

Toronto District School Board

Policy P051

Title: **CARING AND SAFE SCHOOLS**

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Authorization: Board of Trustees

1.0 RATIONALE

The Caring and Safe Schools Policy (the “Policy”) affirms the Board’s commitment to creating school learning environments that are caring, accepting, safe, peaceful, nurturing, positive, equitable and respectful, and that enable all students to reach their full potential. This Policy supports the implementation of Toronto District School Board’s (the “Board”) obligations under the *Education Act*, *Municipal Freedom of Information and Protection of Privacy Act*, *Ontario Human Rights Code*, *Accessibility for Ontarians with Disabilities Act*, *the Charter of Rights and Freedom*, Ontario Regulations 440/20, 472/07 and 474, the Provincial Code of Conduct, and the direction of the Ministry of Education stated in Policy/Program Memoranda (PPM) Nos. 119, 120, 128, 141, 142, 144 145 and PPM 166.

2.0 OBJECTIVE

- To ensure that all students feel that they belong, are heard, accepted, safe, supported and cared for through the creation of positive school climates that reflect themselves, value their voices and foster a culture of mutual respect and healthy relationships; and
- To enhance and maintain working and learning environments that embed principles of equity, anti-oppression, anti-racism, acceptance and inclusion in procedures, practices and programs that support the safety, dignity, health and well-being of all.

3.0 DEFINITIONS

Acceptance refers to a form of affirmation and recognition of people whose Race, Ancestry, Place of Origin, Colour, ethnic origin, citizenship, Creed, Sex, Sexual

Orientation, Age, Gender Identity and expression, Marital Status, Family Status, abilities, or other, similar characteristics or attributes are different from one's own. Acceptance goes beyond tolerance, in that it implies a positive and welcoming attitude.

Board refers to the Toronto District School Board, which is also referred to as "TDSB".

Board Property refers to property vested in the board for school purposes including lands, school buildings on lands, school site or sites.

Bona Fide for the purposes of this Policy refers to real, genuine or authentic concerns that can be verified through documentation.

Bona Fide Requirements refers to allowing an organization to show that a requirement, qualification or factor that results in discrimination is reasonable and bona fide (legitimate). However, to do this, the organization must first show that the needs of the person (including the "needs of the group" they belong to) cannot be accommodated without creating undue hardship.

Bullying, as per subsection 1(1) of the *Education Act*, refers to aggressive and typically repeated behaviour (through any physical, verbal, electronic, written or other means) by a pupil where, (a) the behaviour is intended by the pupil to have the effect of, or the pupil ought to know that the behaviour would be likely to have the effect of, (i) causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual's reputation or harm to the individual's property, or (ii) creating a negative environment at a school for another individual, and (b) the behaviour occurs in a context where there is a real or perceived power imbalance between the pupil and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race, disability or the receipt of special education; ("intimidation").

Bullying can occur in situations where there are real or perceived power imbalances between individuals or groups, and may be a symptom of racism, classism, homophobia, sexism, religious discrimination, ethnic discrimination or other forms of bias and discrimination. Bullying can also be based on, but not limited to, body size, appearance, abilities, or other real or perceived factors. Perceptions about differences are often based on stereotypes perpetuated in broader society.

Bullying, including cyber-bullying, may be intentional or unintentional, direct or indirect. It can take many forms including physical (for example, pushing, tripping), verbal (for example, name calling, insults, threats, sexist/racist/transphobic comments), social, also known as relational (for

example, spreading rumours, intentionally excluding others, humiliating others with public gestures) and causing harm to one's property.

Bullying, including cyber-bullying, may intersect with other forms of sexual exploitation including, but not limited to, sextortion and the non-consensual sharing of intimate images. Traffickers and other sexual predators are increasingly using fake accounts to pose as acquaintances or friends of children and youth to lure, groom and recruit them into engaging in sexual acts or services. Children and youth who experience bullying are at increased risk for being sex trafficked.

Cyber Bullying, as per subsection 1(1) of the Education Act, refers to bullying by electronic means, including, (a) creating a web page or a blog in which the creator assumes the identity of another person; (b) impersonating another person as the author of content or messages posted on the internet; and (c) communicating material electronically to more than one individual or posting material on a website that may be accessed by one or more individuals.

