



Safe Schools Policy and Practice: An Agenda for Action

Safe Schools Action Team

June 2006

June 2006

The Honourable Sandra Pupatello, MPP
Minister of Education
Mowat Block, 900 Bay Street, 22nd Floor
Toronto ON M7A 1L2

Dear Minister:

In December of 2004, your government requested that the Safe Schools Action Team undertake a review of the Safe Schools Act and related policies and programs.

In response, the Safe Schools Action Team launched *Safer Schools...Safer Communities*, a province-wide public consultation in November and December 2005 which focused on making our schools and our communities safer.

During these consultations, we travelled across Ontario to listen to teachers, parents, students, support staff, school administrators and other community members about the impact of the Safe Schools Act. We also received valuable feedback from a broad range of individuals and organizations throughout Ontario who responded through written submission and our public web site to this important consultation process.

The Safe Schools Action Team is pleased to submit *Safe Schools Policy and Practice: An Agenda for Action*, which provides a concise overview of the opinions and points of view expressed by Ontarians on the Safe Schools Act and the issue of school and community safety. Within this report, we are pleased to submit recommended actions and practices in eight identified areas of priority.

The Safe Schools Action Team acknowledges the valuable input received during its province-wide consultations. Participants offered informed and positive suggestions that reflect a shared commitment to addressing these important public issues.

We are confident that the recommendations contained within this document will lead toward safer schools and communities, and provide a supportive learning environment for all Ontario students.

Respectfully,

Safe Schools Action Team



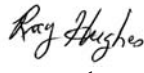
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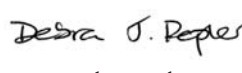
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INTRODUCTION

Background

The government of Ontario is committed to improving publicly funded education and achieving positive outcomes for all students. At the elementary level, this commitment is focused on improved student learning and achievement in literacy and numeracy. At the secondary level, the government is focused on ensuring that secondary schools equitably support and prepare all students for success in their destination of choice, whether a work placement, apprenticeship, college or university. A wide range of initiatives has been introduced through the province's Student Success Strategy, Education for All, and Learning to 18, to ensure that all Ontario students receive a positive outcome from their education.

Safe Schools: A Prerequisite for Learning

In order to achieve these objectives, it is essential that all schools provide a safe environment in which students can learn, grow and develop: the government acknowledges that school safety is a fundamental prerequisite for student success and academic achievement. Accordingly, a number of initiatives have been undertaken to address the issue of safety in schools, including the establishment of the Safe Schools Action Team in December, 2004 and the investment of \$23 million over three years to launch a comprehensive province-wide bullying prevention strategy.

The Safe Schools Action Team

Under the leadership of Liz Sandals, Parliamentary Assistant to the Minister of Government Services, the Safe Schools Action Team has been given the task of reviewing practices, policies, programs and physical environments to ensure that students are safe, and feel safe, in Ontario schools. The Safe Schools Action Team has undertaken a number of initiatives including the development of comprehensive recommendations to address the issue of bullying in Ontario schools entitled *Shaping Safer Schools: A bullying prevention action plan*.

Guiding Principles

The Safe Schools Action Team believes that every student deserves to be safe – and feel safe – in school, on the school grounds, in school buses or at school events and activities.

We also acknowledge that school safety is a commitment shared by the ministry, parents, students, teachers, trustees, support staff, principals and vice-principals, board staff, community partners, and residents of communities across Ontario. We wish to recognize the contributions, made by many hundreds of participants in the consultation process, to the recommendations which follow.

We are encouraged by the broad public consensus on these priorities for action, and the confirmation that Ontarians share the common belief that providing young people with an opportunity to grow and develop in a safe and respectful society is a shared responsibility and commitment.

The recommendations contained in this report are based on a review of the Safe Schools Act, and a broad discussion of the related policies and practices which affect the safety of Ontario schools.

These recommendations are grounded in the following guiding principles which reflect the shared consensus of government, parents, educators and community members throughout Ontario:

- Every student is entitled to learn to the best of his or her ability
- Every student is entitled to a safe and caring learning environment
- Safety is a precondition for learning
- Safe schools are the responsibility of a community partnership among government ministries, administrators, teachers, trustees, support staff, students, parents, police and community partners

Purpose and Scope of This Report

The Safe Schools Action Team was mandated by government to conduct a review of the Safe Schools Act (Part XIII of the Education Act), as well as its regulations, and related policies and administrative practices. The Team heard concerns from parents, educators, support staff, community groups and residents of communities across the province.

This report summarizes the results of that review, which was conducted through broad public consultation, with input from more than 700 parents, educators, students, and other community members across Ontario, and written submissions from organizations, school boards and individuals throughout the province. It identifies eight themes for priority action, including:

1. Prevention
2. Progressive Discipline
3. Community and Parental Involvement
4. Application of the Safe Schools Act
5. Programs for Suspended/Expelled Students
6. Education and Training
7. Communication
8. The Provincial Safe Schools Framework

Priorities for Action

1. Prevention

A wide range of preventive measures taken to promote and support appropriate and positive behaviour by students.

