CATHOLIC DISTRICT SCHOOL BOARD OF EASTERN ONTARIO
www.cdsbeo.on.ca

BOARD ADMINISTRATIVE PROCEDURE

ADMINISTRATIVE PROCEDURE

414 Suspension, Expulsion, Appeal and Programs

DIRECTIONAL POLICY

400 Safe, Inclusive, & Progressive Schools

Title of Administrative Procedure:

Suspension, Expulsion, Appeal and Programs

Date Approved:

June 2025

Projected Review Date:

June 2030

Directional Policy Alignment:

This Administrative Procedure aligns with the Safe, Inclusive, and Progressive Schools Policy by ensuring our students feel safe and secure and that our schools are welcoming, safe, respectful, equitable, inclusive, and accepting learning and teaching environments.

Alignment with Multi-Year Strategic Plan:

The Suspension, Expulsion, Appeal and Programs Administrative Procedure supports the Board's Mission to nurture and celebrate the hearts, minds, bodies, and souls of our students through faith, living with hope and loving in Christ. This Administrative Procedure also aligns with the Board's Multi-Year Strategic Plan supporting the four tenets of believing, protecting, learning, and nurturing.

CDSBEO Strategic Plan 2025-2030

Purpose

The mission of the Catholic District School Board of Eastern Ontario is to provide all students with a Catholic Education that provides them with knowledge, skills, and values to live meaningful and live faith-filled lives. To that end, the Board is committed to making each of its schools a safe and caring environment in which students may maximize their potential. The

Board recognizes that when using a progressive discipline approach, there will be times when suspension or expulsion may be deemed to be the most suitable response.

The Catholic District School Board of Eastern Ontario supports the use of suspension and expulsion in accordance with the progressive discipline measures and processes outlined in the Educational Act (Progressive Discipline and School Safety 2007) and its Regulations. The Board offers a Suspension Appeal Process and an Expulsion Meeting procedure for careful consideration of matters under dispute or leading to a possible expulsion.

Action Required

This Administrative Procedure sets out guidelines for suspensions and expulsion in accordance with the progressive disciplinary measures and processes outlined in the Education Act and its Regulations. The Administrative Procedure also provides steps to be taken for Suspension Appeals and Expulsion Meetings to ensure a fair and measured disciplinary process for each student, based on the balance of probabilities.

The Board shall be committed to the development of each student as a person created in the image of God and shall support the learning of each student and the safety of the Catholic school community.

1.0 Suspension

Kindergarten to Grade 3

As per the Education Act, Ontario Regulation 440/20, a student in kindergarten to grade 3 cannot be suspended for the activities listed in subsection 306(1) of the Education Act, or for supplemental reasons approved by the Board; however, these incidents are still unacceptable in schools and must be reported to the Principal.

The principal can intervene to:

a) understand the root causes of the behaviour;
b) provide mental health supports and facilitate counselling referrals (with parental permission);
c) problem solve with students to identify alternative behaviour choices;
d) communicate and teach behavioural expectations;
e) help students deal with conflict;
f) help students learn how to manage emotions;
g) use restorative practices to repair harm to people and relationships (with parental permission);
h) resolve conflict through discussion, helping students understand the harm caused to others because of their behaviour;

i) facilitate a family or group conference to discuss the impact of the student's behaviour on others in the school;
j) coordinate options for the student to restore or improve the school environment either by:
    i. directly addressing behaviour (in cases of vandalism for example, students can work to undo damage they have caused)
    ii. having the student improve the school environment more broadly.
k) equip children with the social-emotional and communication skills needed to:
    i. manage themselves.
    ii. resolve conflict.
    iii. develop healthy behaviour.

Grades 4 to 12 -Activities that may lead to a Suspension

As outlined in subsection 306(1) of the Education Act (a to f), a Principal shall consider whether to suspend a student in grades 4 to 12 if they believe that the student has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

a) Uttering a threat to inflict bodily harm on another person;
b) Possessing alcohol, cannabis (unless authorized to use cannabis for medical purposes) or illegal drugs;
c) Being under the influence of alcohol, cannabis (unless authorized to use cannabis for medical purposes) or illegal drugs;
d) Swearing at a teacher or at any person in a position of authority;
e) Committing an act of vandalism that causes extensive damage to school property, or the property located on the premises of the pupil's school.
f) Bullying, including cyber-bullying.

