

Written Notice of Motion for Consideration (Trustees Chernos Lin and Ehrhardt)

From: Denise Joseph-Dowers, Senior Manager, Governance and Board Services

In accordance with Board Bylaws 5.15.45, notice of the following motion was provided at the regular meeting on December 6, 2023 and is therefore submitted for consideration at this time.

5.15.45 Motions must first be introduced as a Notice of Motion to provide advance notification of a matter, ...

5.15.50 A Notice of Motion submitted to the Board will be referred to the appropriate Committee for consideration.

Policy on Cell Phone/Mobile Device Use in Schools to Ensure Student Achievement and Well-Being

Whereas, in August 2019, the Ministry of Education issued PPM128 regarding revisions to the provincial Code of Conduct and requirement for updating the school board codes of conduct; and

Whereas, the revised provincial Code of Conduct included a restriction on the use of personal mobile devices during instructional time, as follows: “The use of personal mobile devices during instructional time is permitted under the following circumstances:

- for educational purposes, as directed by an educator
- for health and medical purposes
- to support special education needs”; and

Whereas, in accordance with PPM128, the TDSB revised PR585, Board Code of Conduct, and included the following provision in s. 6.2 (a) outlining expectations for members of school community:

- respect the need of others to work in an environment that is conducive to learning and teaching, including by ensuring that personal mobile devices are only used during instructional time for education purposes, as directed by an educator, for health and medical reasons and to support special education needs; and

Whereas, the landscape of social media and smartphone use has changed dramatically in recent years; and

Whereas, we now have a successful 1:1 device program ensuring equity of access to electronic devices in TDSB; and

Whereas research shows that cell phone use is not beneficial to learning, and in fact appears to be creating significant harm to children and teens, in terms of mental health, well-being and academic success;¹²³⁴

Therefore, be it resolved:

- (a) That the 2023-2024 policy review schedule be amended to accommodate the development of a new cell phone/mobile device policy to support student success and well-being;
- (b) That the new policy build on the Ministry of Education's PPM128 and PR585, Board Code of Conduct and be based on the growing body of research on cell phone use and child development, as well as a jurisdictional scan of how school boards and individual schools are approaching this challenge to determine the most productive way forward to support student academic success, mental health and well-being, including considerations of social media restrictions.

¹ <https://unesdoc.unesco.org/ark:/48223/pf0000385723>

² <https://carleton.ca/economics/2023/associate-professor-louis-philippe-beland-quoted-in-article-from-the-conversation-about-smartphone-use-in-classrooms/>

³ <https://research.chusj.org/en/Media/News/2023/Screens-and-adolescents-different-impacts-on-beha#:~:text=MONTR%C3%89AL%2C%20October%2027%2C%202023%20%2D,re-searcher%20and%20Universit%C3%A9%20de%20Montr%C3%A9al>

⁴ <https://www.theguardian.com/society/2022/mar/12/restrict-phones-to-improve-child-social-mobility-in-uk-says-commission-chair>

Toronto District School Board

Operational Procedure PR585

Title: **BOARD CODE OF CONDUCT**

Adopted: June 25, 2008

Effectuated: June 25, 2008

Revised: May 6, 2011, February 20, 2013, October 31, 2018; October 30, 2019;
September 6, 2022

Reviewed: October 31, 2018; October 30, 2019; **September 6, 2022**

Authorization: Executive Council

1.0 RATIONALE

The Board Code of Conduct (the “Procedure”) was developed in accordance with the *Education Act* and PPM 128. The Board Code of Conduct affirms the Board’s commitment to establish a Code of Conduct governing the behaviour of all persons in TDSB schools.

2.0 OBJECTIVE

To establish a Code of Conduct for students¹, employees, parents², permit holders and community members in accordance with the *Education Act*.

3.0 DEFINITIONS

Board refers to the Toronto District School Board, which is also referred to as the “TDSB”.

TDSB refers to the Toronto District School Board, which is also referred to as the “Board”.

Definitions for inappropriate student behaviour can be found in Operational Procedure PR697: Promoting a Positive School Climate.

4.0 RESPONSIBILITY

Executive Superintendent, Human Rights and Indigenous Education and Centrally Assigned Principal, Caring and Safe Schools.

¹ In this Procedure, student refers to *pupil*, as used in the *Education Act*.