Our Findings: What Ontarians Believe

Safety is a precondition for learning. Students learn and teachers teach more successfully when schools are safe. The Ministry of Education, parents, students, teachers, support workers, principals and vice-principals, board staff, community partners and residents of communities across Ontario share this common belief.

Ontarians recognize the importance of preventative strategies that will lead to systemic change that will benefit all. Prevention strategies will help all students make sound personal decisions, and will deter inappropriate behaviours. Programs which focus on violence prevention and building healthy relationships – such as bullying prevention, peer mediation and citizenship development – can provide the foundation for an effective continuum of prevention strategies within a school. In some cases targeted prevention strategies may be necessary for students, particularly those at risk.

School climate is a crucial component of prevention; it may be defined as the sum total of all of the personal relationships within a school. When these relationships are founded in mutual acceptance and inclusion, and modelled by all, a culture of respect becomes the norm.

Successful Practices

A school-based program stressing the importance of healthy relationships helps youth make safer choices, provides training in relationships skills and promotes positive youth relationships in collaboration with parents, schools and communities. There are many examples of successful programs. Youth Safe Schools Committees are student-led, teacher-facilitated groups that take part in classroom explorations, connect to community support services, and mount media campaigns to educate the student body, providing information and support to those who need it. Turtle Concepts holds motivational seminars and retreats for aboriginal students that help them to increase their self esteem and to become confident at school.

Uniting Our Nations is a collaborative project with input from Aboriginal students, counsellors, educators and community partners to create a violence prevention program that reflects traditional practices and cultural knowledge of Aboriginal youth. First Nation counsellors and adults from the Aboriginal community are involved in this school-based prevention program that includes education materials that meet education guidelines and a peer mentoring program that connects younger students with older students.

To help achieve positive school climates, schools should actively promote, support and reinforce positive behaviours. A multi-pronged approach ranging from school-wide campaigns, celebrations of achievements for the school, groups or individuals as well as the day to day interaction with students and staff all contribute to creating a secure and welcoming climate that enhances learning. School Councils and safe school teams can play an important role in this regard. Parents should be actively engaged throughout this process; there must be an ongoing dialogue about student achievement and behaviour. Students benefit when parents, teachers and staff are available to assist them, on an individual basis, to encourage and support positive behaviours, as well as identifying and preventing unsafe behaviours. In addition to teacher and administrators, non-teaching

staff such as social workers, guidance counsellors, and Native Education Counsellors; all play an important role in supporting students. Further to this, accommodations must be made for students with special needs. For those students with special needs who exhibit behaviours that could endanger themselves or others, individual safety plans should be developed, put in place and regularly monitored to ensure that the plan for each student is appropriate.

A visible adult presence in schools is also important to enhance students' feeling of safety. This presence may be provided by a wide range of individuals including teachers and principals, support and paraprofessional staff, volunteers, yard duty staff, custodians, lunchtime and hall supervisors.

OUR RECOMMENDATIONS: AN AGENDA FOR ACTION

Prevention

1

Boards should support and maintain positive school climates that:

- enhance safety
- focus on prevention and early intervention
- are inclusive and actively engage all partners
- reinforce bullying prevention messages through programs addressing discrimination based on age, race, sexual orientation, gender, faith, disability and ethnicity
- improve learning outcomes for students

2

Boards should implement a continuum of preventative strategies and empowerment programs that focus on:

- healthy lifestyles and relationships
- student leadership
- empathy
- citizenship development
- conflict resolution
- restorative practice
- bullying prevention
- peer mediation

3

Boards should ensure that there are individual safety plans for students with special needs who exhibit behaviours that could endanger themselves or others.

4

Schools should use prevention and early intervention strategies that:

- are inclusive, actively involving students, parents, the school and the community
- support existing partnerships and establish new partnerships
- provide opportunities for students to contribute to their own and their school's behaviour management including leadership roles (peer mediation, mentorship and conflict resolution)

Priorities for Action

2. Progressive Discipline

A series of defined steps progressively applied as disciplinary interventions to improve student behaviour.

Our Findings: What Ontarians Believe

Ontarians recognize the importance of actively promoting, supporting, and recognizing those appropriate and positive behaviours that create and sustain a mutually positive learning environment. When inappropriate behaviour occurs, schools should look at and employ a range of consequences that are developmentally appropriate, include opportunities to learn from mistakes, and focus on improving behaviour.

Disciplinary measures should be applied within a framework of progressive discipline that shifts the focus from one that is punitive to a focus that is supportive and corrective in nature. In all cases, it is the behaviour which should be judged, rather than the student. Parents are an integral part of this process and should be actively engaged.

