

# Suspension and Expulsion: What Parents Need to Know

**A positive school climate and a safe learning and teaching environment are essential if students are to succeed in school.**

## Positive School Climate

A positive school climate means everyone — parents, students, staff and community members — feels welcome and respected.

## Ontario's New Approach

Ontario's new approach to making schools safer involves progressive discipline. This involves the whole school and combines discipline with opportunities for students to continue their education. Students will also have more opportunities to learn from the choices they make.

Progressive discipline promotes positive student behaviour. It also enables the principal to choose the consequences that are appropriate to the student's needs and behaviour.

## The Facts on Suspension and Expulsion

Use this guide to find out:

- What can lead to suspension or expulsion
- What factors will be considered before students are suspended or expelled
- What programs are now available to help expelled students or students on long-term suspension keep learning and get back on track.

Visit [ontario.ca/safeschools](https://ontario.ca/safeschools) to learn more about Ontario's new approach to making schools safer. The website also includes information on bullying prevention and progressive discipline.

# Suspension

**Students who are suspended from school now have more opportunities to continue learning and to help them stay on track with their education.**

## What Is Suspension?

A suspension means students are removed from school temporarily for a specific period of time. Students may be suspended for a period of time ranging from one school day to 20 school days. Students who are suspended for more than five school days are considered to be on long-term suspension. Students cannot take part in school activities or events while suspended.

## Who Decides If Students Are Suspended?

Only the principal can suspend students.

## How Will Parents Hear About It?

When students are suspended, the principal will make every reasonable effort to let the student's parents or guardians know within 24 hours. This will be followed by a letter notifying them about the suspension. The letter will include important information, such as:

- Reason for the suspension
- Length of the suspension
- Information on the right to appeal the suspension
- The supervisory officer's contact information, in case parents have questions

Students on long-term suspension will receive information about the program to which they are assigned.

## What Can Lead to Suspension?

Suspension will be considered whether the incident happens at school, at a school-related activity (like a field trip), or in any other circumstances where the student's behaviour has a negative impact on the school climate. This can include activities such as cyberbullying. Cyberbullying is bullying that happens through technology, like email or a cell phone.

In some situations, the principal will consider suspension. For other, more serious incidents, the principal will automatically suspend students and consider whether to recommend expulsion. These more serious activities are listed in the expulsion section.



### 3 **Suspension:** What Parents Need to Know

The principal must consider suspension if students have engaged in any of the activities listed below. They include:

- Uttering a threat to inflict serious bodily harm on another person
- Possessing alcohol or illegal drugs
- Being under the influence of alcohol
- Swearing at a teacher or at another person in a position of authority
- Committing an act of vandalism that causes extensive damage to school property at the student's school or to property on school premises
- Bullying
- Any other activities identified in school board policy.

#### **What Does a Principal Consider Before Suspending Students?**

Before suspending students, the principal must consider the individual student. This means that students involved in the same incident may not face the same consequences.

For example, one student may be suspended, while another student is not. Or, one student's suspension may be longer than another's. The principal can decide on different consequences for each student, based on mitigating and other factors.

Principals will consider the following mitigating and other factors:

- The student's age
- The student's history, (for example, disciplinary history; whether progressive discipline has already been tried; or personal history such as a recent trauma in the student's life)
- Whether the student can control his/her behaviour
- Whether the student can understand the possible consequences of his/her behaviour
- Whether the student's presence in the school creates an unacceptable risk to anyone else
- Whether the behaviour is related to harassment because of the student's race, ethnic origin, religion, disability, gender, sexual orientation or any other type of harassment
- How the discipline will affect the student's ongoing education.



#### 4 **Suspension:** What Parents Need to Know

If students have special education needs and have an Individual Education Plan, the principal will also consider:

- Whether the behaviour was a manifestation of a disability identified in the student's plan
- Whether appropriate accommodation has been provided
- Whether suspension is likely to aggravate or worsen the student's behaviour or conduct.

#### **Can Suspensions Be Appealed?**

All suspensions can be appealed to the school board. Written notice of the request for an appeal must be sent to the supervisory officer of the board within 10 school days of the start of the suspension.

The appeal must be heard within 15 school days of the board receiving the notice of appeal, unless the parents and school board have agreed to an extension. If parents have questions about the appeal, they can contact the supervisory officer.

#### **What Happens When Students Are Suspended?**

Students can be suspended for a period of one to 20 school days. Students who are suspended for more than five school days are considered to be on a **long-term suspension**.

- Students who are suspended for **one to five school days** are expected to receive a homework package.
- Students who are suspended for **six to 10 school days** must be offered an academic program that will help them keep learning. Students are encouraged to participate. The board will develop a program for each student's needs.
- Students who are suspended for **11 to 20 school days** must be offered an academic program, as well as supports to promote positive behaviour. For example, supports like anger management or career counselling can help engage and motivate students and encourage positive behaviour. Students are encouraged to participate in these programs. The board will develop a program based on each student's needs once the student agrees to participate.

