

KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD

PROGRAM REVIEW COMMITTEE MEETING

Tuesday, September 22, 2020 at 7:00 p.m.

Roy H. Wilfong Boardroom, 1994 Fisher Drive, Peterborough, Ontario

A G E N D A

- ITEM 1. **CALL TO ORDER AND LAND ACKNOWLEDGEMENT**
We would like to acknowledge that we are meeting on the traditional territory of the Mississauga First Nations.
- ITEM 2. **ADOPTION OF AGENDA**
- ITEM 3. **DECLARATIONS OF CONFLICTS OF INTEREST**
- ITEM 4. **ADOPTION OF MINUTES**
for the Meeting held on Monday, June 8, 2020
- ITEM 5. **BUSINESS ARISING FROM THE MINUTES**
- ITEM 6. **PRESENTATIONS/DELEGATIONS**
- ITEM 7. **DECISION ITEMS**
- 7.1 **Decision Reports**
Nil
- 7.2 **Policy Reviews**
Nil
- ITEM 8. **INFORMATION ITEMS**
- 8.1 **Student Achievement Reports**
Nil
- 8.2 **Student Achievement Initiatives**
- 8.2.1 Suspensions in Junior Kindergarten to Grade 3: Updated Factsheets
- 8.2.2 KPRDSB Learn at Home Program
- 8.3 **Discussion Items**
Nil
- ITEM 9. **CORRESPONDENCE**
- ITEM 10. **BOARD MEMBER ADDITIONS**

ITEM 11. **FUTURE MEETING DATES**

October 13, 2020

November 10, 2020

January 12, 2021

February 9, 2021

March 9, 2021

April 13, 2021

May 11, 2021

June 15, 2021

(all Meetings will be held at 7:00 p.m. in the Boardroom unless otherwise noted)

ITEM 12. **ADJOURNMENT**

SUBJECT TO COMMITTEE APPROVAL

KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD

DRAFT PROGRAM REVIEW COMMITTEE MINUTES

Tuesday, June 8, 2020 at 7:00 p.m.

Roy H. Wilfong Boardroom, Education Centre, Peterborough, ON

ATTENDANCE

Present: Trustees S. Russell (Committee Chairperson), D. Lloyd (Chairperson of the Board), S. Bobka (Vice-chairperson of the Board), C. Abraham, C. Dickson and K. Dupuis.

Regrets: Trustee J. Klassen Jeninga.

Also Present: Trustees R. Kitney, A. Lloyd and E. Ojeda; and J. Tompkins, G. Ingram, P. Mangold, J. Nigro, M. Crowe, J. Dugan, M. LaPointe, H. Newton, S. Read, M. Robitaille, D. Smith and P. Jones.

In light of the current health advisory and public health measures in place provincially, the committee met virtually using the WebEx platform and livestreamed through the KPR YouTube channel.

Call to Order and Land Acknowledgment

Trustee S. Russell, Committee Chairperson, called the meeting to order (7:04 p.m.) and welcomed members and guests to the meeting. It was acknowledged that the Committee was meeting on the traditional territory of the Mississauga First Nations.

Adoption of Agenda

**MOVED BY C. Abraham, SECONDED BY C. Dickson
That the agenda be adopted as printed.**

CARRIED

Adoption of Minutes

**MOVED BY C. Abraham, SECONDED BY D. Lloyd
That the Minutes of the last meeting held on Tuesday, May 12, 2020, be adopted as recorded.**

CARRIED

Safe, Caring and Restorative Schools Update

Superintendent P. Mangold provided an update on Safe, Caring and Restorative Schools, indicating that the challenges faced during the 2019-2020 school year related to job action and a world-wide pandemic, have impacted the goals of creating a KPR Restorative Practice Committee, training system leaders in recognizing and preventing substance abuse, and continuing training in Violence Threat Risk Assessment (VTRA). Each are at various stages of implementation.

It was reported that a cross section of staff received initial Restorative Practice Training in August 2019, as the first step in the creation of a KPR cross departmental committee designed to promote and train staff and students over the upcoming years. Additional training was scheduled for December 2019 and May 2020, however was put on hold due to job action and the inability to have staff participate in professional development sessions. The importance of ensuring the sustainability of the program was emphasized, and plans to resume training in the 2020-2021 school year are currently being pursued.