Examples of cyber-bullying may include:

- sending or sharing hateful, insulting, offensive, and/or intimidating electronic communication or images via text messages, emails, direct messages
- revealing information considered to be personal, private, and sensitive without consent
- making and/or engaging, and/or participating in fake accounts on social networking sites to impersonate, humiliate and/or exclude others
- excluding or disrupting access to, a student on purpose from online chat groups, access to accounts and during digital gaming sessions
- Increasing the use of digital platforms enhances the threat of cyber-bullying as well as other safety risks.

Emergency Crisis Response Plan (ECR) refers to the response plan must include, but is not limited to plans for lockdown, hold and secure, shelter-in-place bomb threats. Teachers, staff, parents, and students should be involved in the development and monitoring of the Emergency and Crisis Response Plan.

Equality refers to the achievement of equal status in society in terms of access to opportunities, support, rewards and economic and social Power for all without regard to Race, Colour, Creed, Culture, Ethnicity, linguistic origin, Disability/ level of ability, socio- economic class, Age, Ancestry, Nationality, Place of Origin, Religion, Sex, Gender Identity, Gender Expression, Sexual Orientation, Family Status, and Marital Status.

Equity refers to the equality of opportunities and outcomes for all by responding fairly and proportionally to the needs of individuals. Equity is not the same as equal treatment because it recognizes a social-cultural power imbalance that unfairly privilege some while oppressing others and therefore focuses on redressing disparity - meeting individual needs to ensure fair access, outcomes and participation that results in equality, acknowledging historical and present Systemic Discrimination against identified groups and removing barriers, eliminating Discrimination and remedying the impact of past discrimination and current oppression. Equity practices ensure fair, inclusive and respectful treatment of all people, with consideration of individual and group diversities and Intersectionality of multiple social identities, access to privileges and impacts of oppression. Equity honours and accommodates the specific needs of individuals/groups.

Expulsion refers to the response related to serious misbehaviour by a student. An expulsion is different from a suspension. An expulsion does not have a time limit and expelled students are removed from school for an indefinite time period. Students are suspended first, while expulsion is being considered (Education Act s.310). Students can be expelled from their own school or, they can be expelled from all schools in their school board. Students expelled from all schools in their school board cannot go to school or take part in regular school activities or events. For example, expelled students cannot go on field trips or take part in school team events. All students who are expelled from all schools of the Board will be offered a program for expelled students.

Hate refers to the expressions of bias, prejudice and bigotry that are carried out by individuals, groups, organizations and states, directed against stigmatized and marginalized persons and groups in communities, and intended to affirm and secure existing structures of domination and subordination. Hate activities and incidents represent some of the most destructive forms of Human Rights-based Discrimination by promoting hatred against identifiable groups of people. Some hate incidents are also considered criminal offences committed against a person or property and motivated, in whole or in part, by Bias or Prejudice based on real or perceived Race, Ancestry, Place of Origin, Colour, ethnic origin, citizenship, Creed, Sex, Sexual Orientation, Gender Identity, Gender Expression, Age, Marital Status, Family Status, Socio-Economic Status or Disability/ level of ability/ or any other similar factors (*Ontario Human Rights Code* prohibited grounds).

Inclusion refers to a way of thinking and acting that demonstrates universal acceptance and promotes a sense of belonging for all learners. It is an attitude and approach that embraces diversity and learner differences and promotes equitable opportunities for all learners.

Inclusive Education refers to education that is rooted in Anti-Oppressive Practice ensuring equity in content, pedagogy, access and climate based on the principles of acceptance, inclusion and learning designed to meet the individual needs of all learners to achieve fair and successful outcomes. Students see themselves

reflected in their curriculum, school staff teams, their physical surroundings, and the broader environment, in which diversity is honored and all individuals are respected.

Individual Education Plan (IEP) as defined in the Individual Education Plans: Standards for Development, Program Planning, and Implementation, Ministry of Education, 2000, refers to a written plan describing the Special Education program and/or services required by a particular student. It identifies learning expectations that are modified from, or alternative to, the expectations given in the curriculum policy document for the appropriate grade and subject or course, and/or any accommodations and Special Education services needed to assist the student in achieving their learning expectations.

School Climate refers to the learning environment and relationships found within a school and school community.

School Related Activity refers to activities sponsored by and usually held at school or are related to school and support the academic curriculum. They often involve some time commitment outside of the regular school day.

