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POLICY: STUDENT BEHAVIOUR AND BIAS-FREE PROGRESSIVE DISCIPLINE

PURPOSE:

Hamilton-Wentworth District School Board (HWDSB) is committed to protecting students' human rights, supporting their well-being, and promoting inclusion for all. Schools must be free from harassment, discrimination, and any form of bias. Every student has the right to learn in a safe and respectful school environment. This policy guides how the HWDSB and schools will use a continuum of strategies – a range of supportive and corrective actions – to encourage positive behaviours, address interfering behaviours fairly, and provide interventions that respect every student's identity. It considers known disproportionalities and works to address inequities in student experiences and outcomes. By applying these principles, HWDSB will continue to work towards ensuring that discipline is equitable, culturally responsive, and restorative, helping students learn from their actions and grow in an environment where every student feels safe, respected, and able to reach their potential.

GUIDING PRINCIPLES:

- Provide fair and inclusive learning opportunities that help students build positive social skills and prevent bullying through restorative and bias-free practices.
- Prioritize relationships and community-building when addressing harm, recognizing that behaviour often reflects how students feel or express themselves.
- Center student voice and identity in behaviour-related decisions. Include students in conversations about solutions and next steps to help increase ownership, as well as ensure their perspective has been heard.
- Use restorative and bias-free approaches that focus on healthy relationships, inclusion, and learning from mistakes.
- Respond to behaviours in ways that match a students' age and needs, focusing on learning, accountability and safety.
- Ensure equity in all responses to behaviour by reviewing interventions through an equity lens and addressing bias, prejudice or disproportionality. These practices should be linked directly to ongoing monitoring of data and outcomes.
- Maintain sensitive and supportive communication between the school, home, and students to build trust and support student well-being and learning. Schools will use inclusive and accessible approaches to ensure all families have a voice and are able to fully participate.
- Consider individual needs and mitigating circumstances when responding to student behaviour to ensure fair and appropriate responses.

- Protect every students' rights to a fair, respectful, and inclusive learning environment, consistent with the Ontario Human Rights Code and the United Nations Convention on the Rights of the Child.

INTENDED OUTCOMES:

- Create and maintain safe, inclusive and caring learning environments where every student feels valued, respected, and supported to reach their full potential. This includes upholding human rights and ensuring fairness, safety and belonging are at the centre of every school experience.
- Encourage and reinforce positive student behaviour by teaching and modelling social-emotional skills, empathy, and respect for all identities, including race, ethnicity, gender, sexual orientation, ability, and socioeconomic status.
- Honour HWDSB's ongoing commitment to Truth and Reconciliation by nurturing respectful and reciprocal relationships between Indigenous Peoples and Treaty Partners. Schools will integrate Indigenous histories, cultures and contributions into learning and community activities, supporting understanding and intergenerational healing.
- Use fair, equitable, and identity-affirming strategies to support positive social interactions and address behaviour in ways that recognize each student's unique experiences and needs to promote learning, well-being, and trust between students, families, and staff.
- Provide interventions and supports that reflect students' identities and lived experiences, helping to build stronger relationships and more equitable learning environments across all schools.

RESPONSIBILITY:

Director of Education
Members of Executive Council
School Principals

TERMINOLOGY:

Adult Pupil: For the purpose of this policy, an "adult pupil" who is 18 years of age or older or who is 16 or 17 and has withdrawn from parental control.

Bias: An opinion, preference, prejudice, or inclination that limits an individual's or a group's ability to make fair, objective, or accurate judgement.

Bias-Free: The absence of opinions, preferences, prejudices, or inclinations that limit an individual's or group's ability to make fair, objective, or accurate judgments; an approach, practice, or environment that actively promotes equity, impartiality, and fairness for all.

Bias-free progressive discipline: A comprehensive, school-wide approach that emphasizes creating a positive and inclusive learning environment while addressing student behavior issues fairly and equitably. It focuses on using a range of strategies, from prevention and early intervention to consequences, to

promote positive behavior and address inappropriate actions without discrimination.

Bullying: Aggressive and typically repeated behaviour by a student where:

- The behaviour is intended by the student to have the effect of, or the student ought to know that the behaviour would be likely to have the effect of:
 - Causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual's reputation, harm to the individual's property
 - Creating a negative environment at a school for another individual, and
- The behaviour occurs in a context where there is a real or perceived power imbalance between the student 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 dynamic.