Superintendent Mangold spoke to the training of KPR system leaders in the recognition and prevention of substance abuse that was scheduled for the April Principals' meeting and was subsequently postponed by the health units. This training was a topic identified by administrators as an area of concern that warranted further learning. Contingent upon scheduling and availability, it is anticipated that training may be initiated by the health units in the upcoming school year.

Discussion was held regarding opioid training and the issue of procuring naloxone kits for KPR schools, as the kits have a 2 year expiry date and are due for replacement during the next school year. Superintendent Mangold indicated that discussions with his colleagues in other Boards are ongoing, as all are facing similar challenges in that cost is somewhat prohibitive. It was indicated that additional dialogue with Safe Schools colleagues in other boards will continue into the fall, to ensure that a potential solution is pursued. It was also suggested that the Ontario Public School Boards' Association (OPSBA) may consider pursuing the matter, as it is an issue that impacts all school boards in the province.

Information was shared regarding Board Policy No. ES-1.1, Safe, Caring and Restorative Schools, which provides direction to schools regarding the consequences for unacceptable behaviour up to and including suspensions and expulsions. Suspension and expulsion data is tracked and submitted to the Ministry of Education each September for the previous school year.

Suspension and expulsion details for the period between 2016-2017 and 2019-2020 were provided. It was reported that during this period, there was a 20% increase in the total number of suspensions, and a 19% increase in the total number of students being suspended, while the total student population increased by approximately 5% during the same time period. It was indicated that expulsions have decreased however, with 14 in 2016-2017 and 12 in 2018-2019. The current school year has seen a spike in expulsions with 15 prior to the March Break, however this figure includes 3 expulsions

that resulted from hearings that took place in September 2019, for incidents that occurred at the end of the 2018-2019 school year.

Discussion was held regarding the potential inclusion of information related to the various reasons for suspensions/expulsions in future reports, in order to provide trustees with an indication of specific trends, i.e. increases in violence, drug possession, property damage, or other causes. This information would be useful for the formulation of intervention plans as well. Administration indicated that the disaggregation of this information will be pursued on a go forward basis, so that trends and patterns of the types of infractions or offences that have led to a suspension/expulsion are identified, with a goal to share as appropriate in the fall.

Information was also shared regarding Violence Threat Risk Assessments (VTRAs), which are initiated by the school principal when a potential threat of violence occurs. A breakdown in the number of VTRAs by panel and level of severity was provided to committee members.

Providing safe and caring learning environments for our students continues to be a priority. School climate surveys, to be conducted in late November or early December, will provide data for schools to gauge the effectiveness of school climate efforts in the areas previously identified and to adjust to our new realities heading into the 2020-2021 school year, in which the mental health of staff and students will be the primary focus.

Indepth discussion was held and additional questions of clarification were addressed.

MOVED BY D. Lloyd, SECONDED BY S. Bobka
That the Safe, Caring and Restorative Schools Update report, dated June 8, 2020, be received for information.

CARRIED

Indigenous Education Curriculum Review Update

Superintendent J. Nigro provided an update on the Indigenous Education Curriculum Review, indicating that in response to the Calls to Action in the Truth and Reconciliation Commission Report, KPR launched the NBE (Contemporary Aboriginal Voices) Gr. 11 English course for all Grade 11 students in September 2019.

It was reported that all elementary and secondary school leadership teams were offered support in identifying a specific area of Indigenous integration with their School Improvement Plans. As a Department, respectful relationships continue to be actively built with community partners to further support Indigenous families and students within KPR and their academic achievement.

Information was shared regarding a number of initiatives the department is currently engaged in as follows:

- Healthy and participatory student leadership training has been modelled through the Director's Indigenous Student Advisory Group (DISAG) as a means to support the relevancy of Indigenous Ways of Knowing and Teaching curriculum connections.
- Two teams comprised of KPR consultants and teachers created, implemented and presented professional training with relevant resources to support all of the Grade 11 NBE teachers.
- Monthly secondary school visits by Indigenous Education consultants were undertaken as part of a focused support of NBE teachers as well as further curriculum support and Indigenous student check-ins.
- The Indigenous Education Department site and app will continue to provide detailed and current curriculum support for all KPR staff to move forward in a respectful and culturally-safe manner.
- All KPR schools identified an area of Indigenous focus in their School Improvement Plans.
- In partnership with the Nogojiwanong Friendship Centre access to funding from Jordan's Principle was facilitated and successful growth of the elementary panel's Lunch and Learn program was noted.
- 70 secondary panel students served on the DISAG this year. School-based Indigenous Student Advisory Groups were also initiated this year as a natural growth from these successful gatherings.