Positive School Climate refers to a whole school approach that may be defined as the learning environment and relationships found within a school and school community. A positive school climate exists when all members of the school community feel safe, included, and accepted, and actively promote positive behaviours and interactions. Principles of Equity and Inclusive Education are embedded in the learning environment to support a positive school climate and a Culture of mutual respect. A positive school climate is a crucial component of bullying prevention.

Progressive Discipline refers to a whole-school approach that uses a continuum of prevention programs, interventions, supports, and consequences to address inappropriate student behaviour, as well as a variety of strategies to promote and foster positive behaviours. Disciplinary measures are applied within a framework that shifts the focus from one that is solely punitive to one that is both corrective and supportive.

Racism, Bias and Hate (RBH) Portal refers to the online system which enables detailed incident reporting on racism and hate incidents involving or impacting students in schools. It also provides a record of responses to such incidents, in the form of action plans and communication strategies, while allowing for the identification of any potential lessons learned, good/best (see PR697 for details).

Refusal to Admit refers to a temporary response from a school principal to certain situations as explained in section 265(1)(m) of the *Education Act*.

It is the duty of a principal of a school, in addition to the principal's duties as a teacher, subject to an appeal to the

board, to refuse to admit to the school or classroom a person whose presence in the school or classroom would in the principal's judgment be detrimental to the physical or mental well-being of the pupils.

All students who are refused admittance to their school will be offered a program through Caring and Safe Schools.

Suspension refers to the temporary withdrawal of a student from a specific school and from engaging in school-related activities if the pupil commits any infraction for which suspension must be considered under section 306 of the *Education Act*. 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 up to 20 school days. Students cannot go to school or take part in regular school activities or events while on suspension. All students who are suspended 5 days or more will be offered a program for suspended students.

TDSB refers to the Toronto District School Board, which is also referred to as the "*Board*".

Undue Hardship refers to the measure for any limitations to provision of human rights accommodations under the Ontario Human Rights Code. Accommodations need not be provided if it causes undue or excessive hardship. However, some degree of hardship is acceptable. Undue hardship is assessed in terms of overall cost, outside sources of funding (if any) and health and safety factors. Evidence must be objective, real, direct and in the case of cost, quantifiable and so substantial it would alter the essential nature of the enterprise. Other 'bona fide' requirements of an organization, such as legislative requirements may also account for undue hardship factors to consider, as long as the said requirement is adopted in good faith and reasonably meant to fulfil a necessary goal, purpose or function of the organization.

4.0 RESPONSIBILITY

The Director of Education holds primary responsibility for implementation of this Policy.

Within the Director's Office, the responsibility for coordination, day-to-day management of the Policy is assigned to the Executive Superintendent, Human rights and Indigenous Education and Centrally Assigned Principal, Caring and Safe Schools.

5.0 APPLICATION AND SCOPE

This Policy applies to all students and employees of the Board.

The Policy also covers, parents/guardians, school council members, visitors, third party service providers, volunteers, permit holders, customers of the Board and other members of organizations while partaking in any activities that occur in Board premises or while engaging in Board related functions.

Schools and school-related activities, such as extra-curricular activities and excursions comprise the learning and working environment, fall within the scope of this Policy, as do Board offices and facilities (including eating, lounge/changing areas and vehicles used for work purposes or on work property). Conferences, workshops, training sessions and staff functions (e.g., staff parties, retirement celebrations) also fall within the scope of this Policy.

6.0 POLICY

6.1 BOARD COMMITMENT: EQUITABLE, ANTI-OPPRESSIVE, CARING, SAFE, ACCEPTING, RESPECTFUL AND INCLUSIVE ENVIRONMENTS FOR ALL

- 6.1.1 The Board values the dignity, worth and individual needs and diverse social identities of every student and is committed to identifying individual and systemic bias, or barriers that limit, discriminate or otherwise negatively impact students preventing them from reaching their full potential.
- 6.1.2 The Board acknowledges that individual and systemic bias, oppression and discrimination exist within the TDSB school system, and regardless of intent, may be perpetuated and have a negative impact on students and families unless the Board takes a focused, explicit, persistent and determined action to identify, challenge and overcome them.
- 6.1.3 The Board is committed to ensuring both systemic practices and individual behaviours reinforce a culture of fairness, equity, anti-oppression, human rights and social justice, to effectively promote the values and skills needed for a healthy, inclusive, accepting, peaceful, responsible and democratic society, as the foundation of every TDSB school.
- 6.1.4 The Board believes that all students have the right to learn and achieve success, and acknowledges the impact of school climates on students' success.
- 6.1.5 The Board is committed to fostering positive school climates rooted in principles of Fairness, Non-discrimination, anti-Oppression, Anti-Racism Equity, Acceptance and Inclusive education practices that value, engage, promote and support healthy student, staff, and school community relationships as in accordance with the Equity Policy (P037). This pertains to all aspects of policy, programming, hiring practices,

professional development, progressive discipline, resources, supports, reporting and data collection, and community partnerships.

