (minimum)		X	X
Inappropriate use of electronic communications/media	1 - 20 Days	X		X
Possession or misuse of any harmful substances	5 Days (minimum)	X		X
Fighting	1 Day (minimum)	X		
Bullying, intimidating, threatening	3 Days (minimum)	X		

DISCRETIONARY SUSPENSIONS <i>(TDSB Safe Schools Policy Administrative Procedures)</i>	Principal May Issue Suspension	Notify Police		Discretionary Expulsion
		May	Shall	
Persistent truancy	1 - 20 Days	X		
Persistent opposition to authority	1 - 20 Days	X		
Habitual neglect of duty	1 - 20 Days	NA	NA	NA
Willful destruction of school property; vandalism causing damage to school or Board property or property located on school or Board premises	1 - 20 Days	X		X
Use of profane or improper language	1 - 20 Days	NA	NA	NA
Conduct injurious to the moral tone of the school or to the physical or mental well-being of others	1 - 20 Days	X		X
Use of tobacco	1 - 20 Days	X		
Theft	1 - 20 Days	X		
Aid/incite harmful behaviour	1 - 20 Days	X		X
<i>Other</i>				

Definitions

Bullying or Intimidation – Is a combination of power and aggression. It occurs when a student maliciously and repeatedly oppresses, harasses or intimidates another student verbally, physically or psychologically.

Explosive Substance – Includes anything used to create an explosive device or is capable of causing an explosion.

Expulsion – Following a hearing, the TDSB may exclude a student from attending its schools on the basis that the student's poor conduct was injurious to other people.

Extortion – Using threats, accusations or violence or threats of violence to induce any person to do anything or cause anything to be done.

Firearm – Any barrelled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person.

Harassment – Harassment is often, but not always, persistent, ongoing conduct or communication in any form, of attitudes, beliefs, or actions towards an individual or group which might reasonably be known to be unwelcome. A single act or expression can constitute harassment, for example, if it is a serious violation. Harassment may be either subtle or blunt.

Hate Material – Includes literature, leaflets, posters, graffiti distributed (or sent by electronic means) to incite violence or hatred towards people and/or their property based solely on race, religion, nationality or sexual orientation.

Homophobic Harassment – Is a form of sexual harassment based on gender or sexual orientation. It involves a request for sexual favours, expressing a bias based on sex or sexual orientation, or the display of pornographic or exploitative pictures.

Physical Assault – The intentional application of force directly or indirectly in any degree at all, to a person without that person's consent.

Physical Assault Causing Serious Injury – Is the intentional application of force (in any degree at all) to a person without the person's consent. Bodily harm refers to any hurt or injury that is more than merely transient or trifling in nature which interferes with the health or comfort of the person, and includes (but is not limited to) injuries that receive medical attention. Any cut that requires stitches or any break or fracture should be considered a serious injury. Serious injury could also include multiple minor injuries.

Possession – Occurs when a person has anything in their actual possession, or jointly with others, including knowingly possessing something elsewhere.

Possession of Drugs and/or Harmful Substances – Occurs when the person has a harmful substance, illicit drug or narcotic as set out in the *Controlled Drugs and Substances Act*, in their actual possession or jointly with others, including knowingly possessing an illegal drug or harmful substance elsewhere.

Possession of a Weapon – Means anything used, designed to be used or intended for use in causing death or injury to any person, or to threaten or intimidate any person. It can include objects which can be used as weapons. Objects such as a pen, or a screwdriver, if displayed to threaten or intimidate, become weapons under this definition. Weapon includes a firearm and any device that is designed or intended to exactly resemble or to resemble with near precision, a firearm.

Racial Harassment – Racial Harassment means engaging in a course of vexatious comment or conduct pertaining to a person's race which is known, or is reasonably known, to be offensive, inappropriate, intimidating, hostile and unwelcome. Race refers to a group of people of common ancestry, distinguished from others by physical characteristics, such as colour of skin, shape of eyes, hair texture or facial features. The term is also used, at present, to designate social categories into which societies divide people according to such characteristics.

Replica Firearm – Is any device that is designed or intended to exactly resemble or to resemble with near precision, a firearm.

Robbery – A robbery occurs where a person uses violence or threats of violence to steal money or other property from a victim.

Sexual Assault – A sexual assault occurs where a person, without consent, intentionally applies force to another person in circumstances of a sexual nature such as to violate the sexual integrity of the victim.

Sexual Harassment – Sexual harassment occurs when a person receives unwelcome sexual attention from another person, whose comments or conduct are known or should reasonably be known to be offensive, inappropriate, intimidating, hostile and unwelcomed. It also includes an environment in which sexist or homophobic jokes and materials are allowed.

Suspension – The principal may suspend a student from school for a period of 1-20 days for any reason listed in the chart inside this brochure, or for any conduct injurious to the moral tone of the school, or the physical and mental well-being of other people.

Threats of Serious Physical Injury – A threat to cause death or serious bodily harm to a person. The term 'threat', as used here, does not apply to situations in which no real threat was intended.

Trafficking in Drugs and/or Harmful Substances – Means to sell, administer, transfer, transport, send or deliver any harmful substance, illicit drug or narcotic as set out in the *Controlled Drugs and Substance Act*.