

Progressive Discipline and Promoting Positive Student Behaviour Procedure

RATIONALE:

The Education Amendment Act (Keeping Our Kids Safe at School) came into force in February 2010, amending Part XIII of the Education Act dealing with behaviour discipline, and safety. In 2012 The Accepting Schools Act (Bill 13) re-established the goal of promoting a positive school climate that is inclusive and accepting of all pupils and promotes the prevention of bullying. PPM 145: Progressive Discipline and Promoting Positive Student Behaviour was also revised to provide further direction to school Boards. The revisions to the Progressive Discipline and Promoting Positive Student Policy Procedure reflect these changes, which more effectively combines discipline with opportunities for students to continue their education.

Hamilton-Wentworth District School Board (HWDSB) recognizes the importance of promoting a positive school climate that is inclusive and accepting of all pupils. As a school Board we also believe in actively promoting and supporting appropriate and positive student behaviours that contribute to and sustain a positive school climate. HWDSB supports using the curriculum as an integral support for students in developing positive behaviours. Initiatives such as Character Development, Program Strategy, Student Success Strategy, Mental Health Strategy, Gay-Straight Alliances (e.g. Positive Space groups), and the Equity and Inclusive Education Strategy are key in promoting and supporting appropriate and positive student behaviours.

Promoting Positive Behaviour and Progressive Discipline is a whole-school approach that utilizes a continuum of prevention programs, interventions, supports, and consequences to address inappropriate behaviour and to build upon strategies that promote and foster positive student behaviours. Hamilton-Wentworth District School Board recognizes that when inappropriate behaviour occurs, developmentally appropriate action must consistently be taken to address behaviours that are contrary to the Provincial and Board Codes of Conduct. The action should be applied within a framework that shifts the focus from one that is solely punitive, to one that is both corrective and supportive. Hamilton-Wentworth District School Board is committed to a progressive discipline approach that builds and sustains a positive school climate for all students to support their education.

TERMINOLOGY:

Student: as used in this Policy Procedure, refers to *pupil*, as used in the Education Act.

Bullying: Bullying is defined as aggressive and typically repeated behaviour by a student where the behaviour is intended, or the student ought to know that the behaviour would be likely to have that effect of,

- causing fear or distress to another individual, including physical, psychological, social or academic harm,

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- harm to the person's reputation or property or creating a negative environment at the school for another individual, and the behaviour occurs in a context where there is a real or perceived power imbalance 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.

Positive School Climate: School climate is the learning environment and relationships found within a school and school community. A positive school climate exists when all members of the school community feel safe, included, and respected and actively promote positive behaviours and interactions. Principles of equity and inclusive education are embedded in the learning environment to promote a positive school climate and a culture of mutual respect. A positive school climate is a crucial component of the prevention of inappropriate behaviour.

Whole-School Approach: A whole-school approach involves all members of the school community and supports efforts to ensure that schools are safe, inclusive and accepting. It involves the development of respectful and caring relationships between staff, between students and between staff and students. All aspects of school life are included in a whole-school approach, such as curriculum, school climate, teaching practices, policies and procedures. A whole-school approach is valuable in addressing issues such as racism, intolerance based on religion or disability, bullying, homophobia and gender-based violence.

Progressive Discipline: Progressive Discipline is a whole-school approach that utilizes a continuum of prevention programs, interventions, supports, and consequences to address inappropriate student behaviour and builds upon strategies that promote both positive student behaviours and positive school climate. The approach to student discipline must include learning opportunities for students in order to reinforce.

PROCEDURES:

1.0 Principles of Prevention

A positive school climate promotes the tone, or prevailing attitudes in a school that promote healthy relationships, respect, and responsibility, as well as the levels of order, satisfaction, and productivity. HWDSB is committed to promoting a positive school climate that is inclusive and accepting of all students and helps to promote the prevention of bullying and other inappropriate behaviours. The following factors contribute to an enhanced school climate and the reduction of security and discipline issues

Positive Academic Environment

- ensure a creative a stimulating learning atmosphere
- communicate academic expectations clearly
- flexible timetables to promote quality learning time, establish routines, etc.