Schools should employ early interventions as a way of fostering and supporting appropriate student behaviour. A wide range of established interventions and strategies should be attempted as common practice within the context of a Progressive Discipline continuum. Teachers and administrators should be encouraged to consider all relevant factors when investigating an incident. These might include the age of the student, and/or the student's family situation, and/or appropriate accommodation(s) for students with special needs as well as circumstances surrounding the incident itself (e.g. whether it is provoked by harassment or bullying). All mitigating factors should be taken into consideration when determining the appropriate disciplinary approach.

School boards need to clearly understand the intent of legislation, policies and regulations and ensure that they are applied in a consistent and equitable manner. Clearer direction is needed in many areas from the broader concept of Progressive Discipline to the implementation of specific regulations; for example, the proper use of a reduction in length of the instructional program on a school day with students with special needs

The Progressive Discipline continuum is a stepped approach to support a positive change in behaviour. However, it should be noted that if an incident is serious in nature and after full consideration of circumstances affecting a student's behaviour, it may be felt that a step, such as suspension, which is further along in the Progressive Discipline continuum, may be necessary. Expulsions should be used only as a last resort. It is noted that supports should be also provided to students affected by bullying or acts of violence and their families; restorative practice, reparations, restitution and healing circles are possible supports. In order to support and protect students who have been bullied or affected by violence, school boards need to ensure that safe reporting processes and initiatives are in place so that students feel safe from reprisal.

OUR RECOMMENDATIONS: AN AGENDA FOR ACTION

Progressive Discipline

1

The Ministry should provide direction to school boards in regard to the Progressive Discipline Framework, and other identified areas where clarification is needed (e.g. a reduction of the length of the instructional program on a school day for students with special needs).

2

Boards should:

- ensure that all members of the school community, particularly students and parents, have access to, understand, and support the progressive discipline approach
- require schools to use progressive discipline as a common and standard practice
- provide support to students and their families affected by bullying or acts of violence (e.g. restorative practice, healing circles)
- develop policies to support and protect students who have been bullied or affected by violence including the implementation of safe reporting processes and initiatives that result in students being safe from reprisal
- ensure that in-school disciplinary alternatives are created as steps in a progressive discipline framework where suspension may be necessary and expulsion should be used as a last resort after all other strategies have been attempted

3

Schools should:

- employ a range of consequences which are developmentally appropriate, include opportunities to learn from mistakes, and focus on improving behaviour
- actively engage parents who are an important part of this process

Priorities for Action

3. Community and Parental Involvement

The development of positive relationships among parents, the community and schools is critical to supporting and sustaining safe schools and learning.

Our Findings: What Ontarians Believe

Safe schools do not just happen; they are created and sustained by people dedicated to ensuring positive, respectful relationships and environments. Roles and responsibilities encompass all levels of the education sector, partnering agencies, students and their families. The involvement of community members such as Aboriginal Elders is recognized as a positive and reinforcing influence. Policies and programs that support and nurture a supportive school environment should be developed and established through processes that engage the whole school community and its partners.

Committees are an effective mechanism to ensure important goals such as school safety are translated into concrete actions. An advisory committee that focuses on all aspects of school safety should be established at the board level to reflect the views of teachers, parents, students and diverse communities. The committee would function in an open, responsive, proactive and inclusive manner, and would include a member from the Special Education Advisory Committee. The responsibilities of the committee could include: reviewing board requirements for school Codes of Conduct, assessing the impact of the school environment on safety as well as the level of adult presence and supervision in schools. The committees should work closely with School Councils and also consult with their Special Education Advisory Committee (SEAC) on system-wide matters of safety for students with special needs. The important role of School Councils has been previously noted: schools should ensure that School Councils are actively engaged in making schools safer.

There must be early and ongoing communication between all school staff and parents on student progress and behaviour. Schools must also work more closely with parents, particularly in regard to disciplinary decisions made about their children.

Successful Practices

The Police Mkwa Opportunity Education Circle is a partnership formed with the local school board, police service, and (Aboriginal) community agencies that has developed a mentorship program for secondary students, with a strong focus on students wishing to pursue a career in the criminal justice system. It also serves to establish meaningful relationships between Aboriginal students and officers of the law. The initiative includes related course curriculum for students in Grades 10–12.

In keeping with the belief of prevention and early intervention, better linkages and coordination among the Ministry, boards of education, local schools and community organizations such as youth and health services, must be established. This applies to all students including those in Educational Programs for Pupils in Government Approved Care and/or Treatment, Custody and Correctional Facilities.

The aim should be to develop and implement programs to meet students' as well as the community's needs. As well, proactive partnerships must be created and maintained among parents, police, social services, mental health services and advocates for the benefit of students. For example, proactive police programs can and do build positive rapport in the school community, and focus on the police as positive role models.

Ontarians feel that the expanded community use of schools, the offering of community recreation programs and co-curricular school programs will result in greater student engagement and a positive connection to schools and the community at large.