In addition to the reasons outlined in subsection 306(1) of the Education Act, the Board provides supplementary reasons for a Principal to consider suspension. They are as follows:

a) Persistent truancy;
b) Persistent opposition to authority;
c) Use of profane or improper language;
d) Use of tobacco and/or vaping products;
e) Theft and/or extortion;
f) Aid or incite harmful behaviour;
g) Physical assault and/or fighting;
h) Being under the influence and/or in possession of restricted drugs;

i) Sexual, racial, and/or personal harassment;
j) Possession or misuse of any harmful substances;
k) Prejudice, bias and/or hate-motivated violence;
l) Development and/or distribution of hate material;
m) Inappropriate use of computer equipment, websites, electronic media, or communication devices;
n) Conduct injurious to the school climate, including to the physical or mental well-being of others in the school; or
o) Serious breach of the Board's Code of Conduct.

Guidelines to Suspension (Grades 4 to 12)

1.1 All Employees of the Board who become aware that a student may have engaged in a serious incident shall report the matter to the Principal as soon as reasonably possible.

1.2 When inappropriate student behavior occurs, Principals will use a progressive discipline approach which combines early and ongoing interventions to promote positive student behaviour. Principals will consider a range of options to determine the most appropriate way to respond to each situation and help students learn from their choices while considering their individual circumstances. In some cases, a suspension may be needed.

1.3 The Principal will conduct an investigation in accordance with the legislated requirements and consider suspension along with mitigating factors (i.e., Special Education considerations), students' history, and other relevant factors.

1.4 If a suspension is issued, the principal will make a reasonable effort to notify the parent/guardian within 24 hours and notify the classroom teacher(s) of the suspension.

1.5 The principal will consult with the appropriate Family of Schools Superintendent about a suspension from school greater than 5 days.

1.6 Written notification about suspension will comply with the requirements of legislation regarding timelines, information, homework for short-term suspensions, or a learning program for students on long-term suspension, and the appeal process.

1.7 A student/ parent/ guardian who is considering appealing a suspension may meet with the appropriate Family of Schools Superintendent to discuss matters related to the suspension.

1.8 A student/parent/guardian may appeal a suspension by writing to the school Superintendent within ten school days of the commencement of the suspension.

1.9 The school Superintendent will review the suspension details. Subject to the

legislated provisions surrounding the record related to suspensions which have required the completion of a Safe Schools Incident Reporting Form, or which involve bullying, the school Superintendent may:

a) confirm the suspension and the duration of the suspension;

b) confirm the suspension, but shorten the duration of a suspension to two days or more in length and amend the record of the suspension accordingly; or

c) quash the suspension and expunge the record of the suspension even if the suspension that is under appeal has already been served.

1.10 If a settlement of the appeal is reached between the student/parent/guardian and the school's Superintendent, it will be documented in a letter issued by the school Superintendent and the appeal will be deemed to have been remedied.

1.11 If a settlement is not reached, the school Superintendent will refer to the appeal request to the Superintendent of Safe Schools and/or the Principal of Safe Schools who will establish a Suspension Appeal Committee. The Committee will convene within fifteen days of receipt of the appeal, or at a later date, as agreed to by both parties. The Appeal Committee will consist of three trustees who have had no prior involvement in the matter under appeal. The Appeal Committee Meetings will be held in-camera.

1.12 The Superintendent of Safe Schools and/or Principal of Safe Schools will provide the parties with information (e.g., procedural requirements, order of presentation, who may attend, and timelines for rendering a decision) about the appeal process.

1.13 Subject to the legislated provisions surrounding the record related to suspensions which have required the completion of a Safe Schools Incident Report Form, or which involve bullying, the Suspension Appeal Committee may:

a) confirm the suspension and the duration of the suspension;

b) confirm the suspension, but shorten the duration of a suspension to two days or more in length and amend the record of the suspension accordingly; or

c) quash the suspension and expunge the record of the suspension even if the suspension that is under appeal has already been served.

1.14 The decision of the Suspension Appeal Committee will be the decision of the Board, and it is final.

1.15 The Principal will hold a re-entry meeting with the parent(s)/guardian(s)/caregiver(s) for all suspensions of 5 days or more. School staff, school board staff, the student and community partners may also attend the re-entry meeting if required. Principals are encouraged to hold a re-entry meeting with school staff and the parent(s)/guardian(s)/caregivers(s) for all suspensions.

2.0 Expulsion

Kindergarten to Grade 3

As per the Education Act, Ontario Regulation 440/20, if a Kindergarten to Grade 3 student engages in any activities that may lead to expulsion for students in grades 4 to 12, the Principal will conduct an investigation regarding the allegations to determine if the student should be suspended or expelled.

Grades 4 to 12- Activities that may lead to Expulsion.