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Values/Skills and Character Education Curriculum

- provide formal and informal instruction to promote concepts of respect, caring for self and others, conflict resolution, concern for the environment, and principles of law and citizenship
- focus on ethno-cultural sensitivity and the need to address gender role stereotypes.

Physical Environment

- promote an enhanced physical environment that fosters pride and caring about surroundings
- encourage actions to remodel school areas that are prone to problems, i.e., enhanced lighting, flexible use of space
- consider school organization alternatives to reduce risk of conflict, e.g. transition times, 2 recesses, 2 lunch periods
- work with parents/guardians and community partners to aesthetically enhance outdoor spaces, e.g. shaded areas

School Code of Conduct

- prepare school Code of Conduct in collaboration with students, staff, school council and parents/guardians, and communicate them clearly to all involved. School Codes of Conduct must model the Provincial and Board Codes of Conduct and be applicable to all individuals. The purpose of reporting serious student incidents to the principal is to ensure that the principal is aware of any activities taking place in the school for which suspension or expulsion must be considered, and to help ensure a positive school climate.
- third party use of school space
- enact firm, fair and consistent discipline
- encourage staff as role models for effective communication, mutual respect, and problem solving resolution

Parent/Guardian/School Collaboration

- foster a welcoming school environment to encourage increased participation by parents/guardians in their child's education, school activities and school policy-making
- involve parents/guardians in activities to assist children with academics
- capture parent voice through School Climate Surveys
- encourage all parents to actively participate in student life

Community Partnerships

- promote community awareness and participation in the school to enhance cohesiveness, support, and effective use of resources

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- increase involvement of students in community service activities to create a climate of caring, respect and trust

Student Participation

- involve students in problem-solving, school enhancement, and policy direction to enable them to feel valued and respected and to create a sense of ownership of and responsibility for the school community
- capture student voice through School Climate Surveys
- encourage all students to actively participate in student life

Staff Development

- create an awareness of the origins and impact of violence and other anti-social behaviour
- promote creative methods of discipline and school management
- devise positive school climate enhancement activities
- provide in-service to staff on managing violent and aggressive student behaviour

- provide in-service to address 'best practice' for working with students with specific exceptionalities
- establish and provide annual professional development programs to educate about bullying prevention and strategies for promoting positive school climates

2.0 Addressing Inappropriate Student Behaviour

Disciplinary measures should be applied within a framework that shifts the focus from solely punitive to both corrective and supportive.

Schools should utilize a range of interventions, supports and consequences as well as include opportunities for students to focus on improving behaviour. ***A Pyramid of Strategies for Secondary Schools*** and ***Progressive Discipline for Elementary Students*** provide suggestions of several interventions that may lead to success for all students within a positive school climate. These supports will be updated regularly to reflect on-going "best practice".

The following must also be taken into consideration:

- particular student and circumstance (mitigating and other factors);
- nature and severity of the behaviour;
- impact on the school climate;
- the involvement of student services and other support personnel;
- for students with special education needs, disciplinary interventions, supports and consequences must be consistent with the student's strengths, needs, goals and expectations contained in the Individual Education Plan (IEP);

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- homophobia, biphobia, transphobia, gender based violence, sexual harassment and inappropriate sexual behaviours must be addressed.
- opportunities for the student to learn from the choices he or she makes; and
- appropriateness and availability of parental involvement in discussions concerning disciplinary action.

2.1 A Pyramid of Strategies for Secondary Schools
(adapted from Westdale Secondary School's Pyramid of Intervention)
See Appendix A

2.2 Progressive Discipline Strategies for Elementary Schools
(adapted from a model developed by the Safe Schools Advisory Team in January 2008)
See Appendix B

3.0 Delegation of Authority Regarding Student Discipline

Whenever possible, at least one administrator is to be present on school property. The Education Act provides a Principal with the authority to delegate power, duties, or functions under Part XIII – "Behaviour, discipline and Safety" as outlined below.