² In this Procedure, parent(s) refers to parent(s) and guardian(s). Parental involvement applies, except in cases where the student is eighteen years of age or over or is sixteen or seventeen years of age and has “withdrawn from parental control”

5.0 APPLICATION AND SCOPE

This Procedure applies to all students and employees of the Board. The Procedure also covers, parents/guardians, school council members, visitors, third party service providers, volunteers, permit holders, customers of the Board and other members of organizations while partaking in any activities that occur in Board premises or while engaging in Board or school related activities, either in-person or online.

6.0 PROCEDURES

A school board must ensure that its Code of Conduct is consistent with the Provincial Code of Conduct.

The Toronto District School Board adopts the Provincial Code of Conduct in this procedure.

To affirm the Board's commitment to creating caring and safe learning environments that are kind, supportive, nurturing, positive and respectful to enable students to reach their full potential.

Awareness, understanding and implementation of this Code of Conduct will provide a foundation for respect, civility, responsible citizenship and safety at the Toronto District School Board.

6.1. Principles

- (a) Direction will be provided to schools to promote Caring and Safe learning environments. According to the Provincial Code of Conduct a school should be a place that promotes responsibility, respect, civility, and academic excellence in a safe learning and teaching environment. A positive school climate exists when all members of the school community feel safe, included and accepted and actively promote positive behaviours and interactions. Equity, inclusion and respect are critical components embedded in the learning environment. Actions that jeopardize the emotional well-being or physical safety of any person in a school or other Board facility will not be condoned.
- (b) The standards of behaviour set out in this Procedure apply to students whether they are on school property, on school buses, at school-related activities or events (including sports activities), in before- and after-school program, or in other circumstances that could have an impact on the school climate. They also apply to all individuals involved in the publicly funded school system – principals, teachers, early childhood

educators¹, or other school staff, parents, school bus drivers, volunteers, school visitors, community groups and permit holders.

- (c) Procedures will be developed to respond to inappropriate student behaviour. The procedures will be based on a progressive discipline approach and consideration of mitigating and other factors, as required by the *Education Act*. Refer to Operational Procedure PR697: Promoting a Positive School Climate.
- (d) This Procedure and related procedures will be reviewed regularly involving school councils, Board advisory committees, parents, students, staff members, and community members.
- (e) A process will be established to communicate this Procedure, the Provincial Code of Conduct and local codes of conduct to all parents, students, staff members, permit holders and members of the school community in order to obtain their commitment and support. The plan will include those members of the school community whose first language is not English and newcomers.
- (f) Effective strategies will be developed for response to all infractions related to the standards for respect, civility, responsible citizenship, and safety.
- (g) Opportunities will be provided for all staff to acquire the knowledge, skills, and attitudes necessary to develop and maintain academic excellence in a safe learning and teaching environment.

6.2. Practices

According to the *Education Act*, the purpose of the Provincial Code of Conduct are:

- To ensure that all members of the school community, especially people in positions of authority, are treated with respect and dignity;
- To promote responsible citizenship by encouraging appropriate participation in the civic life of the school community;
- To maintain an environment where conflict and difference can be addressed in a manner characterized by respect and civility;
- To encourage the use of non-violent means to resolve conflict;
- To promote the safety of people in schools;
- To discourage the use of alcohol and illegal drugs; to discourage the use of alcohol, illegal drugs and, except by a medical cannabis user, cannabis; and
- To prevent bullying in schools.

¹ In this Procedure, educator refers to teachers regulated under the *Ontario College of Teachers Act*, 1996, and early childhood educators regulated under the *Early Childhood Educators Act*, 2007.

Standards of Behaviour:

(a) Respect, Civility, and Responsible Citizenship

Under the Provincial Code of Conduct, all members of the school community must:

- respect and comply with all applicable federal, provincial, and municipal laws;
- demonstrate honesty and integrity;
- respect differences in people, their ideas, and their opinions;
- treat one another with dignity and respect at all times, and especially when there is disagreement;
- respect and treat others fairly and promote a positive school climate that is inclusive and accepting of all pupils, including of any race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability;
- respect the rights of others;
- show proper care and regard for school property and the property of others;
- take appropriate measures to help those in need;
- seek assistance from a member of the school staff, if necessary, to resolve conflict peacefully;
- respect all members of the school community, especially persons in positions of authority;
- respect the need of others to work in an environment that is conducive to learning and teaching, including by ensuring that personal mobile devices¹ are only used during instructional time for education purposes, as directed by an educator, for health and medical reasons and to support special education needs; and
- not swear at a teacher or at another person in a position of authority.