OUR RECOMMENDATIONS: AN AGENDA FOR ACTION

Community and Parental Involvement

1

Ministries, school boards, schools and community agencies should review and coordinate early identification, treatment and supports for students with mental health needs, including those in Educational Programs for Pupils in Government Approved Care and/or Treatment, Custody and Correctional Facilities.

2

Boards should:

- ensure that partnerships are created through community outreach, using open and continuous communications, to actively engage parents, community leaders, local organizations and service providers
- establish Safe Schools Advisory Committees to reflect the views of teachers, parents, students and the community
- consult with their Special Education Advisory Committee (SEAC) on system-wide matters of safety for students with special needs

3

Schools should ensure that School Councils are actively engaged in making schools safer.

4

Communities should ensure that recreation opportunities are provided for youth.

Priorities for Action

4. Application of the Safe Schools Act

The Safe Schools Act must be consistently applied across the province.

Our Findings: What Ontarians Believe

A school is a place that promotes responsibility, respect, civility and academic excellence in a safe learning and teaching environment. All students, parents, teachers and staff have the right to be safe, and feel safe, in their school community. With this right also comes the responsibility to be accountable for their actions for the safety of others and themselves. It is important, therefore, that the roles and responsibilities of all parties (e.g. principals, teachers, students, parents) be clearly articulated and understood.

The Safe Schools Act specifies acceptable behaviours to create and sustain safe, secure learning environments for every school in Ontario. Within the Act is the Provincial Code of Conduct which sets clear standards for behaviour. The Code is intended to ensure that all members of the school community are treated with respect and dignity. It encourages the use of non-violent means to resolve conflict, and promotes the safety of people in schools. It specifies the mandatory consequences for student actions that do not comply with these standards. The provincial standards of behaviour apply not only to students, but also to all individuals involved in the publicly funded school system – parents and guardians, volunteers, teachers and other staff members – whether they are on school property, on school buses or at school-authorized events or activities.

Concern has been expressed that that some groups are more likely to be suspended or expelled than others. Ontarians want the Safe Schools Act to be consistently applied by schools and school boards. The incorrect perception that the Act supports the concept of “zero tolerance” must be dispelled. The Code of Conduct and mitigating factors as outlined in the Act assist principals in selecting an appropriate consequence for inappropriate behaviour within the context of progressive discipline. All schools should have a thorough and consistent process in place for fully investigating all incidents. Investigations should take all relevant factors and circumstances into consideration. In particular, factors such as current family situation, age, language comprehension, and accommodations for students with special needs should be considered prior to determining a consequence.

Finally, efforts must be made to ensure that ongoing communication and coordination are established and maintained between community services and schools, in order that the needs of students are met consistently, effectively and equitably. Ontarians share a related concern that community services for youth – such as healthcare, mental health, and community support programs – must work with schools in a more cohesive and coordinated way.

OUR RECOMMENDATIONS: AN AGENDA FOR ACTION

Application of the Safe Schools Act

1

The Ministry of Education should revise the Safe Schools Act to:

- expand the list of mitigating factors to be considered before suspension or expulsion (e.g. age, grade, language acquisition)
- have only principals/vice principals suspend students
- consider having one day suspensions served in schools
- have exclusions subject to appeal (if section 305 is applied to a student, the student should have the right to appeal to the board and may be able to attend another school)

2

The Ministry of Education should revise the Safe Schools Act to have only one kind of expulsion, defined as follows:

- the Board does expulsions
- the minimum duration is 21 days
- the Board must offer an alternative program to the student
- the student must complete the alternative program before readmission to a school
- the alternative program should address the academic, behavioural and treatment needs of the student

3

The Ministry of Education should also work in close partnership with other ministries to ensure that services for children and youth are aligned (e.g. mental health, child welfare, substance abuse, anger management).

Priorities for Action

5. Programs for Suspended/Expelled Students

Programs containing strategies for building positive attitudes, for developing positive behaviours, for providing continuous learning and for successful re-integration into the school setting or alternative setting consistent with current Ministry approaches.

Our Findings: What Ontarians Believe

Ontarians express concern that students who are suspended or expelled are not receiving an education, and they are also at risk of losing an important connection to the school community. Research indicates that a sense of connection to the school community strongly influences a student's decision to remain in school. Students who stay in school longer achieve more and have a greater chance of success in the future. Principals, teachers, parents, and other adults shape the school climate, and they are responsible to serve as role models in creating a respectful, safe environment for students.