3.1 The Principal must ensure that:

- the delegate (Vice-Principal or Teacher) is provided with the cell phone and office numbers of the appropriate Supervisory Officer of the school, plus the cell phone and office number of a minimum of one other Supervisory Officer.
- if no administrator is present on school property, staff must be notified who has administrative responsibilities, and for what duration;
- the delegation of authority to a teacher is in writing outlining what the teacher delegate can, and cannot do.

3.2 Delegation to the Vice-Principal:

Delegation may include all authority of the Principal under Part XIII of the Education Act except:

- the final decision regarding a recommendation to the Board to expel a student;
- suspensions for more than six school days.

3.3 Delegation to Teachers:

The Principal's authority may be delegated to a teacher under Part XIII of the Education Act:

- the delegate must respect all collective agreements.

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- the delegate may have the authority to initially deal with situations involving activities that must be considered for suspension or expulsion, with the most important consideration being given to safety of those involved;
- the delegate may undertake an initial investigation according to Board direction;
- the delegate must report all details of the initial investigation to the Principal or Vice-Principal as soon as possible;
- the delegate must report to the Principal or Vice-Principal any activities that must be considered for suspension or expulsion, reported to them by other staff members during the Principal's absence (suggest a 'log' be kept).
- the delegate may be given limited authority to contact the parents/guardians of a student who has been harmed as the result of an activity for which suspension or expulsion must be considered; only the nature of the harm to the student and the nature of the activity that resulted in the harm may be shared.
- if the teacher is not sure if he/she should call the parents/guardians, the teacher should contact the Principal, Vice-Principal or Supervisory Officer for direction. The Principal is responsible for following up with the parent/guardian as soon as possible;
- teachers may not be delegated authority regarding suspension decisions or recommendations regarding expulsion;

4.0 Responding by Board Employees to Serious Incidents

All Board employees who work directly with students must respond to all student behaviour that negatively impacts on the school climate. *

Board employees who work directly with students include administrators, teachers, early childhood educators and non-teaching staff (including staff in social work, child and youth, psychology and related areas, educational assistants, etc.).

Responding may include: asking a student to stop the inappropriate behaviour, naming the inappropriate behaviour and explaining why it is inappropriate and/or disrespectful, and asking the student to correct the behaviour e.g. apologize for a hurtful comment and/or to rephrase a comment).

**Note: Board employees are not required to respond to incidents when, in their opinion, responding would cause immediate physical harm to themselves, a student, or to another person.*

5.0 Reporting by Board Employees of Serious Incidents

All Board employees who work directly with students must report to the Principal, all student behaviour for which suspension or expulsion may be considered. *See Appendix 'A'*

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The purpose of reporting serious student incidents to the principal is to ensure that the principal is aware of any activities taking place in the school for which suspension or expulsion must be considered and to help ensure a positive school climate.

Board employees who work directly with students include administrators, teachers, early childhood educators, and non-teaching staff (including staff in social work, child and youth, psychology and related areas, educational assistants, etc.). Bus drivers, and employees, and employees and contractors of third party operators providing before/after school programs for Full Day Kindergarten on the school site must also report incidents of bullying.

VERBAL REPORTS: A verbal report must be made to the Principal for incidents for which suspension or expulsion would not be considered. The verbal report is to be made as soon as possible following the incident.

WRITTEN REPORTS: For incidents for which suspension or expulsion must be considered, Board employees must report to the Principal no later than the end of the school day, and confirm their report in writing using the Ministry Safe Schools Incident Reporting Form-Part 1. The written report is to be submitted as soon as possible, and in any case, within 24 hours of the incident.

6.0 Principal Response to Reports

After a report is submitted, the Principal must:

- provide a written acknowledgement of the receipt of the report using the Ministry Safe Schools Incident Reporting Form-Part II to the employee who reported. Information that could identify the student(s) involved must not be part of the acknowledgement;
- indicate if the investigation is “completed”, or “in progress” if further investigation is needed; particularly for incidents that may lead to suspension or expulsion, including bullying;
- once investigation is completed, communicate the results of the investigation to the person who made the report (unless, in the Principal’s opinion, it would not be appropriate to do so). Actions taken could include anything on the progressive discipline continuum e.g. warning, contacting parent/guardian, removal of privileges, suspension, expulsion, or utilize the police/Board Protocol for incidents requiring police involvement, or other Board protocols for specific incidents eg. CAS protocol
- notify the parent or guardian of a pupil who the principal believes has been harmed as a result of the specified activity
- notify the parent or guardian of any pupil who engaged in the activity that resulted in the harm.