(b) Safety

Under the Provincial Code of Conduct, all members of the school community must not:

- engage in bullying behaviours including cyberbullying;
- commit sexual assault;

¹ In this Procedure, personal mobile device refers to any personal electronic device that can be used to communicate or to access the Internet, such as a cellphone or a tablet.

- traffic in weapons or illegal drugs;
- give alcohol or cannabis to a minor;
- commit robbery;
- be in possession of any weapon, including firearms;
- use any object to threaten or intimidate another person;
- cause injury to any person with an object;
- be in possession of, or be under the influence of alcohol, cannabis (unless the individual has been authorized to use cannabis for medical purposes), and illegal drugs;
- provide others with alcohol, illegal drugs or cannabis (unless the recipient is an individual who has been authorized to use cannabis for medical purposes);
- inflict or encourage others to inflict bodily harm on another person;
- engage in hate propaganda and other forms of behaviour motivated by hate or bias;
- commit an act of vandalism that causes extensive damage to school property or to property located on the premises of the school.

6.3. Roles and Responsibilities

(a) Principals

Principals have a duty to maintain proper order and discipline within the school. As part of their responsibility, principals, in consultation with their Caring and Safe Schools Team, will develop school codes of conduct for their schools. School codes of conduct must be consistent with the Board Code of Conduct.

Under the provisions of the Education Act, principals have the authority to suspend students and to refer expulsions to a Discipline Committee of the Board (PR697).

Principals will take a leadership role in the daily operation of the school by

- demonstrating care for the school community and a commitment to student achievement and well-being in a safe, inclusive, and accepting learning environment
- holding everyone under their authority accountable for their own behaviour and actions;

- empowering students to be positive leaders in their school and community;
- communicating regularly and meaningfully with all members of their school community; and
- providing an example of respect and civility for all members of the school community.

(b) Teachers and Support Staff Members

Under the leadership of their principals, teachers and other school staff, members are to maintain a positive learning environment and are expected to hold everyone to the highest standard of respectful and responsible behaviour. As role models, teachers and support staff will uphold these high standards when they:

- help students work to their full potential and develop their sense of self-worth;
- empower students to be positive leaders in their classroom, school, and community;
- communicate regularly and meaningfully with parents;
- maintain consistent standards of behaviour for all students;
- demonstrate respect for one another, all students, staff, parents, volunteers, and other members of the school community;
- prepare students for the full responsibilities of citizenship.

Teachers and support staff will also assist principals in maintaining close co-operation with the school community and in establishing and maintaining consistent disciplinary practices in the school. In addition, teachers and support staff will assist the principals by reporting incidents that may lead to a suspension, by responding to all incidents and when necessary assisting the principal in conducting investigations.

(c) Students

Students are to be treated with respect and dignity. In return, they will demonstrate respect for themselves, for others, and for the responsibilities of citizenship by

- coming to school prepared, on time, and ready to learn;
- showing respect for themselves, for others, and for those in authority;
- refraining from bringing anything to school that may compromise the safety of others;

- following the established rules and taking responsibility for their own actions.

Students will also:

- exercise self-discipline;
- accept such discipline as would be exercised by a kind, firm and judicious parent;
- be courteous to fellow pupils and obedient and courteous of teachers;
- show respect for school property;
- understand and comply with their school's and /or Board's code of conduct.

(d) Parents

Parents play an important role in the education of their children and can support the efforts of school staff in maintaining a safe and respectful learning environment for all students. Parents fulfill their role when they:

- are engaged in their child's school work and progress;
- show respect for the Principal and school staff;
- communicate regularly with the school;
- help their child to be appropriately dressed and prepared for school;
- ensure that their child attends school regularly and on time;
- promptly report to the school their child's absence or late arrival;
- become familiar with the provincial Code of Conduct, and if applicable, the schools Code of Conduct
- encourage and assist their child in following the rules of behaviour;
- assist school staff in dealing with disciplinary issues involving their child.

(e) Community Partners

Through outreach, existing partnerships may be enhanced and new partnerships with community-based service providers and members of the community (e.g., Elders, Senators, Knowledge Keepers) may also be created. Community-based service providers are resources that boards can use to deliver prevention or intervention programs.