- 6.1.6 The Board recognizes that negative behaviours and violence such as: abuse, bullying, intimidation, systemic oppression, racism (e.g. anti-Indigenous and anti-Black racism) and other forms of historic, institutional discrimination and or other types of harassment, bias, prejudice and hate; directly impact the whole school climate, as well as students' dignity, health, well-being, and ability to fully participate and succeed to their full potential.
- 6.1.7 The Board acknowledges that historical trauma is intergenerational trauma experienced by oppressed groups, especially racialized groups, in particular, Indigenous and Black students and families that have and continue to be impacted by systemic oppression.
- 6.1.8 The Board acknowledges the significance of utilizing trauma-informed approaches and healing engagement strategies in support of all students and families
- 6.1.9 The Board will ensure that all schools effectively respond to and implement prevention and intervention programs, strategies and practices to best provide accepting, respectful, welcoming, inclusive, caring, compassionate and healthy working and learning environments – free from discrimination, harassment and hate.
- 6.1.10 The Board will promote actions that are proactive, by focusing on early identification and intervention in response to abuse, bullying, discrimination, intimidation, bias, prejudice, hate and violence in any form, whether systemic or based on individual actions of staff, students or community members.
- 6.1.11 The Board will promote actions that focus on the long-term prevention of violence, harm, and discrimination through educational programs and services.
- 6.1.12 The Board will build on its commitment to create positive school climates by educating about building healthy relationships and preparing students and staff to manage conflict in their relationships in constructive, non-violent, restorative and equitable ways.
- 6.1.13 The Board is committed to ensuring that student mental health and well-being are at the fore front of a school's improvement planning process.

6.2 PARENT AND GUARDIAN ENGAGEMENT

- 6.2.1 The Board values and respects the insights and voices of parents and guardians of different identities (e.g. social, religious, and any other identities), in understanding how schools can better serve all students.
- 6.2.2 The Board acknowledges the role that all parents and guardians have in ensuring student success.
- 6.2.3 The Board is committed to providing opportunities to promote parent and guardian engagement in all facets of students' school experience including all aspects related to creating, establishing, promoting and maintaining positive school climates.
- 6.2.4 The Board therefore expects that all schools will engage parents and guardians in consultation seek feedback from, raise awareness for and involve parents, guardians and caregivers in school plans related to establishing a positive school climate.
- 6.2.5 The Board expects that culturally relevant community resources will be provided to newcomers along with information regarding the availability of after-school programs and activities (which may not exist in their country of origin).

6.3 BOARD COMMITMENT: SUPPORT OF INTERVENTION STRATEGIES

- 6.3.1 The Board will provide program support to ensure TDSB schools have access to specialized personnel (for example Professional Support Services staff: Social Worker, Psychologist, Behavioural Support Team, Itinerant Guidance Staff, Behavioural Itinerant Teams, Caring and Safe Schools staff, Child and Youth Worker, Mental Health Leads, Settlement Workers for newcomers) that provide early identification of risk factors and support to reduce the risk of harm to individual students. As always, parents must be part of this process.
- 6.3.2 The Board will provide supports and staff (i.e. a caring adult) for every student by ensuring TDSB schools have programs, activities and resources that focus on counselling and assessment support as well as building student leadership and engagement, healthy relationships, mental health and well-being, supports for newcomers inclusive and equitable learning opportunities and positive school climates.
- 6.3.3 The Board requires TDSB schools to develop a bullying prevention and intervention plan (PR703 Bullying Prevention and Intervention Appendix A). Board staff will continue to provide ongoing learning and supports to schools to review and implement their bullying prevention and intervention plans from an anti-racist and anti-oppressive approach and incorporate it into their school improvement plan. This plan must include culturally responsive and relevant professional learning and awareness

raising opportunities for staff, students and parents/guardians/caregivers to recognize and stop patterns of bullying, harassment, social exclusion and other harmful behaviours). Further, the School Improvement Plan shall be posted on every schools' web page for parents and guardians to view.