If no further action is taken by the Principal, there is no requirement to retain the report and it should be destroyed. The report is not to go in the Ontario School Record (OSR).

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If action is taken, the form and documentation must be kept in the students Ontario School Record (OSR) for a minimum of one year, and,

- the names of all the other students appearing on the form (aggressors and victims) must be removed except the name of the student in whose OSR the form is going;
- nothing about the incident is to go into the victim's OSR unless the victim or parent/guardian of the victim specifically request that this is done.
- where the student who has been harmed has also engaged in a serious student incident, information regarding the incident and the action taken and documentation will be placed in the student's OSR for a minimum of one year.

Note: This formal report does not replace conversations between the employee and the Principal. The Principal and the employee are encouraged to talk about the incident regardless of action taken.

7.0 Notice to Parent/Guardian of Students who have Been Harmed and Students who have Engaged in Serious Incidents (Section 300.3(3).Ed.Act)

7.1 a) Principals are required to inform the parent/guardian of students **who have been harmed** as a result of any serious student incident for which suspension or expulsion must be considered. Principals shall disclose the following information:

- the nature of the activity that resulted in the harm to the student
- the nature of the harm to the student
- the steps taken to protect the student's safety, including the nature of any disciplinary measures taken in response the activity
- the supports that will be provided for the student in response to the harm that resulted from the activity (e.g. safe intervention plan)

b) Principals are required to inform the parent/guardian of students **who have engaged in serious student incidents**. Principals shall disclose the following information:

- the nature of the activity that resulted in harm to the other student
- the nature of the harm to the other student
- the nature of any disciplinary measures taken in response to the activity
- the supports that will be provided for the student in response to his/her engagement in the activity (e.g. student services support, support for referral to community agency, etc.)

Principals must invite parents to have a discussion with him/her about the supports that will be provided for their child.

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- 7.2 Principals are not permitted to inform the parents of a victim when, in the Principal's opinion, doing so would put the victim at risk of harm from the parent. If the Principal decides not to notify the parent, the Principal must:
- consult with the manager of student services for further advice
 - document the rationale for the decision not to notify the parent or guardian of the pupil
 - inform the school Supervisory Officer of this decision
 - if a teacher reported the harm to the principal, inform the teacher of the decision
 - if it is determined it is appropriate to do so, inform other Board employees of the decision not to notify a parent or guardian of the pupil
- 7.3 **Principals must not disclose** the name of the aggressor or any other identifying or personal information with the parents of the victim or harmer beyond what is listed above (e.g. referral to counselling or any other personal information).
- 7.4 If a staff person has any reasonable grounds to suspect that a student, who is under the age of 16, is or may be in need of protection from the person having charge of him or her, the staff person must report this directly to the CAS, and not rely on any other person to report on his or her behalf.

8.0 **Supports for Victims of Serious Student Incidents**

(incidents leading to suspension or expulsion: Education Act Subsection 306(1) or 310(1))

All Board employees must take allegations of gender-based violence, homophobia, transphobia, biphobia, sexual harassment, and inappropriate sexual behaviour (PPM145) and bullying (PPM144) seriously and act in a timely, sensitive, and supportive manner.

Board employees working directly with students must support all students, including those who disclose/report such incidents by:

- providing contact information about professional supports (e.g. community agency)
- developing specific student plans to protect the student (e.g. safe intervention plans);
- making this information readily available to students who may wish to discuss issues of healthy relationships, gender identity, and sexuality (e.g. public health)
- providing parents/guardians with student services pamphlet if they are not satisfied with the supports their child receives;
- contacting the manager of student services for assistance in referring students to a community agency for confidential support when his/her parents/guardians are not notified (e.g. Sexual Assault Centre, Kids Help Phone, LGBT Youth Line)
- developing specific student plans to protect the student (e.g. safe intervention plans)

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When the Board (in consultation with the Principal) determines that it is necessary to separate students to preserve school safety or to protect a student, it is preferable that the victim not be moved, unless the victim/parent/guardian makes a specific request to do so.