Protocols are effective ways to establish linkages between boards and community-based service providers and of formalizing the relationship between them. These partnerships must respect all applicable collective agreements.

(f) Police

The police may play an essential role in making our schools and communities safer. The police investigate incidents in accordance with the protocol developed with the local school board. These protocols are based on the *Provincial Model for a Local Police/School Board Protocol, 2015*, developed by the Ministry of Community Safety and Correctional Services and the Ministry of Education.

6.4. School Codes of Conduct

- (a) Schools will develop codes of conduct that promote and support respect, civility, responsible citizenship, and safety in accordance with the Board Code of Conduct, operational procedures and provincial legislation and guidelines;
- (b) School codes of conduct will set out clearly what is acceptable and unacceptable behaviour for all members of the school community;
- (c) School codes of conduct will outline the appropriate use of electronic communications or media devices;
- (d) Schools will seek input from school councils, parents, students, staff members, and the members of the school community;
- (e) School codes of conduct will be communicated to all members of the school including those members whose first language is not English and newcomers.
- (f) Schools will review their codes of conduct regularly and involve students, staff, parents, school councils and community members. These reviews will take into account ethno- linguistic and other diversities which exist in communities.

7.0 EVALUATION

This Procedure is to be reviewed and updated as required but at a minimum every three (3) years.

8.0 APPENDICES

Appendix A: Template for School Code of Conduct

9.0 REFERENCE DOCUMENTS

Policies

- Caring and Safe Schools (P051)
- Community Use of Board Facilities (P011) (Permits)
- Equity Foundation (P037)
- Gender-Based Violence (P071)
- Human Rights (P031)

Operational Procedures

- Bullying Prevention and Intervention (PR703)
- Non-Discretionary and Discretionary Student Transfers (PR540)
- Programs for Students on Long-Term Suspensions and Expulsions (PR586)
- Sexual Misconduct by Students (PR608)
- Promoting a Positive School Climate (PR697)
- Police-School Board Protocol (PR698)
- Progressive Discipline and Promoting Positive Student Behaviour (PR702)

Legislation and Regulation

- *Education Act, R.S.O 1990, Chapter E.2 as amended (particularly Part XIII)*
- *O. Reg 440/20, Suspension of Elementary School Pupils*
- *O. Reg 472/07, Suspension and Expulsion of Pupils*
- *O. Reg 612/00, School Councils*

Other Documents - Ministry of Education Policy/Program Memoranda

- PPM 120: Reporting Violent Incidents to the Ministry of Education
- PPM 128: The Provincial Code of Conduct and School Board Code of Conduct
- PPM 141: School Board Programs for Students on Long-Term Suspension
- PPM 142: School Board Programs for Expelled Students
- PPM 144: Bullying Prevention and Intervention
- PPM 145: Progressive Discipline and Promoting Positive Student Behaviour
- PPM 166: Keeping Students Safe - Policy Framework for School Board Anti-Sex Trafficking Protocols

Template for School Code of Conduct

[Insert Name of School] CODE OF CONDUCT

TEMPLATE

Our Commitment

[Name of school] is committed to providing a healthy learning and working environment by promoting respect, civility, safety, responsible citizenship and academic excellence. A positive school climate exists when all members of the school community feel safe, included and accepted and actively promote positive behaviours and interactions. Equity, inclusion and respect are critical components embedded in the learning environment.

The **[name of school]** Code of Conduct is developed in accordance with the *Education Act*, the Provincial Code of Conduct¹, the Toronto District School Board's (TDSB) Code of Conduct and all other TDSB operational procedures. The **[name of school]** Code of Conduct also reflects the values and expectations of the **[name of school]** community.

The standards of behaviour outlined in the **[name of school]** Code of Conduct will apply to all members of the school community, including students, parents and, Board staff, permit holders volunteers and visitors:

- on school property;
- while traveling on a school bus that is owed by the Board or that is under contract to the Board;
- in-school sports activities;
- in off-site school-sponsored activities; or
- in circumstances where engaging in an activity will have an impact on the school climate

Standards of Behaviour

All members of the school community are expected to:

- respect and comply with all applicable federal, provincial and municipal laws;
- demonstrate honesty and integrity;
- respect differences in people, their ideas and opinions;
- treat one and other with dignity and respect at all times, and especially when there is a disagreement;

¹ Policy/Program Memorandum No. 128: The Provincial Code of Conduct and School Board Codes of Conduct

- respect and treat others fairly and promote a positive school climate that is inclusive and accepting of all pupils, including of any race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability;
- respect the rights of others;
- show proper care and regard for school property and the property of others;
- take appropriate measures to help those in need;
- respect persons who are in a position of authority;
- respect the need of others to work in an environment of learning and teaching.