#### **What Programs Are Students Offered?**

Once students have been suspended for more than five school days and agree to participate in a program for suspended students, a planning meeting is held. The student, school and board staff, and parents or guardians (wherever possible) attend the meeting. The purpose of the meeting is to identify the:

- Student's needs
- Student's risk factors
- Type of supports required to help the student continue learning as part of the academic program
- The objectives of the Student Action Plan.



## 5 **Suspension:** What Parents Need to Know

Students who participate in the program will have a **Student Action Plan** developed. The plan identifies the academic component and any additional supports to promote positive behaviour the student will receive. Each student's plan will be developed to meet his or her needs. The plan will depend upon the student's needs, length of the suspension, the nature and severity of the behaviour, and any other mitigating factors.

For students suspended for **six to 10 school days**, the plan must:

- Outline objectives for the student
- Include an academic component
- Identify the student's needs and any type of supports the student might need to keep learning.

For students suspended for **11 to 20 school days**, the plan must:

- Outline objectives for the student
- Include an academic component
- Include supports to promote positive behaviour.

### **Academic Component**

This part of the program will follow the Ontario curriculum and ensure that students have the opportunity to continue their education. If students have special education needs and have an Individual Education Plan, the board must provide supports consistent with the plan.

### **Supports to promote positive behaviour**

This part of the program identifies services and supports to help students develop long-term positive attitudes and behaviours. These could include:

- Anger management
- Referral for substance-abuse counselling
- Career counselling for secondary school students to help engage and motivate them and encourage positive behaviour.



## What Happens When Students Return From a Suspension?

Suspended students must return to school after the suspension is over. While a program for suspended students must be offered, students do not have to participate in or complete a board program to return to school.

For students returning from a suspension lasting more than five school days, the principal will hold a **re-entry meeting** with the teacher, student and, where possible, the student's parent(s) to:

- Make the student's transition back to school easier
- Identify any extra academic or other supports to promote positive behaviour the student may need when returning to school.

Community agencies that have been working with the student are also encouraged to attend the re-entry meeting.

### Guide to Programs for Suspended Students

Suspension	Planning Meeting	Student Action Plan		Plan for re-entry to school	Re-entry meeting
		Academic Component	Behaviour Support		
1-5 school days	Not required	Not required	Not required	Not required	Not required
6-10 school days	✓	✓	Not required	✓	✓
11-20 school days	✓	✓	✓	✓	✓

### Learn More

Contact the school principal or the school board to find out more.

Check out your school board website.

Learn more about Ontario's new approach to making schools safer by visiting [ontario.ca/safeschools](http://ontario.ca/safeschools)



# Expulsion

**Students who are expelled from school now have more opportunities to continue their education. Students must also be offered additional supports, such as counselling, to promote positive behaviour.**

## What Is Expulsion?

Expulsions are different from suspensions. They do not have a time limit. Expelled students are removed from school for an indefinite time period. Students are suspended first, while expulsion is being considered.

Students can be expelled from their own school. Or, they can be expelled from all schools in their board.

Students expelled from all schools in their board cannot go to school or take part in school activities or events. For example, expelled students cannot go on field trips or take part in school team events.

## Who Decides If Students Are Expelled?

The principal cannot expel students but can recommend expulsion to the school board. Only the school board can expel students.

## How Will Parents Hear About It?

Students are suspended while the principal considers whether to recommend expulsion. When students are suspended, the principal will make every reasonable effort to let their parents or guardians know within 24 hours. This will be followed by a letter notifying them about the suspension. The letter will also include important information, such as:

- Reason for the suspension
- Length of the suspension
- Notice of the principal's investigation into the incident
- Information about the program for suspended students to which the student is assigned
- Information on how and when to appeal the suspension.

## What Can Lead to Expulsion?

If students have engaged in any of the behaviours listed below, the principal must immediately suspend them and expulsion will be considered. This will happen whether the incident took place at school, at a school-related activity (e.g. a field trip), or in any other circumstances where the activity has a negative impact on the school climate.



## 8 **Expulsion:** What Parents Need to Know

These include:

- Possessing a weapon, including a firearm
- Using a weapon to cause or threaten bodily harm to another person
- Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner
- Committing sexual assault
- Trafficking in weapons
- Trafficking in illegal drugs
- Committing robbery
- Giving alcohol to a minor
- Any other activities identified in school board policy.

### **What Happens If Students Engage In One Of These Activities?**

1. The student will be immediately suspended.
2. The principal must then investigate the matter to determine whether to recommend to the school board that the student be expelled. The principal must make every effort to speak to the student who was suspended, his/her parents or guardians, and anyone else who may have relevant information.

### **What Does a Principal Consider?**

Before recommending to the school board that a student be expelled, the principal must consider the following mitigating and other factors:

- The student's age
- The student's history (for example, disciplinary history; whether progressive discipline has already been tried; or personal history such as a recent trauma in the student's life)
- Whether the student can control his/her behaviour
- Whether the student can understand the possible consequences of his/her behaviour
- Whether the student's presence in the school creates an unacceptable risk to anyone else's safety
- Whether the behaviour is related to harassment because of the student's race, ethnic origin, religion, disability, gender, sexual orientation or any other type of harassment
- How the discipline will impact the student's ongoing education.