- 6.3.4 The Board will ensure TDSB schools have conflict resolution and restorative practices in place for constructive, healthy, and mutually respectful problem solving during and after incidents of conflict. Parents/guardians/ caregivers, students and staff will be included in dialogue to resolve conflicts (this may occur before or after the use of progressive discipline).
- 6.3.5 The Board will ensure TDSB schools have an integrated approach to progressive discipline (PR 702 Progressive Discipline and Promoting Positive Student Behaviour) that utilizes a continuum of prevention programs, interventions, supports and consequences to address inappropriate student behaviour. TDSB Schools will be responsible for:
- implementing strategies that foster behaviour consistent with a positive school climate (see definition in section 3 of this Policy); and
 - developing and implementing progressive discipline plans in accordance with the Board and School Codes of Conduct (mitigating and other factors must be considered prior to making a final discipline decision) that are included in the School's Improvement Plan.
- 6.3.6 The Board requires that if a student is to be suspended or if a recommendation for an expulsion for a student is being made that school Principals and Vice-Principals have considered mitigating and other factors and progressive discipline and know how their social identity, cultural bias and or social-cultural privileges will influence their discipline decision. In order to do this Principals and Vice-Principals must consider how inherent individual and systemic bias, oppression and discrimination will affect their discipline decision.
- 6.3.7 The Board requires that TDSB schools accept, welcome and support students who require a non-discretionary and discretionary transfer (see PR540 - Non-discretionary and Discretionary Student Transfers).
- 6.3.8 The Board will provide TDSB schools with the necessary resources to ensure that all students who have been impacted by or engaged in inappropriate behavior are listened to and supported.

6.4 BOARD COMMITMENT: SUPPORT OF PROFESSIONAL LEARNING, STAFF DEVELOPMENT AND PREVENTION STRATEGIES

- 6.4.1 The Board will support TDSB schools to establish and provide culturally responsive and relevant professional learning and development programs to increase staff capacity and leadership in issues of bullying, safety, bias, power, privilege, and existing laws and policies, practices, frameworks, and pedagogies that critically examine and address anti-oppression, anti-racism (e.g. anti-Indigenous and anti-Black racism), and challenges faced by Indigenous students, those with physical and intellectual and all other forms of individual and systemic discrimination. The Board will also ensure culturally responsive and relevant professional learning deepens staff awareness of gender diversity, sexual orientation, race, ability, class and the Intersectionality of multiple social identities.
- 6.4.2 The Board will provide culturally responsive and relevant professional learning that offers effective, early intervention and prevention strategies, as well as, practices to deal with incidents related to Human Rights, equity, power and privilege, racism, abuse and neglect, unhealthy relationships, bullying and violence prevention and any discriminatory and or harmful behaviours that negatively impact school climate.
- 6.4.3 In accordance with the TDSB's Human Right Policy (P031), complaints related to Human Rights issues can be filed through the Racism, Bias, and Hate Portal as detailed in the the Reporting and Responding to Racism and Hate Incidents Involving or Impacting Students in Schools Procedure (PR697).
- 6.4.4 The Board will develop and deliver, on a continuous basis culturally responsive professional development programs that educate teachers and other staff about equity, bullying prevention and strategies for promoting a Positive School Climate. The Board must ensure all staff receives training at least once annually.
- 6.4.5 The Board will ensure that culturally responsive and relevant professional learning opportunities are based on demographic data, identify gaps, barriers and bias and provide opportunities for staff, students and the community to build an awareness of power and privilege within anti-oppressive practices. These culturally responsive and relevant professional learning opportunities will be coordinated through the Learning Network Superintendents of Education and the Office of the Associate Director, Learning Transformation & Equity