Caring and Safe Schools Action Plan: A multi-year, board-wide plan that outlines goals, priorities, and actions to support safe, inclusive, and positive learning environments, aligned with Ministry of Education safe and accepting schools' requirements.

Committees:

- **Expulsion Hearing Committee:** A committee of three or more Trustees of Hamilton-Wentworth District School Board, established to hear a recommended expulsion of a pupil.
- **Suspension Appeals Committee:** A committee of three or more Trustees of Hamilton-Wentworth District School Board, established to hear an appeal of a principal's decision to suspend a pupil.

Discrimination: Any form of unequal treatment based on a Code ground, whether imposing extra burdens or denying benefits. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but have the effect of disadvantaging certain groups of people. It can be direct or indirect, individual or systemic. It may be intentional or unintentional, and it may take obvious forms (direct), or occur in very subtle ways (indirect). In any case, even if there are many factors affecting a decision or action, if discrimination is one factor, that is a violation of this policy. Hate activities and harassment are forms of discrimination. Putting measures to correct, relieve or remedy hardship or systemic discrimination experienced by persons or groups in an attempt to achieve equity, is not discrimination.

Harassment: Defined in the Code as engaging in a course of vexatious comment or conduct that is known, or ought reasonably to be known, to be unwelcome. This policy covers code-based harassment, which is a type of harassment that is directed towards a person or group on the basis of a protected code ground(s). It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning, or unwelcome. More than one event may take place for there to be a violation of the Code. However, one incident could be significant or substantial enough to be interpreted as harassment. Some examples of harassment are name calling, unwelcome remarks, jokes, slurs, displaying derogatory or offensive messages, and bullying. This policy covers Code-based harassment. Other types of harassment are addressed through other policies (e.g., Workplace Harassment and Prevention Policy).

Hate Activity: Comments or actions against a person or group motivated by bias, prejudice or hate based on factors connected to one or more code grounds. Examples include hate incidents (non-criminal activities), hate crime (criminal activities), hate propaganda, advocating violence, bullying, promoting hate, and publicly displaying hate in notices, signs, symbols, and emblems.

Individual Education Plan (IEP): A plan that provides modifications or accommodations to program of Exceptional students, or, in some cases, students who have specific learning needs.

Mitigating Circumstance: These are factors that lessen the severity or culpability of an act requiring a suspension or expulsion.

Parent/Guardian: Where there is a reference to involving a parent/guardian it means the custodial parent or guardian of a minor who is under 18 years of age or is not 16 or 17 years old and removed from parental control.

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 (staff, students, parents, community members) feel safe, included, and respected, and actively promote and address the needs of the student population, particularly those currently and historically underserved. Principles of equity and inclusive education are embedded in the learning environment to promote a positive school climate and a culture of mutual respect.

Prejudice: An opinion against a group or an individual based on insufficient facts and is usually unfavourable and/or intolerant.

Progressive Discipline: A framework that fosters learning, responsibility, and restoration by addressing student behavior through a continuum of prevention programs, interventions, and supports. It emphasizes the importance of considering the context of behaviour, including trauma, ableism, racism, and other systemic factors that may impact students. This approach does not involve escalating punishments but focuses on appropriate consequences that encourage positive behaviour, while providing learning opportunities that help students make better choices and reinforce positive behaviours.

Restorative Practice(s): Used to build, maintain, and repair relationships between individuals. These practices focus on fostering belonging, accountability, and mutual respect, aiming to resolve conflicts and promote healing through open communication and/or actions.

Whole-School Approach: A whole-school approach involves all members of the school community, including, but not limited to, staff, students, administrators, community members and parents. It supports efforts to ensure that schools are safe, inclusive and accepting. It involves the development of respectful and caring relationships between staff, students, parents and community. All aspects of school life are included in a whole-school approach, such as curriculum, school climate, teaching practices, policies and procedures.

ACTION REQUIRED:

- Maintain and implement the Caring and Safe Schools Action Plan to promote student and staff well-being and reduce disproportionality in suspension and expulsion data. The plan will align

and be informed by other departments (Human Rights and Equity, Mental Health and Wellness, Indigenous Education, Special Education, Inclusion and Equity) action plans and strategies.