Currently there are two types of expulsions: full and limited. The limited expulsions are for a specific period of time. However a full expulsion has no time limits and a student who has been fully expelled may not attend any school in Ontario unless that student voluntarily attends and completes a Strict Discipline Program. It should be noted that the Strict Discipline Programs were established as pilot projects. Ontarians believe that programs should be created to provide continuous learning for suspended and expelled students; this may include opportunities for some suspensions to be served in school as well as increased access to alternative programs. These

Successful Practices

Waterloo District School Board uses a Restorative Justice process that is designed to enhance interpersonal skills and develop empathy in students who are involved in school violence. This model allows those most directly involved to be part of a healing process to meet the needs of the affected individual and provides the student with an opportunity to examine how one's actions have impacted others. By listening and facing the situation, the student can develop a sense of empathy and a willingness to take corrective action and accept responsibility. Restorative Practices is used as a tool in classroom management by teachers and support staff.

programs should aim to re-integrate suspended and expelled students into the school community in a positive manner. To do so, resources should also be available to support students who are suspended or expelled. Such resources might include access to learning and treatment programs, behavioural management, individual counselling and these resources may require partnerships with other community agencies. It is important that boards and schools have reintegration strategies for all expelled students, for those on long-term suspension as well as students in Educational Programs for Pupils in Government Approved Care and/or Treatment, Custody and Correctional Facilities. As noted earlier in this report, such efforts will require a high level of coordination between and among schools and community services.

OUR RECOMMENDATIONS: AN AGENDA FOR ACTION**Programs for Suspended/Expelled Students****1**

The Ministry should review the Strict Discipline Programs to assess to what extent to the programs are meeting the needs of students and supporting their successful re-entry into schools.

2

Boards should:

- offer access to learning and make alternative programs available to all students who are expelled or on long term suspension to facilitate continuation of their academic program
- have reintegration strategies for all expelled students and for those students returning from long-term suspension, including those students in Educational Programs for Pupils in Government Approved Care and/or Treatment, Custody and Correctional Facilities

Priorities for Action

6. Education and Training

Education and training are critical elements to ensure that all members of the school community understand, and are equipped for, their roles and responsibilities in creating and sustaining safe schools.

Our Findings: What Ontarians Believe

Successful Practices

The Fourth R project is being implemented in many schools throughout Ontario. Developed in partnership with CAMH and educators, it is designed to include students, staff, parents and community partners in promoting and establishing healthy relationship skills. The Fourth R uses a whole-school approach, engaging teachers in the delivery of the program, students in active learning and peer mentoring and modeling, and parents through outreach and communication.

Successful Practices

The Black Creek Community Health Centre is working in partnership with students from the Toronto District School Board and the Centre for Addictions and Mental Health (CAMH) through the 4th R initiative to create a video that demonstrates positive healthy relationship skills for youth. Student actors are creating scenarios which demonstrate positive outcomes in response to difficult situations which confront youth. The video will be used as a teaching resource by teachers and it will provide students with realistic ways to prevent violence and build healthy relationships.

A clear understanding of roles and responsibilities will ensure that all partners in education play an effective and appropriate role in supporting student success. Effective training programs also help ensure that knowledge remains current, while stimulating monitoring, review, evaluation as well as provide opportunities for sharing successful practices. The integral and essential link with training, education and effective communication is noted and highlighted in the next section (#7).

Principals, administrators, teachers, parents and students should receive standardized training on the requirements, application and all procedures related to the Safe Schools Act. Training on the concept of Progressive Discipline and the applications of mitigating factors will help to ensure consistency and fairness in the application of the Act for all students.

In addition, training should be provided to students, staff, and the school community on conflict management, bullying prevention, sensitivity to diversity and special needs, and effective intervention strategies. Training should also be provided to all educators and administrators to reinforce cultural awareness, encompassing education on different cultures and languages.

OUR RECOMMENDATIONS: AN AGENDA FOR ACTION

Education and Training

1

The Ministry should provide training and resource materials on the application and procedures regarding the Safe Schools Act and related policies.

2

The Ministry and boards should provide training for all staff in schools on:

- cultural awareness
- the benefits of diversity
- the needs of students experiencing mental health challenges,
- the needs of students protected by the Child and Family Services Act
- students with special needs, and
- students who experience violence at home

3

Boards should provide ongoing training for:

- all school staff and students on the application and procedures regarding the Safe Schools Act, the Ontario Human Rights Code, and board and local school policies
- for teachers and administrators on mitigating factors and the school's incident investigation process to ensure that all students are treated fairly
- for all staff in schools on behavioural management of students

Priorities for Action

7. Communication

Improved communication at all levels of the education system reinforces our shared commitment to building and maintaining safe schools and communities.

Our Findings: What Ontarians Believe

Safe and respectful learning environments require effective communication of the purpose and philosophy of the Safe Schools Act. The Safe Schools Act enables teachers, principals and school boards to consider all factors in disciplinary matters. If a principal or a school board decides that mitigating factors are applicable, they will make a decision, within the context of the progressive discipline continuum, whether or not to proceed with a suspension or expulsion for the student. However, there is a perception that the Safe Schools Act focuses on zero tolerance rather than promoting appropriate behaviours. Ending the use of the term and the perception of 'zero tolerance' requires a clearer understanding of the Act which can be achieved through training (see previous Training section) and communication. An effective communications strategy is necessary to clarify the intent of the Safe Schools Act and to ensure fairness and consistency in the application of the Act.