- 6.4.6 The Board will ensure that TDSB schools have restorative practices that provide students with continual opportunities to learn communication skills, conflict resolution, and cross-cultural understanding.
- 6.4.7 The Board will require TDSB schools as part of their bullying prevention and intervention plan to provide culturally responsive training and resources to educate staff, students, and inform school community members regarding all gender and sexual identities, healthy sexuality, consent, boundaries, healthy relationships, gender equity, gender-based violence prevention, and how to get support for addressing abuse, harassment, discrimination or any other form of related violence.
- 6.4.8 The Board will require TDSB schools to develop and review annually a bullying awareness and prevention plan as part of their school improvement plan. This plan will include school-based activities for bullying prevention education, including the promotion of 'Bullying Awareness and Prevention Week' and the on-going programming culturally responsive for bullying prevention, intervention support and strategies for promoting positive school climates.
- 6.4.9 The Board requires TDSB schools to promote equity, anti-oppression and inclusive education focused on human rights, a positive school climate that is inclusive and accepting of all students and staff, regardless of their race, colour, creed, culture, ethnicity, linguistic origin, disability, level of ability, socio-economic class, age, ancestry, nationality, place of origin, religion, sex, gender identity, gender expression, sexual orientation, body image, citizenship, immigration status, family status, and marital status. TDSB schools are also to ensure that all practices, procedures and interactions (including code of conduct investigations and disciplinary decisions) are conducted using a critical equity lens consistent with the TDSB Equity Policy (P037) and the *Ontario Human Rights Code*.

6.5 BOARD COMMITMENT: PARTICIPATION AND ACCOUNTABILITY TO THE BOARD

- 6.5.1 The Board expects that all students, staff and community members (including permit holders) adhere to the Board Code of Conduct.
- 6.5.2 The Board will require TDSB schools to develop and review annually a School Code of Conduct which must adhere to the Board Code of Conduct.
- 6.5.3 The Board values all student voice (including those who use assistive devices), input and active involvement and will foster student self-advocacy and empowerment, including student and peer leadership opportunities for both traditional and non-traditional student leaders. Working in conjunction with TDSB schools, the Board will ensure that

student voices and decision-making play a critical role in the annual review of the code of conduct, dress codes, other similar procedural standards, student events; activity planning; and school improvement planning to support positive school climates.

- 6.5.4 The Board will ensure all students are provided with equitable access, to all engagement opportunities including student council, TDSB Student Senate and will have access to safe and accepting school committees and a variety of student-led activities, teams, and/or clubs. Engagement will be equitable to ensure that no voices are excluded, ignored or privileged to the disadvantage of one or more social identity groups over another. TDSB schools must make every effort to ensure that student engagement opportunities are communicated in multiple, accessible formats.
- 6.5.5 The Board will provide program opportunities for students who are long-term suspended (more than 5 days) and who are expelled from all schools of the Board. This program will include both academic and non-academic support.
- 6.5.6 The Board will ensure that all students (Grades 4-12), parents/guardians/caregivers and staff complete a School Climate Survey focused on equity, well-being, safety and bullying every two years and use the analysis of this data to review practices and revise existing school improvement plans in consultation with local school-based Caring, Safe and Accepting Schools' teams. These surveys must be conducted anonymously results of the survey should be posted publicly when available.
- 6.5.7 The Board will ensure TDSB schools have a Caring, Safe and Accepting Schools' teams comprised of at least one student (where there is a student council in place), one parent/guardian/caregiver, one teacher, one support staff, one community partner, the principal, the school equity representative and the Positive Spaces representative. The chair of the team will be a staff member. Student mental health and well-being must be at the fore front of all Caring, Safe and Accepting School Teams. In addition, this Team will be responsible for, but not limited to, advising on the development and implementation of the School Code of Conduct, the Bullying Prevention and Intervention Plan, the School Progressive Discipline Plan, as well as, the equity commitments and positive school climate programming that address identified gaps and supports the Multi-Year Strategic Plan.
- 6.5.8 The Board will work with TDSB schools to take advantage of existing TDSB partnerships and/or foster new partnerships to support developing and sustaining positive and peaceful school climates.

6.5.9 The Board recognizes the negative impact and history that many students have experienced with policing in some of our school communities and commits to respecting that history by placing all of our students' needs at the center of how we construct our partnership with police services. Schools will work within the guidelines set out in the Police/School Board Protocol (PR698) to establish, maintain and support positive, mutually respectful and healthy relationships with their local police division.

6.5.10 The Board will establish a clear, transparent and consistent process, free from reprisals, to register concerns for persons who feel they are not being listened to or supported. The process will be available to students, staff, parents/guardians and community to voice concerns, make reports and lodge complaints of any unfair treatment or if subjected and or witnesses to any behaviours that have a negative impact on school climate; especially bullying, harassment, discrimination, bias, prejudice or hate.

6.6 BOARD COMMITMENT: RESPONSE AND REPORTING

6.6.1 The Board requires an employee of the Board, who works directly with students, to respond immediately to any school behaviour that would have a negative impact on any aspect of the school climate.