- Strengthen school climate through relationship-focused approaches that reflect the unique needs of each school community. These approaches will engage students, families and staff in creating positive, welcoming, and respectful environments that promote inclusion, pro-social behaviours and belonging.
- Work collaboratively with students, teachers, educators, community partners, including School Council and Home and School Association, to develop and implement bullying prevention and intervention plans.
- Provide ongoing professional development for all school staff on positive behaviour supports, restorative practices, trauma-informed care, and bias-free decision making. Training will focus on equitable responses and skill-building strategies that strengthen relationships and student success.
- Embed culturally inclusive and inclusive teaching practices that remove systemic barriers, reflect student identities, and promote equitable outcomes in every classroom.
- Seek and act on feedback from students, staff, and the community through surveys, consultations, and engagement opportunities. Insights from this feedback will inform ongoing improvement to HWDSB practices and programs, and findings will be shared publicly to ensure transparency and accountability.
- Use accessible and culturally responsive communication practices to ensure every parent, guardian or caregiver can fully participate in decision-making processes.
- Ensure that all members of the school community (students, staff, parents/guardians/caregivers, community agencies, school bus drivers and operators and volunteers) understand and uphold this policy and its commitment to creating a safe, respectful, and identity-affirming environments. Schools will share this information through accessible communication tools (newsletters, assemblies, and orientation sessions).
- Communicate with students, staff and families the types of behaviours that may lead to a suspension or expulsion under this policy. This would include a review of *Activities Leading to Possible Suspension or Expulsion* ([Appendix A](#)).

PROGRESS INDICATORS:

Intended Outcome	Assessment
Create and maintain safe, inclusive and caring learning environments where every student feels valued, respected, and supported to reach their full potential. This includes upholding human rights and ensuring fairness, safety and	<ul style="list-style-type: none"> • Improvement in School Climate Survey results related to safety, belonging, and inclusion. • Increased percentage of students reporting feeling safe and respected, disaggregated by identity where appropriate.

<p>belonging are at the centre of every school experience.</p>	<ul style="list-style-type: none"> • Reduced incidents related to harassment, discrimination, or exclusion. • Improved clarity of behaviour expectations reflected in student and family feedback. • Reduced disproportionalities in suspension, expulsion, and incident data.
<p>Encourage and reinforce positive student behaviour by teaching and modelling social-emotional skills, empathy, and respect for all identities, including race, ethnicity, gender, sexual orientation, ability, and socioeconomic status.</p>	<ul style="list-style-type: none"> • Documented instruction and modelling of social-emotional learning and positive behaviour strategies across schools. Documentation reflects the use of restorative and relationship-based approaches. • Reduction in repeat behaviour incidents following early intervention. • Staff survey data indicates increased confidence in supporting inclusive behaviour practices.
<p>Provide interventions and supports that reflect students' identities and lived experiences, helping to build stronger relationships and more equitable learning environments across all schools.</p>	<ul style="list-style-type: none"> • Clear roles, responsibilities, and procedures communicated through board-approved resources. • Increased consistency in documentation, reporting, and record-keeping practices across schools. • Evidence of coordinated planning and shared accountability among Human Rights and Equity, Indigenous Education, Mental Health and Well-Being, Special Education, and Safe Schools teams. • Increased consistency in the application of bias-free progressive discipline practices system-wide. • Student and family feedback indicates increased trust in fairness and transparency. • Staff feedback indicates improved clarity, access to supports, and understanding of processes.
<p>Use fair, equitable, and identity-affirming strategies to support positive social interactions and address behaviour in ways that recognize each student's unique experiences and needs to promote learning, well-being, and trust between students, families, and staff.</p>	<ul style="list-style-type: none"> • Clear roles, responsibilities, and procedures communicated through board-approved resources. • Increased consistency in documentation, reporting, and record-keeping practices across schools. • Evidence of coordinated planning and shared accountability among Human Rights and Equity, Indigenous Education, Mental Health and Well-Being, Special Education, and Safe Schools teams. • Increased consistency in the application of bias-free progressive discipline practices system-wide.

	<ul style="list-style-type: none"> • Student and family feedback indicates increased trust in fairness and transparency • Staff feedback indicates improved clarity, access to supports, and understanding of processes.
<p>Honour HWDSB’s ongoing commitment to Truth and Reconciliation by nurturing respectful and reciprocal relationships between Indigenous Peoples and Treaty Partners. Schools will integrate Indigenous histories, cultures and contributions into learning and community activities, supporting understanding and intergenerational healing.</p>	<ul style="list-style-type: none"> • Increased number of schools implementing Indigenous-informed learning and restorative practices. • Participation data reflects engagement with Indigenous-led learning opportunities. • Feedback from Indigenous partners, Elders, and Knowledge Keepers informs continuous improvement. • Discipline data demonstrates reduced disproportionate outcomes for Indigenous students over time.