If students have special education needs and have an Individual Education Plan, the principal will also consider:

- Whether the behaviour was a manifestation of a disability identified in the student's plan
- Whether appropriate accommodation has been provided
- Whether expulsion is likely to aggravate or worsen the student's behaviour or conduct.





## 9 **Expulsion:** What Parents Need to Know

3. Following the investigation, the **principal will either:**
  - a. Decide the student should not be recommended for expulsion. In this case, the principal has 3 choices:
    1. Maintain the existing suspension
    2. Confirm the student is still suspended, but shorten the length of the suspension and update the student's record
    3. Withdraw the suspension and remove it from the student's record even if the suspension has already been served.
  - b. Recommend to the school board that the student be expelled.
    - If the principal recommends to the school board that it expel the student, the principal will prepare a report of his/her findings and recommend that the student be expelled from his or her school only, or
    - all schools in the board.

This report is sent to the parents and the school board.

4. The school board will then hold an **expulsion hearing**. This must happen within 20 school days of the suspension. Trustees — who are authorized to act on behalf of the school board — make the decision on the expulsion. The student and his/her parents or guardians have the opportunity to explain their views.

After the expulsion hearing, the **school board** will:

- a. Decide not to expel the student. If the board makes this decision it can then:
  - Confirm the current suspension
  - Confirm the student is still suspended, but shorten the length of the suspension and update the student's record
  - Withdraw the suspension and remove it from the student's record (see section on suspension).

**OR**

- b. Decide to expel the student only from his or her school.

**OR**

- c. Decide to expel the student from all schools in the board.



### What Happens When Students Are Expelled?

- If students are **expelled from their school only**, the board will assign them to another school in the board. Boards should make supports and resources available to students, where necessary. These supports could include anger-management counselling.

#### OR

- If students are **expelled from all schools in the board**, the board must offer them academic and additional supports to promote positive behaviour in a program for expelled students. If students complete the program, they can return to school.

Parents will receive written **notice of expulsion**. It will give them information on the new school or the board program the student can access. It will also include information on how to appeal.

### How Can Expelled Students Return?

Students who have been **expelled from their school only** may wish to return to their original school at a later date. They can write to the board asking to return. It is then up to the board to decide whether the student can return to the school.

#### OR

Students **expelled from all schools in the school board** can apply to return to school — with their original school board or a new school board if they are a resident in that board's area.

1. If students have successfully completed a school board program for expelled students, they must be readmitted to school.
2. If the board program for expelled students believes that the students have met its program objectives through another route, such as work experience, then the school board must readmit them.
3. If students have not successfully completed a program or met program objectives through another route, they are still expelled.

A re-entry plan must be developed for all returning students to help the student make the transition back into school. The student, parents and teachers will meet with the principal to develop this plan. The plan should include:

- Strategies to help make the student's return to school more successful
- Identify any extra academic or supports to promote positive behaviour the student may need when returning to school.



### **Can Expulsions Be Appealed?**

All expulsions can be appealed to a tribunal within 30 school days after the expulsion notice has been received. Information on how to appeal the decision will be included in the notice of expulsion. Parents who wish to appeal should contact the school board.

### **What Programs Are Students Offered?**

If students are expelled from their school, school boards should make supports and resources available to them at their new school.

If students are expelled from all schools in the board and agree to participate in the program for expelled students, the principal will hold a planning meeting. The meeting will be held with the student and include school and board staff, as well as parents or guardians (wherever possible).

The purpose of the meeting is to identify the:

- Student's needs
- Student's risk factors
- Type of services and supports required to help the student continue learning.

Students who participate in the program will have a **Student Action Plan** developed. The plan identifies the academic component and supports to promote positive behaviour they will receive. Each student's plan will depend on the student's needs, the nature of the behaviour, and any mitigating and other factors. In developing the Student Action Plan, boards will determine the content of the program. The plan will be reviewed regularly to determine the student's progress in meeting the objectives of the plan.

#### **Academic Component**

This part of the program ensures that students have the opportunity to continue their education. They will continue to follow the Ontario curriculum.

If students have special education needs and an Individual Education Plan, the board must provide supports consistent with the plan.



## 12 **Expulsion:** What Parents Need to Know

### Supports to promote positive behaviour

This part of the program will help students develop long-term positive attitudes and behaviours. It identifies services and supports students might need. These could include:

- Anger management
- Referral for substance abuse counselling
- Career counselling for secondary school students to help engage and motivate them, and encourage positive behaviour.

### Guide to Programs for Expelled Students

Suspension/ Expulsion	Planning Meeting	Student Action Plan		Plan for re-entry to school	Re-entry meeting
		Academic Component	Behaviour Support		
Suspension pending expulsion (up to 20 school days)	✓	✓	✓	✓	✓
Expulsion from his/her own school	<ul style="list-style-type: none"><li>• Student is assigned to another school of the board.</li><li>• Boards should make supports and resources available to students where necessary.</li></ul>				
Expulsion from all schools of the board	✓	✓	✓	✓	✓

### Learn More

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