As outlined in subsection 310(1) of the Education Act (a to i), a Principal shall suspend a student (in grade 4 to 12) for up to 20 days and conduct an investigation to determine whether to recommend to the Board that the student be expelled if they believe that the student has engaged in any activity or in the other circumstances where engaging in the activity will have an impact on the school climate:

a) Possessing a weapon, including possessing a firearm;
b) Using a weapon to cause or to threaten bodily harm to another person;
c) Committing physical assault on another on another person that causes bodily harm requiring treatment by a medical practitioner;
d) Committing sexual assault;
e) Trafficking in weapons or in illegal drugs;
f) Committing robbery;
g) Giving alcohol or cannabis to a minor;
h) Bullying; if the student has previously been suspended for engaging in bullying, and the student's continuing presence in the school creates an unacceptable risk to the safety of another person.
i) Any activity listed in subsection 306(1) of the Education Act, and supplemental reasons approved by the Board, which is motivated by bias, prejudice or hate based on race, national or ethnic orientation, sexual orientation, gender identity, gender expression, or any other similar factor.

In addition to the reasons outlined in subsection 310(1) of the Education Act, the Board provides supplementary reasons for a Principal to consider recommendation for expulsion. They are as follows:

a) Conduct injurious to the school climate, including to the physical or mental well-being of others in the school; or
b) Serious breach of the Board's Code of Conduct.

Guidelines to Expulsion (Grades 4 to 12)

2.1 The Principal will conduct an investigation in accordance with the legislated requirements and consider a 20-day suspension and the recommendation for a possible expulsion. The Principal will also consider mitigating factors, student's history, special education considerations and other relevant factors when making a recommendation for expulsion.

2.2 If a suspension is issued, the Principal will make a reasonable effort to notify the parent within 24 hours and notify the classroom teacher(s) of the suspension.

2.3 The Principal will consult with the appropriate Family of Schools Superintendent and the Superintendent of Safe Schools and/or the Principal of Safe Schools about a suspension from school greater than 5 days.

2.4 When a Principal suspends a student under this section, they shall offer an educational program or placement in a program for students serving long term suspensions.

2.5 If there is consideration of a possible expulsion, the Principal will notify the Superintendent of Safe Schools and/or the Principal of Safe Schools and will issue a 20-day suspension which may be shortened if so, warranted by the Principal's investigation.

2.6 If the Principal does not recommend consideration of expulsion to the Board, the Principal will inform the student/parent/guardian that the suspension may be appealed.

2.7 If the Principal imposes a 20-day suspension and decides to recommend to the Board that the student be expelled, the Principal will prepare a report and will make a recommendation that the student will serve the suspension, be expelled from the school, or be expelled from all schools of the board. The Principal will provide a copy of the report to the student/parent/guardian and the Superintendent of Safe Schools and/or the Principal of Safe Schools along with written notification that the recommendation will be referred to the Expulsion Committee for consideration unless an agreement is reached between the parent(s)/guardian and CDSBEO in the form of Minutes of Settlement. A copy of the report will be retained in the students' OSR for a period as determined by the Board's records retention guidelines.

2.8 The Minutes of Settlement set out the foundational points of a settlement reached between the student/parent/guardian and the Catholic District School Board of Eastern Ontario to expel the student. This document is signed by the student/parent/guardian and the Superintendent of Safe Schools and/or the Principal of Safe Schools. By signing the Minutes of Settlement, the student/parent/guardian consents to the decision and therefore waives the requirement for the matter to be referred to an expulsion committee meeting.

2.9 If Minutes of Settlement cannot be agreed upon, written notice to the student/parent/guardian will be provided outlining the details about the reason for recommending expulsion to the Board, along with information about the expulsion process, and options available to the student/parent/guardian.

2.10 The Superintendent of Safe Schools and/or the Principal of Safe Schools, upon receipt of a recommendation for expulsion, which could not be addressed in Minutes of Settlement will establish an Expulsion Committee. The Expulsion Committee will consist of 3 trustees who have had no prior involvement in the matter under consideration for expulsion. All Expulsion Committee Meetings will be held in-camera.

2.11 The Expulsion Committee must convene within 20 days of the first day of the suspension to conduct an Expulsion Meeting. The Expulsion Committee may convene at a later date if agreed to by both parties.

2.12 The Superintendent of Safe Schools and/or the Principal of Safe Schools will provide the school Principal and student/parent/guardian with information (e.g., Procedural requirements, order of presentation, who may attend, and the timelines for rendering a decision) about the Expulsion Meeting.