9.0 SUPPORTS FOR STUDENTS WHO HAVE HARMED

Students who have engaged in a pattern of harmful or hurtful behavior, or in an incident resulting in serious harm, will require support to change the behavior. This support should be planned in consultation with the student and his/her parent/guardian. Supports could be initiated by the parent/guardian, or in some cases may require school resources, such as the school administration or social worker to assist them. For students on long-term suspension or expulsion, students may access the Gateway Program, which provides academic support as well as support to help the student change his/her behavior. Community partnerships can also be considered as sources for obtaining help or support for the student.

10.0 SUPPORTS FOR BYSTANDERS

Students who witness harm being done to others need support to ensure they understand that our schools are safe. In elementary schools, teachers are often able to debrief playground incidents with students to help them understand what happened, why it happened, and how it can be prevented from happening again. There are more serious incidents however, that require a school or community response. In these serious incidents, Student Services is able to provide guidance on how to handle situations or discuss the incidents. In extreme cases, the Board provides a response team that can assist directly in the school.

11.0 PARTNERSHIPS

Hamilton-Wentworth District School Board works in collaboration with community agencies to address the needs of students. Building these partnerships will be ongoing.

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APPENDIX A

A Pyramid of Strategies for Secondary Schools

(adapted from Westdale Secondary School's Pyramid of Intervention)

SYSTEM PROGRAMS

System Alter Ed	Turning Point	Diagnostic Testing
Summer School	N-Gage	E-Learning
Night School	U-Turn	ILC Program
SAL		

IN-SCHOOL INTERVENTIONS

Restorative Justice	Alternative Education
Timetable Change	Study Hall
Co-op Placement	Social Worker
Credit Recovery	Tracking Sheet
OSSLC	Student Contract
Alter Ed	Diagnostic Testing
Parent Conference	Code of Conduct Consequences
Student Success Team Meetings	Credit Substitution
Walk-In Closet	Guidance Counsellor/Student Success

IN-CLASS SUPPORTS

Differentiated Instruction
Resource Room Support IEP/Accommodations with LRT
Extra Time for Assignments/Tests
Credit Rescue
Home Contact
One-on-One Conferencing
Tracking Sheet
Assessment Tracking Strategies
EA Support
Caring Adult/ Peer Mentoring

ATTENDANCE SUPPORTS

Teacher-Student Conference about Attendance as concerns arise, contact home if student Review absent for prolonged period

Home Contact by Classroom Teacher-contact includes discussion between parent/guardian and teacher, discussion is documented for VP referral if required

Attendance Letter Sent Home

Classroom Incident Tracking/ Result

Tracking

Referral to Vice-Principal

The Pyramid of Interventions begins with the classroom teacher.

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APPENDIX B

Progressive Discipline Strategies for Elementary Schools

(adapted from a model developed by the Safe Schools Advisory Team in January 2008)

Achieve, Believe, Care

Prevention/Foundation

Clear and Transparent Communication

Comprehensive Literacy/ Differentiated Instruction/ Early Identification

Student Success	Safe Schools (includes Bullying Prevention)	Character Development	Boys to Men G.O. Girls
	Physical School Environment and School Climate		
	Classroom Management / Student Engagement		
	Caring / "Go-to" Staff Member		

School-wide and In-class Preventions and Strategies

Staff Development/ Professional Learning Communities
Special Education—Individual Education Plans/ Safe Intervention Plans/NVCI Educational Assistants, Social Workers, Special Education Services Student/Instruction centered timetable
School Code of Conduct
Communication Tools (e.g. Student agendas) Award Systems, Assemblies, Celebrations of Success
Extra-curricular activities, Student leadership/ Peer Mentors/ Co-op students
Student/Peer Mediation Empowerment Opportunities Parental Participation
Social Models/ Restorative Justice
Programs of Choice