Progressive Discipline

Progressive discipline is a whole-school approach that utilizes a continuum of interventions, supports, and consequences to address inappropriate student behaviour and to build upon strategies that promote positive behaviours. When inappropriate behaviour occurs, disciplinary measures should be applied within a framework that shifts the focus from one that is solely punitive to a focus that is both corrective and supportive.

Progressive discipline is a process designed to create the expectation that the degree of discipline will be in proportion to the severity of the behaviour leading to the discipline and that the previous disciplinary history of the student and all other relevant factors will be taken into account.

Progressive discipline must take into account the needs of the individual student by showing sensitivity to identities, diversity cultural needs, and special education needs. In addition progressive discipline must be aligned with Ministry of Education and Board policies on anti-racism (e.g anti-Indigenous and anti-Black racism), ethno-cultural equity and anti-discrimination education. Interventions (in no particular order) may include:

- Discussion with a teacher, member of the support staff, settlement worker, vice-principal or principal
- Supports offered by Urban Indigenous Education Centre and Centre of Excellence for Black Student Achievement
- Restorative practices
- Attendance / performance/ behaviour contracts
- Time Out
- Reflection Sheet
- Parental contact and involvement in applying an appropriate remedy
- Loss of privilege to participate in specified school activities
- Peer mediation
- Individual or group counseling
- Assessment
- Detention
- Restitution for damage or stolen property
- Community services

- Mental Health and well-being supports

Student breaches of the Board's Code of Conduct and **[name of school]**'s Code of Conduct will be dealt with in accordance with Operational Procedure PR697: Promoting a Positive School Climate.

Suspension

The behaviours for which a principal may consider suspending a student include:

- Uttering a threat to inflict serious bodily harm on another person;
- Possessing alcohol, illegal drugs or, unless the pupil is a medical cannabis user, cannabis;
- Being under the influence of alcohol or unless the pupil is a medical cannabis user, cannabis
- Swearing at a teacher or at another person in a position of authority;
- 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;
- Bullying if;
 - i. the pupil's continuing presence in the school creates an unacceptable risk to the safety of another person;
 - ii.
- Willful destruction of school property; vandalism causing damage to school or Board property or property located on school or Board premises;
- Use of profane or improper language;
- Use of tobacco;
- Theft;
- Aid/incite harmful behaviour;
- Physical assault;
- Being under the influence of illegal drugs;
- Fighting;
- Possession or misuse of any harmful substances;
- Inappropriate use of electronic communications or media devices; and
- An act considered by the principal to be a breach of the Board's or School's Code of Conduct.

Expulsion

The behaviours for which a principal will consider recommending to a Committee of the Board that a student be expelled include:

- Possessing a weapon, including possessing a firearm;
- Using a weapon to cause or to threaten bodily harm to another person;

- Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner;
- Committing a sexual assault;
- Trafficking in weapons or in illegal drugs;
- Committing robbery;
- Giving alcohol or cannabis to a minor;
- Bullying if,
 - i. the pupil has previously been suspended for engaging in bullying; and
 - ii. the pupil's continuing presence in the school creates an unacceptable risk to the safety of another person;
- Sexual harassment;
- Racial harassment;
- Hate-motivated occurrences;
- Distribution of hate material;
- Possession of explosive substance;
- Any activity listed in section 306(1) 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
- An act considered by the principal to be a serious breach of the Board or School Code of Conduct;
- Trafficking in cannabis;
- Extortion.

(NOTE: Individual schools may insert specific expectations and requirements provided they are consistent with the Board's Code of Conduct)

These may include the following:

Attendance and late policies

Students will be on time for classes and will attend classes regularly. Students are responsible for the work missed due to absence. Students who skip classes or repeatedly arrive late may receive consequences based on the principles of progressive discipline.

Lockers

Lockers are the property of the Board and with reasonable grounds, are subject to inspection by school Administration in accordance with Search and Seizure (PR524).

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