6.6.2 The Board requires any employee of the Board and third parties (e.g., volunteers, contractors, vendors, etc.) that witnesses or has an incident disclosed to them that would breach the Code of Conduct, to inform the school administration in writing before the end of day (see PR697 – Promoting a Positive School Climate). In addition:

- Students must be provided a process to report incidents anonymously (if so desired), safely and free from reprisal;
- Administration will investigate each Caring and Safe Schools Incident Report (CSSIR) providing staff with a receipt and follow established procedures for investigation and progressive discipline as required;
- Final Discipline Decisions – Principals must consider progressive discipline and apply mitigating and other factors when making a final decision about school discipline. All decisions are determined based on a balance of probabilities. The Principal shall add the CSSIR to the aggressor student(s) Ontario Student Record OSR;

- Principals are required to notify parents or guardians of all students who have been involved in an incident and invite them to have a discussion about the supports that will be provided to their child, exceptions to this notification include receiving a pupil's consent to notify the parent or guardian if the pupil is 18 years or older; or, 16 and 17 years old and has withdrawn from parental control. Further, the principal shall not notify a parent or guardian of a pupil if in the opinion of the principal doing so would put the pupil at risk of harm from a parent or guardian of the pupil, such that the notification is not in the best interest of the pupil; (Ed Act section 300.3; subsection 1, 2 and 3 and Equity Policy (P037), section 6.(f))
- A full accounting of CSSIRF reporting data (school, type of incident, gender, race, IEP, grade level, and others as appropriate) must be reported to Family of Schools' Superintendents of Education (SO) quarterly and from SO's to Board annually.

6.6.3 After a thorough and fair investigation, if there has been a determination that an incident occurred which negatively impacted school climate, school administration are to implement a prevention based, communication and awareness raising plan to address all students affected.

6.7 SITE SAFETY

6.7.1 The Board will require TDSB schools that have a video surveillance system or who will be installing a video surveillance system to review their need for this system on an annual basis and include staff, students and the community in the consultation/review process. (Board sites should follow the guidelines set out in PR 694 Video Surveillance)

6.7.2 Access to school board premises is determined by the premises' site manager, typically the school Principal. The parameters for access to school board premises are set out in O. Reg. 474/00, Access to School Premises, under the *Education Act*. Further if a site manager (typically the school principal) deems it necessary to deny access to the school premises they will follow the steps set out in the procedure (See PR523 Access to School Board Premises)

6.7.3 The Board requires that each TDSB school develop and maintain an Emergency and Crisis Response Plan (ECR Plan) related to threats to school safety in accordance with the Provincial Model for a Local Police/School Board Protocol 2015, as issued by the Ministry of Education, as well as TDSB policies and procedures. Schools will use this ECR Plan in the development of their school Emergency and Crisis

Response Plan. These plans will include how schools will deal with emergencies that occur outdoors, on school trips and at non-instructional times.

- 6.7.4 The Board is committed to creating schools that are caring, safe and accepting. It is therefore important that each school have entry and exit plans that are understood by all members of the school community and reviewed annually. Secondary schools are to establish, review and communicate which doors are open, locked and to be used by whom, during specified times. Elementary schools are to establish, review and communicate the Ministry of Education's Safe Welcome Program (Secure Front Door Access). In all buildings, creating a single point of entry is ideal. This allows visitors to the school to be given direction regarding their visit to the school (i.e. come to main office, sign in and obtain a visitor pass).

6.8 REFUSAL TO ADMIT

- 6.8.1 The Board will establish a procedure that will outline the processes for refusing admittance of a student to a school. The procedure will outline the steps a school principal has to take when exercising section 265(1)(m) of the *Education Act*, which states that the Board has the right to refuse admittance to the school or classroom any person whose presence in the school or classroom would in the principal's judgment be detrimental to the physical or mental well-being of the pupils.
- 6.8.2 Refusal to Admit decisions must also fall into accordance with human rights accommodations as outlined in the Human Rights Code and provide evidence of undue hardship arising from 'bona fide' health and safety concerns by admitting certain persons into the school or classroom.
- 6.8.3 Where a student with a disability (regardless of if they have special education identification) engages in behaviour that affects the well-being of others and the school principal is contemplating issuing a refusal to admit the Board may be able to argue that to accommodate the student would cause undue hardship based on health and safety concerns, specifically, that the accommodation would pose a risk to public safety. However, the seriousness of the risk will be evaluated only *after* accommodations have been provided that are consistent with the student's Individual Education Plan (IEP) and only after appropriate precautions have been taken to mitigate the risk.
- 6.8.4 Determination for issuing a refusal to admit will include an analysis of alternative options developed in consultation with appropriate senior and central staff (i.e., Superintendent of Education, Centrally Assigned

Principals for Caring and Safe Schools and Special Education) as well as the student's parents/guardians.