REFERENCES:

Government Documents

Accessibility for Ontarians with Disabilities Act (AODA)
 Canadian Charter of Rights and Freedoms
 Part XIII of the Education Act (300.0-316.0): Student Behaviour, Discipline, and Safety
 An Act to Amend the Education Act (Accepting Schools Act), 2012
 Policy/Program Memorandum 141, Programs for Students on Long Term Suspension Policy/Program Memorandum 142: Program for Expelled Students
 Policy Program Memorandum 145: Progressive Discipline and Promoting Positive Student Behaviour
 Policy Program Memorandum 119: Developing and Implementing Inclusive Education Policies in Ontario Schools 2009
 Policy Program Memorandum 166: Keeping Students Safe: Framework for school Board Protocols to Combat Sex Trafficking (2021)
 Keeping Our Kids Safe at School Act (Bill 157) 2010
 Ontario Regulation 472/00 Shaping A Culture of Respect in Our Schools 2008 Ontario Regulation 181/98
 “Identification and Placement of Exceptional Pupils” Access to School Premises – Ontario Regulation 474/00
 OCT Standards of Teaching Practice
 Caring and Safe Schools in Ontario: Supporting Students with Special Education Needs Through Progressive Discipline, K-12 2010
 English Language Learners: ESL and ELD First Nation, and Inuit Education Policy Framework 2007
 Ontario’s Equity and Inclusive Education Strategy, 2009
 Ontario Human Rights Code
 Ontario Criminal Code
 United Nations Universal Declaration of Human Rights Convention on the Rights of the Child

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APPENDIX A: Activities leading to possible Suspension or Expulsion

SUSPENSION (1 to 20 days)	EXPULSION
<p>A principal shall consider whether to suspend a student if they have reasonable grounds to believe that the student has engaged in any of the following activities while at school, at a school-related event, or in other circumstances where engaging in the activity will have an impact on the school climate:</p> <p>Education Act 306 (1):</p> <ol style="list-style-type: none"> 1. Uttering a threat to inflict serious bodily harm on another person. 2. Possessing alcohol, illegal drugs or cannabis (unless the individual has been authorized to use cannabis for medical purposes) 3. Being under the influence of alcohol, or cannabis (unless the individual has been authorized to use cannabis for medical purposes). 4. Swearing at a teacher or at another person in a position of authority. 5. 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. 6. Bullying. 7. Non-consensual sharing of intimate image(s). 8. Any other activity that is an activity for which a principal may suspend a student under a policy of the Board. <p>HWDSB</p> <ol style="list-style-type: none"> 9. Violations of the Code of Conduct, school and Board policy, e.g. repeated disrespect of authority. Using social media in such a way that negatively impacts others or the school climate. 10. Inappropriate behaviours, including biting, spitting, kicking, etc. 11. Physical fighting and assault (not requiring 	<p>A principal shall suspend and consider referring a student to an expulsion hearing if they have reasonable grounds to believe that the student has engaged in any of the following activities while at school, at a school-related activity or event, or in other circumstances where engaging in the activity will have an impact on the school climate:</p> <p>Education Act 310 (1):</p> <ol style="list-style-type: none"> 1. Possessing a weapon, including possessing a firearm. 2. Using a weapon to cause or to threaten bodily harm to another person. 3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner. 4. Committing sexual assault. 5. Trafficking in weapons or in illegal drugs. 6. Committing robbery. 7. Bullying (<i>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</i>). 8. Any activity listed in Ed Act Subsection 306(1) that is motivated by bias, prejudice, or hate (An activity in violation of the Equity and Inclusion Policy or any human rights violation under the Human Rights Code (pending Human Rights Policy, e.g., use of racial slurs, homophobic/transphobic language; etc.). 9. Giving alcohol or cannabis to a minor. 10. Any other activity for which a student may be expelled under Board policy. <p>HWDSB</p> <ol style="list-style-type: none"> 11. Serious violations of the Standards of Behaviour in the Code of Conduct, e.g. Repeated disrespect of authority

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medical treatment). 12. An act harmful to one's physical/mental well-being. 13. Being under the influence of drugs. 14. Making a bomb threat.	12. Committing an act of vandalism that causes extensive damage to Board property 13. Continuous pattern of behaviour injurious to learning or safety. 14. Their presence constitutes an unacceptable risk.
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