2.13 In rendering a decision, the Expulsion Committee may:

a) Not expel the student, confirm 20-day suspension, shorten its duration, or withdraw it.
b) Expel the student from his/her school and assign the student to another school; or
c) Expel the student from all schools of the Board and assign the student to a program for expelled students.

2.14 The decision of the Expulsion Committee will be the decision of the Board.

2.15 Following the Expulsion Committee Meeting, the Chair of the Expulsion Committee will provide written notice promptly to the student/parent/guardian outlining the decision of the Expulsion Committee.

2.16 If the decision of the Expulsion Committee is to expel the student, the written notice will include information regarding the program for expelled student or school to which the student is assigned; and the right to appeal.

2.17 If the Expulsion Committee decides to expel the student, the decision may be appealed by a party, as outlined in Bill 212, to the Child and Family Services Review Board.

2.18 If the Expulsion Committee decides to expel the student from all schools of the Board, and once the student has successfully completed the program for expelled students (both academic and non-academic components), the student/parent may apply in writing to the Superintendent of Safe Schools and shall be considered for readmission to the school, or a school of the board.

Responsibilities

The Board of Trustees is responsible for:

- Ensuring alignment of this Administrative Procedure with the Safe, Inclusive & Progressive Schools Policy
- Reviewing this Administrative Procedure as part of its regular Policy and Procedures review cycle.
- Supporting the Suspension Appeal and Expulsion Committee process.
- Providing written notice promptly to the student/parent/guardian outlining the decision of the Expulsion Committee, which, if the decision of the Expulsion Committee is to expel the student, will include information regarding the program for expelled students or school to which the student is assigned and the right to appeal.

The Director of Education is responsible for:

- Designating resources for ensuring the implementation of and compliance with this Administrative Procedure.
- Ensuring the Board operates a program for students on a long-term suspension and a program for expelled students, in accordance with the Education Act and Ministry of Education guidelines.

Superintendents of Safe Schools and/or the Principal of Safe Schools:

- Reviewing and revising this Administrative Procedure as necessary;
- Upon receipt of a suspension appeal, establishing a Suspension Appeal Committee, consisting of at least three trustees who have had no prior involvement in the matter under consideration for suspension.
- Upon receipt of a recommendation for possible expulsion, establish an Expulsion Committee consisting of at least three trustees who have had no prior involvement in the matter under consideration for expulsion.
- Providing the parties with information about the appeal process (e.g., procedural requirements, order of presentation, who may attend, and timelines for rendering a decision);

- Supporting the student/parent/guardian and the Trustees throughout the appeal and expulsion process.
- Admitting a student back in the school if it is determined that the matters leading to the expulsion have been remedied and providing written notification of re-entry to the school or a school of the Board.

Family of Schools Superintendent:

- Supporting the implementation of this Administrative Procedure as necessary;
- Meeting with student/parent/guardian to discuss matters related to a suspension, in cases where student/parent/guardian may be considering appealing a suspension; and
- Providing a letter, if a settlement has been reached, which confirms that the appeal has been remedied.

Principals and Vice-Principals are responsible for:

- Implementing school wide progressive discipline practices that utilize a continuum of interventions, supports, and consequences to address inappropriate student behaviors;
- Investigating all Safe Schools Incident Reports submitted by Board employees;
- Consulting with the appropriate Family of Schools Superintendent about a suspension from school greater than 5 days;
- Consulting the Superintendent of Safe Schools and/or the Principal of Safe Schools of a 20-day Suspension Pending Expulsion.
- Ensuring alignment of this Administrative Procedure with the Safe, Inclusive & Progressive Schools Policy

Staff are responsible for:

- Reporting to the school Principal as soon as reasonably possible when they become aware that a student of the Board may have engaged in a serious student incident. The employee must consider the safety of others and the urgency of the situation in reporting the incident, but, in any case, must report it to the school Principal no later than the end of the school day; and
- Confirming all reports of serious student incidents, including those made orally to the Principal, using the Safe School Incident Reporting tool.

Teachers are responsible for:

- Reporting to the school Principal as soon as reasonably possible when they become aware that a student of the Board may have engaged in a serious student incident. The employee must consider the safety of others and the urgency of the situation in reporting the incident, but, in any case, must report it to the school Principal no later than the end of the school day; and

- Confirming all reports of serious student incidents, including those made orally to the Principal, using the Safe School Incident Reporting tool.
- Supporting school wide progressive Discipline practices that utilize a continuum of interventions, supports, and consequences to address inappropriate student behaviours; and
- Providing suspended students with schoolwork.