Ontarians express concern that the level and effectiveness of ongoing communication among schools, families and communities may vary across the province. Concern is also expressed that parents may not feel engaged or informed about school policies and procedures, and may not see a clear role for themselves in keeping their children and schools safe.

Ongoing communication must take place between all school staff and parents on student progress and behaviour. More information must be shared by local schools and school boards with parents, students and the school community about the Safe Schools Act, the Ontario Code of Conduct and related board and school policies, processes and appeals.

In addition, ongoing and effective communication between parents and the school community should be fostered to ensure that all partners in education are aware of, and equipped for, their respective roles in supporting student success.

OUR RECOMMENDATIONS: AN AGENDA FOR ACTION

Communication

1

Boards and schools should:

- fully and effectively communicate with parents, staff and students about the Safe Schools Act and related board and school policies and processes
- use common language to communicate the School Code of Conduct and the Safe Schools Act in an accessible and culturally sensitive format
- provide complete information to parents on student behaviour and progress, prevention and intervention strategies and programs
- provide complete information in a timely fashion to parents and students on the appeals process (including roles, rights and responsibilities) and the availability of alternate programs

Priorities for Action

8. The Provincial Safe Schools Framework

A provincial schools framework should be created to provide one-stop access to various legislation, statutes, policies, regulations and support documents that all seek to promote and support a safe learning environment.

Our Findings: What Ontarians Believe

Ontarians would like to see a coordinated and consistent framework for safe schools, which is readily available and clearly articulated to all education partners. Schools, families and communities need to be aware of all of the legislation, various policies and programs which support safe schools, understand how these components of the framework are integrated; and how they support safe learning environments for all and support student success. Effective communication will ensure that all parties understand their rights and responsibilities to help ensure that the framework is fairly and consistently applied to all students.

Creating and maintaining positive and safe school environments requires that all stakeholders understand the Safe Schools Act and the policies related to it. This includes but is not limited to the Provincial Code of Conduct as well as several policies (e.g. A Policy on Anti-Racism and Ethnocultural Equity and A Violence-Free Schools Policy) and also encompasses established protocols such as the Police/School Board Protocol. Other legislation, both provincial and federal, should be referenced since it contributes and forms a component of the overall framework for safe schools. With this framework, consideration should be given to developing new policies or guidelines. For example, concern was expressed in regard to the use of physical restraints for students with special needs; consideration could be given to developing a provincial policy for physical restraints.

Data is an important and critical element that informs decision-making and supports best practices. It's important for parents, students and the public to know what is happening in their schools. For the first time in 2005, the Ministry collected, verified and made public suspension and expulsion data from school boards to provide a provincial picture. School boards have been encouraged to use this data to assist them in identifying and developing appropriate strategies to address issues of safety and student behaviour. Data should be used in a variety of ways; to gauge and monitor school climate; evaluate current programs and strategies, to focus resources on needed areas as well as assist in the development and implementation of new programs and policies to address school safety. Data, particularly suspension and expulsion data, should be consistently collected and monitored to measure and meet students' learning needs.

OUR RECOMMENDATIONS: AN AGENDA FOR ACTION

The Provincial Safe Schools Framework

1

The Ministry should develop a comprehensive Provincial Safe Schools Framework document which includes but is not limited to:

- the Safe Schools Act (Part XIII of the Education Act) and all regulations under the Act
- a Code of Conduct
- a Policy on Anti-Racism and Ethnocultural Equity (PPM 119),
- a Violence-Free Schools Policy (PPM 120)
- a Police/School Board Protocol,
- related policy statements, other relevant documents and clear statements relating to Progressive Discipline, Early Intervention/Prevention and Continuous Learning
- provisions within the Ontario Student Record (OSR) guideline with respect to the removal of suspension letters

2

The Ministry should:

- provide clear guidelines regarding the use and implementation of the Provincial Safe Schools Framework
- develop a resource guide to operationalize the Safe Schools Act and related policies, including whether a province-wide policy is needed on physical restraints as they pertain to students with special needs
- direct boards to consistently collect and monitor suspension and expulsion data and that the data be used to measure and meet students' learning needs

3

The Ministry and boards should review the Police/School Board Protocols with respect to:

- alignment with the language and concepts in the Youth Criminal Justice Act (YCJA)
- communication protocols including those with schools and parents
- information collection and sharing
- effective practices on how to build positive relationships among all members of the school community and the police

APPENDICES

Appendix A: The Safe Schools Action Team

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Appendix B: Glossary of Terms

For the purposes of this document only, the words used in this report have the meanings attributed to them below.

Appeals Process

All school boards in Ontario are required to have a process in place through which students and parents may appeal a suspension or expulsion. Currently any suspension over one day may be appealed. A limited expulsion may be appealed to the school board. A full expulsion by the school board may be appealed to the Child and Family Services Review Board.