In-School Interventions and Strategies

Problem Solving Model Reflection Activity
1:1 Conference with student or group
Contract
Temporary Break
Attendance Support Strategies
Alternative Learning Environment
Loss of Privileges
In-School Community Service
Restorative Justice Strategies
Family Strategies
HWDSB Student Support Services
Referral to a community or medical agency/ program

APPENDIX 2: SAFE SCHOOLS INCIDENT REPORTING FORMS

Report No: _____	CONFIDENTIAL SAFE SCHOOLS INCIDENT REPORTING FORM – PART I
Name of School	_____
1. Name of Student(s) Involved (if known)	_____
2. Location of Incident (check one)	<input type="checkbox"/> At a location in the school or on school property (please specify) _____ <input type="checkbox"/> At a school-related activity (please specify) _____ <input type="checkbox"/> On a school bus (please specify route number) _____ <input type="checkbox"/> Other (please specify) _____
3. Time of Incident	Date: _____ Time: _____
4. Type of Incident (check all that apply)	<p>Activities for which suspension must be considered under subsection 306(1) of the Education Act</p> <input type="checkbox"/> Uttering a threat to inflict serious bodily harm on another person <input type="checkbox"/> Possessing alcohol or illegal drugs <input type="checkbox"/> Being under the influence of alcohol <input type="checkbox"/> Swearing at a teacher or at another person in a position of authority <input type="checkbox"/> Committing an act of vandalism that causes extensive damage to school property at the student's school or to property located on the premises of the student's school <input type="checkbox"/> Bullying <input type="checkbox"/> Any other activity for which a student may be suspended under board policy <i>[Note: Boards must specify on this form any other activities for which the principal may suspend according to board policy.]</i> <p>Activities for which expulsion must be considered under subsection 310(1) of the Education Act</p> <input type="checkbox"/> Possessing a weapon, including possessing a firearm <input type="checkbox"/> Using a weapon to cause or to threaten bodily harm to another person <input type="checkbox"/> Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner <input type="checkbox"/> Committing sexual assault <input type="checkbox"/> Trafficking in weapons or in illegal drugs <input type="checkbox"/> Committing robbery <input type="checkbox"/> Bullying (if the student has been previously suspended for engaging in bullying and the student's continuing presence in the school creates an unacceptable risk to the safety of another person) <input type="checkbox"/> Any activity listed in subsection 306(1) that is motivated by bias, prejudice, or hate <input type="checkbox"/> Giving alcohol to a minor <input type="checkbox"/> Any other activity for which a student may be expelled under board policy <i>[Note: Boards must specify on this form any other activities for which the board may expel according to board policy.]</i>
5. Report Submitted By: Name: _____ Role in School Community: _____ Signature: _____ Date: _____ Contact Information: Location: _____ Telephone: _____	
6. FOR PRINCIPAL'S USE ONLY: Check if incident was a violent incident , as defined in Policy/Program Memorandum No. 120. <input type="checkbox"/> Violent incident Information is collected under the authority Part XIII of the Education Act in accordance with the Municipal Freedom of Information and Protection of Privacy Act, and shall be used for the purpose of student discipline. Questions about information collected on this form shall be directed to the school principal.	

SAFE SCHOOLS INCIDENT REPORTING FORM – PART II

ACKNOWLEDGEMENT OF RECEIPT OF REPORT

Report No: _____

Report Submitted By: Name: _____ Date: _____

 Investigation completed

- Principal to communicate results to the teacher at a mutually convenient time*
- Principal to communicate results to other board employee at a mutually convenient time, as appropriate*

 Investigation in progress

- Once investigation is completed, principal to communicate results to the teacher at a mutually convenient time*
- Once investigation is completed, principal to communicate results to other board employee at a mutually convenient time, as appropriate*

Name of Principal: _____

Signature: _____ Date: _____

Note: Only Part II is to be given to the person who submitted the report.

* In accordance with s.300.2 of the Education Act, after investigating a matter reported by an employee, the principal shall communicate the results of the investigation to the teacher or other board employee who is not a teacher, as appropriate. In accordance with the Municipal Freedom of Information and Protection and Privacy Act and the Education Act, when reporting the results of the investigation, the principal shall not disclose more personal information than is reasonably necessary for the purpose of communicating the results of the investigation