Progress Indicators

- The Suspension, Expulsion, and Appeal Administrative Procedure is applied consistently at all Catholic District School Board of Eastern Ontario educational settings;
- School wide progressive discipline practices are evident at all Catholic District School Board of Eastern Ontario educational settings;
- All Board employees report serious student incidents to the respective Principal as soon as reasonably possible;
- School based discipline data reflects positive trends in student behaviour; and
- School climate surveys indicate that staff and students feel safe, included, and supported in their learning and work environments accordingly.

Definitions

Suspension -The withdrawal of a pupil from a specific school and from engaging in school-related activities. Suspensions will be for no less than one day and no more than 20 days. A short-term suspension is from 1 to 5 days, and a long-term suspension is from 6 to 20 days.

Authority to Suspend -A Principal has the authority to suspend a pupil for up to 20 school days in accordance with Board policy and provincial legislation. An appropriate Supervisory Officer may act in place of the Principal during a visit to the school in accordance with Regulation 298, section 26 (1). A Vice-Principal shall perform such duties as are assigned to the Vice-Principal by the Principal, and in the absence of the principal, a Vice-Principal, where a Vice-Principal has been appointed to the school, shall be in charge of the school and shall perform the duties of the Principal.

Expulsion -The withdrawal of a student from his or her school or from all schools within the Board.

Appeal -The legislated right of a person to have a decision reviewed by another person in authority or a committee formed for such a purpose. The appeal of a suspension or an expulsion does not affect the implementation of the suspension which the student must serve.

Balance of Probabilities -refers to arriving at a decision or judgement by weighing the factors to determine the most likely sequence of actions and decisions taken to arrive at an already effected outcome.

Bullying

a) is aggressive and typically repeated behaviour by a pupil where the behaviour is intended by the pupil to have the effect of, or the pupil ought to know that the behaviour would be likely to have the effect of,

i. causing harm, fear, or distress to another individual, including physical, psychological, social, or academic harm, harm to the individual's reputation or harm to the individual's property, or
ii. creating a negative environment at a school for another individual, and

b) the behaviour occurs in a context where there is a real or perceived power imbalance between the pupil and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race, disability, or the receipt of special education.

Bullying behaviour includes the use of any physical, verbal, electronic, written, or other means:

- physical (for example, pushing, tripping)
- verbal (for example, name calling, insults, threats, sexist/racist/transphobic comments)
- social/relational (for example, spreading rumours, intentionally excluding others, humiliating others with public gestures) and causing harm to one's property.
- Cyber-bullying is bullying by electronic means and may include but is not limited to:
  - Sending or sharing hateful, insulting, offensive, and/or intimidating electronic communication or images via text messages, emails, direct messages;
  - Revealing information considered to be personal, private, and sensitive without consent;
  - Making and/or engaging, and/or participating in fake accounts on social networking sites to impersonate, humiliate and/or exclude others; and,
  - Excluding or disrupting access to, a student on purpose from online chat groups, access to accounts and during digital gaming sessions.

References

- Bill 13 - Safe and Accepting Schools Act - 2012
- Bill 157 - Keeping Our Kids Safe at School – 2009
- Bill 212 - Behaviour, Discipline and Safety – 2007

- Ontario Student Record (OSR) Guidelines
- Ministry of Education Policy/Program Memoranda (PPM):
  - 120, "Reporting Violent Incidents to the Ministry of Education"
  - 128, "The Provincial Code of Conduct and School Board Codes of Conduct"
  - 141, "School Board Programs for Students on Long-Term Suspension"
  - 142, "School Board Programs For Expelled Students"
  - 144, "Bullying Prevention and Intervention"
  - 145, "Progressive Discipline and Promoting Positive Student Behaviour"
- Local Police/School Board Protocol
- Ontario Education Act
- 265 (1) Duty of Principal, (m) Access to school or class
- Ontario Regulation 37/01 - Expulsion of a Student
- Ontario Regulation 472/07 - Behaviour, Discipline and Safety of Students
- Ontario Regulation 521/01 - Collection of Personal information
- Ontario Regulation 440/20 - Suspension of Elementary School Pupils
- Children's Law Reform Act, R.S.O. 1990, c. C.12
- Section 65 (Where child is sixteen or more years old)
- Caring and Safe Schools in Ontario: Supporting Students with Special Education Needs through Progressive Discipline, Kindergarten to Grade 12
- Municipal Freedom of Information and Protection of Privacy Act
- Ontario's Equity and Inclusive Education Strategy, 2009
- Ontario Human Rights Code