Bullying

Bullying is a form of repeated aggression used from a position of power and can be physical, verbal or social. It is a dynamic of an unhealthy interaction.

Child and Family Services Review Board

When a school board expels a student, this decision may be appealed to an independent adjudicative body, the Child and Family Services Review Board.

Citizenship Development

The development of the attributes that are essential for responsible and productive citizenship.

Exclusion

A principal may refuse to admit to the school or on school premises a person whose presence would be, in the principal's judgement, detrimental to the physical well-being of the pupils.

Expulsion

A decision that prohibits a student from attending school, or participating in school-related activities for a specified or, in some cases, unspecified period of time. Currently, limited expulsions, which can only be ordered by a principal or school board, are for a period of 21 days to one year. Full expulsions, which can only be ordered by school boards, have no time limit. In order to return to school in Ontario, the student must attend and complete a Strict Discipline Program (see definition below) or equivalent as required by the Education Act and regulations.

Healing Circles

A restorative approach whereby individuals are brought together with affected individuals family members, community representatives, elders, and social service providers in a supportive and non-adversarial setting to talk about the offences and their impacts. The outcome is usually a sentencing plan that upholds the best interests of all individuals affected by the offence.

Learning to 18

The Learning to 18 legislation is a component of the phase three of the government of Ontario's *Student Success Strategy*, which includes initiatives focusing on credit recovery, alternative education, student success in grades 9 and 10, program pathways to apprenticeship and the workplace, college connections, and success for targeted groups of students. If passed, the Learning to 18 legislation would increase the school leaving age to 18 years (from 16) or until graduation by keeping students learning either in classrooms or at other approved learning programs, such as apprenticeship or workplace training. It would also create connections between secondary schools and postsecondary destinations to allow external learning to be recognized for high school credits.

Mitigating Factors

Factors or circumstances that are taken into account before selecting a consequence for an infraction. Examples of mitigating factors include the student's age, maturity, previous conduct, disability and willingness to make reparation, the nature and severity of the behaviour infraction, and whether the behaviour infraction was provoked by bullying or harassment.

Ontario Schools Code of Conduct

The Ontario Schools Code of Conduct establishes provincial standards of behaviour for students and for all individuals involved in the publicly funded school system (i.e., parents or guardians, volunteers, teachers and other staff members), whether they are on school property, on school buses or at school-authorized events or activities.

Ontario Student Record (OSR)

A record of the student's educational progress through Ontario schools. According to the Education Act, principals must collect information "for inclusion in a record in respect of each pupil enrolled in the school and to establish, maintain, retain, transfer and dispose of the record". Access to an OSR is regulated by the Act, which states that the OSR is "privileged for the information and use of supervisory officers and the principal and teachers of the school for the improvement of instruction" of the student. Every student and the parent(s) of a student under the age of eighteen must be made aware of the purpose and content of, and have access to, all of the information in the OSR.

Peer Mediation

Programs in which students are trained to act as mediators to help other students resolve conflict.

Policy and Program Memorandum (PPM)

A policy and program memorandum issued by the Ministry to school boards that sets out government policy and gives specific directions.

Prevention

The establishment of programs such as bullying prevention, citizenship development, and other positive activities designed to promote building healthy relationships and appropriate behaviours.

Progressive Discipline

A series of defined steps or consequences progressively applied as disciplinary interventions to improve student behaviour.

Restitution

A restorative approach that gives the individual a chance to address the infraction by encouraging the individual make his or her plan for restitution, which may include service to the victim, the school, or the community.

Restorative Practice

A response to wrongdoing that focuses on a healing process for those affected by inappropriate behaviour and on the opportunity for the individual to fully understand the impact of his or her actions. Restorative practices in school include peer mediation, healing circles, and group conferencing. It is also known as restorative justice.

Safe Reporting

Safe reporting policy and procedures allow students who have been bullied or who have witnessed bullying to report these incidents safely without any fear of reprisal with the knowledge that there will be appropriate action taken.

Safe Schools Act

The Safe Schools Act is Section XIII of the Education Act and which describes the initiatives schools must undertake to keep the schools safe and the procedures which govern student behaviour.

Safe Schools Climate Surveys

Schools conduct a school climate assessment to collect student, staff and parent perspectives on school safety and establish a baseline of information to inform decision-making in regard to programs or initiatives (e.g. bullying prevention). Climate surveys, tools and reports may be found at: <http://www.edu.gov.on.ca/eng/teachers/safeschools.html>.

Safe Schools Teams

The bullying prevention strategy is supported by school based schools teams who will help schools determine and address their local needs. The team should be composed of students, teachers, the principal and parent representatives. It should be noted that many schools have teams in place (perhaps with another name) that address issues of school and student safety, bullying prevention and promotion of a positive school climate.

School Council

A school advisory body composed of parents and other members of the school and community, which makes recommendations to principals and school boards with the intent to improve student achievement and enhance the accountability of the education system to parents.