6.8.5 All students refused admittance to their school will be offered a program through Caring and Safe Schools.

6.9 MONITORING AND EVALUATION

6.9.1 The Board will measure successful implementation of its policy commitments through regular evaluation, reports and review as follows:

- Continuous collection Code of Conduct reports and data related to incidents of school safety. At least every two years, each student (from grades 4-12), parent/guardian and staff will be anonymously surveyed about their experience within school climates with a focus on Positive School Climates, Acceptance, Inclusion, well-being, Equity and safety.
- At least every 5 years, a demographic census of students, parent/guardians, and staff will be conducted.
- Conducting quantitative and qualitative research on school safety that examines reasons for the over-representation of suspensions/ expulsion among certain student demographic populations, particularly: Black, Indigenous and students with special education needs.
- A system to gather and track reports of incidents and complaints related to Harassment, Discrimination, Bias, Prejudice or Hate and report this information to the Board.

6.9.2 The Board will annually publish the "Caring and Safe Schools report" which will contain the following data:

- number of suspensions, expulsions, and violent incidents by school, by type of incident, by grade and gender identity, by race, by exceptionality or IEP and any other demographics where available.

6.9.3 School Incident and Code of Conduct data, School Climate data and demographic census data will be analysed for correlations with all other relevant reporting data and statistics. The analysis results should be used to identify safety concerns, equity gaps, demographic trends and systemic barriers. The results can also be used to measure success of prevention programs and to prioritize areas of focus for Board from the Multi-Year Strategic Plan.

7.0 SPECIFIC DIRECTIVES

The Director has authority to issue operational procedures to implement this Policy.

8.0 EVALUATION

This Policy is to be reviewed and updated as required but at a minimum every four (4) years.

9.0 APPENDICES

- Not Applicable

10.0 REFERENCE DOCUMENTS

Policies:

- Equity Policy (P037)

Operational Procedures:

- Board Code of Conduct (PR585)
- Hearing of and Appeal Under Section 265(1)(m) of the Education Act (PR602)
- Programs for Students on Long Term Suspension or Expulsion (PR586)
- Bullying Prevention and Intervention (PR703)
- Police-School Board Protocol (PR698)
- Progressive Discipline (PR702)
- Promoting a Positive School Climate Procedure (PR697)
- Access to School Board Premises (PR523)
- Non-Discretionary and Discretionary Student Transfers (PR 540)
- Video Surveillance (PR 694)
- Reporting of Suspected Wrongdoing (PR710)

Legislative Acts and Regulations:

- *Accessibility for Ontarians with Disabilities Act*
- *Charter of Rights and Freedom*
- *Education Act Ontario Human Rights Code*
- *Ontario Regulation 440/20, Suspension of Elementary School Pupils*
- *Ontario Regulation 472/07, Suspension and Expulsion of Pupils*
- *Ontario Regulation 612/00, School Councils*
- *Municipal Freedom of Information and Protection of Privacy Act*

Other Documents:

- Policy/Program Memorandum (PPM) 81: Provision of Health Support Services in School Settings

- Policy/Program Memorandum (PPM)119: Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools
- Policy/Program Memorandum (PPM) 120: Reporting Violent Incidents to the Ministry of Education
- Policy/Program Memorandum (PPM) 128: The Provincial Code of Conduct and School Board Code of Conduct
- Policy/Program Memorandum (PPM) 141: School Board Programs for Students on Long-term Suspension
- Policy/Program Memorandum (PPM) 142: School Board Programs for Expelled Students
- Policy/Program Memorandum (PPM) 144: Bullying Prevention and Intervention
- Policy/Program Memorandum (PPM) 145: Progressive Discipline and Promoting Positive Student Behaviour
- Policy/Program Memorandum (PPM) 166: Keeping students safe - Policy framework for school board anti-sex trafficking protocols
- Ontario Human Rights Commission: Policy on accessible education for students with disabilities 2018
- Toronto District School Board Multi-Year Strategic Plan