Special Education Advisory Committee (SEAC)

According to Subsection 57.1(1) of the Education Act, every district school board must establish a Special Education Advisory Committee (SEAC). Likewise, each school authority must establish a SEAC in accordance with Regulation 464/97, which stipulate the composition and duties of this committee. Members may include local associations' representatives, school board members, and Native representatives. It may also include members who do not belong to any of these groups.

Strict Discipline Program

Established in 2001 as pilot projects across the province, programs were developed to address the educational, social, emotional and behavioural needs of those students fully expelled by school boards. Completion of these programs or equivalent is mandatory for students to re-enter the Ontario school system.

Student with Special Needs

Also known as “exceptional pupil”, which is defined in Subsection 1(1) of the Education Act as “a pupil whose behavioural, communicational, intellectual, physical or multiple exceptionalities are such that he or she is considered to need placement in a special education program by a committee, established under subparagraph iii of paragraph 5 of subsection 11 (1), of the board, (a) of which the pupil is a resident pupil, (b) that admits or enrolls the pupil other than pursuant to an agreement with another board for the provision of education, or (c) to which the cost of education in respect of the pupil is payable by the Minister.”

Suspension

An order that prohibits a student from attending school or participating in school-related activities for a period of up to 20 school days. Currently, a teacher may suspend a student for up to one school day. Under certain circumstances, the Safe Schools Act requires mandatory suspension by a principal for a period of up to 20 school days.

Zero tolerance

Zero tolerance is not referenced in the Safe Schools Act. However, the Safe Schools Act does set out mandatory consequences for specific infractions, but also enables teachers, principals and school boards to consider several mitigating factors before suspending or expelling a student. There is considerable variation as to how “zero tolerance” is interpreted by different individuals, but it is loosely perceived as automatic suspension or expulsion for serious offences regardless of any factors or conditions surrounding the incident.

Appendix C: Legislation and Regulations

This report encompasses a review of the Safe Schools Act as well as its regulations, and related policies. Legislation, regulations and policy documents can be viewed through the ministry website at www.edu.gov.on.ca. For direct access and retrieval, the links for the legislation, regulation, or policy are provided below.

Anti-Racism and Ethnocultural Equity (PPM 119)

<http://www.edu.gov.on.ca/extra/eng/ppm/119.html>

This Policy/Program Memorandum (PPM) contains information on the development and implementation of school board policies on anti-racism and ethnocultural equity.

Child and Family Services Act

<http://www.canlii.org/on/laws/sta/c-11/20060412/whole.html>

The principal purpose of the Child and Family Services Act is to promote the best interests, protection and well being of children.

Education Act

http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/90e02_e.htm

The Education Act and the regulations made under it is the legislation that governs the operation of schools, school boards, and school authorities in Ontario.

Ontario Human Rights Code

http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/90h19_e.htm

The Ontario Human Rights Code is the law that confers every person in Ontario equal rights and opportunities without discrimination in areas such as employment, housing and services. The Code's purpose is to prevent discrimination and harassment based on race, colour, sex, handicap, religion, and age, to name some of the sixteen grounds.

Ontario Schools Code of Conduct

<http://www.edu.gov.on.ca/eng/document/brochure/conduct/conduct.html>

The Ontario Schools Code of Conduct specifies the standards of behaviour (encompassing respect, civility, responsible citizenship and physical safety) and the mandatory consequences (e.g. police involvement, immediate suspension) for actions that do not meet these standards. It also delineates the roles and responsibilities of school boards, principals, teachers and school staff, students, parents, and police and community members.

Provincial Model for a Local Police/School Board Protocol

<http://www.edu.gov.on.ca/eng/document/brochure/protocol/protocol.html>

The Provincial Model for a Local Police/School Board Protocol identifies the elements that must be included when developing a police/school board protocol or when modifying an existing protocol. This document is intended to allow police services and school boards to address service delivery arrangements and unique factors and/or considerations that may affect individual jurisdictions.

Safe Schools Act (part XIII of the Education Act) and regulations

http://www.e-laws.gov.on.ca/DBLaws/Statutes/English/90e02_e.htm#BK515

The Safe Schools Act became part of the Education Act in 2000. Its first section provides a description of the initiatives schools must undertake to keep a school safe, including a code of conduct and police–school board protocol. Its second section sets out the procedures that govern student discipline.

Violence-Free Schools Policy (PPM 120)

<http://www.edu.gov.on.ca/extra/eng/ppm/120.html>

This Policy/Program Memorandum (PPM) contains information on school board policies on violence prevention in schools.

Youth Criminal Justice Act (YCJA)

<http://laws.justice.gc.ca/en/Y-1.5/265283.html>

The Youth Criminal Justice Act is the legislation that governs the way in which youths are prosecuted under Canada's criminal justice system. It places an emphasis on keeping youth out of court and out of custody.

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