MOVED BY C. Abraham, SECONDED BY S. Bobka
That the meeting be extended (9:00 p.m.).

CARRIED

Staff members in attendance provided an overview of each of their roles, sharing their experiences and perspectives on the nature of their work at the school and system levels.

Discussion ensued and the following recommendation was adopted.

MOVED BY S. Bobka, SECONDED BY D. Lloyd
That the Indigenous Education Curriculum Review Update report, dated June 8, 2020, be received for information with sincerest thanks.

CARRIED

Census Report Action Plan – Socioeconomic Status and Achievement/Opportunity Gaps

Superintendent Nigro reported that in the 2018-2019 school year, KPR conducted the Every Student Matters census to gather demographic data about the students and families we serve. These data will correlate to other achievement and opportunity data to determine gaps in service to students.

It was indicated that 86% of students in Grades 7-12, and 42% of parents/guardians of students from Kindergarten to Grade 6, responded to the survey. A frequency data

report was released in November 2019 that reported on the responses to each of the survey questions.

A draft report relating socioeconomic status to achievement and opportunity was released in May 2020. An overview of the notable achievement and opportunity gaps identified for students of lower socioeconomic status was provided. The fundamental beliefs that all students can learn at high levels, and systems and schools can be transformed to address conditions and begin to close achievement and opportunity gaps, were shared.

A review of the Census Action Plan Framework was provided. It was indicated that the Plan is always in draft as it will constantly change, and has been developed with short-term, medium-term and long-term interventions to begin to close achievement and opportunity gaps in KPR. It was indicated that the most important phase of any Census is with actions taken to address the achievement and opportunity gaps. The new KPR Strategic Plan articulates this as a priority.

It was reported that the next set of board-level reports will look at 2SLGBTQ+ students and racialized students, and that school-based reporting on socioeconomic status (SES) should be available by the fall of this year.

Discussion was held and questions of clarification were addressed.

MOVED BY S. Bobka, SECONDED BY C. Abraham
That the Census Report Action Plan – Socioeconomic Status and
Achievement/Opportunity Gaps, dated June 8, 2020, be received for information.
CARRIED

Future Meeting Dates

Future meeting dates for the 2020-2021 school year were reviewed. The next meeting of the Program Review Committee will be held in the Roy H. Wilfong Boardroom at the Education Centre, 1994 Fisher Drive, Peterborough, at 7:00 p.m. on Tuesday, September 22, 2020.

Adjournment

MOVED BY D. Lloyd, SECONDED BY C. Abraham
That the meeting be adjourned (10:13 p.m.).
CARRIED

Steve Russell
Committee Chairperson

KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD

TO: Program Review Committee

TOPIC: **Suspensions in Junior Kindergarten to Grade 3: Updated Factsheets**

INITIATOR: Jamila Maliha, Superintendent of Education: Student Achievement

BACKGROUND

1. As a follow up to the July 2020 announcement of [Ontario's Action Plan to Address Systemic Racism in Schools](#), the Ministry has created new regulations that change how student behaviour is addressed in Junior Kindergarten to Grade 3.
2. The latest provincial suspension data from 2018-19 shows that over 65,000 elementary and secondary students in Ontario were suspended during that school year. These regulations are intended to provide equal opportunity to education for all students, including Indigenous and racialized students.

STATUS

3. The new regulations (Appendix A) remove the discretion of the principal to suspend students in Junior Kindergarten to Grade 3 for activities listed in subsection 306 (1) (Appendix B) of the Education Act, beginning in the 2020-2021 school year. These behaviours should be addressed with the appropriate positive behaviour supports in the school setting. Activities listed in subsection 310 (1) (Appendix B) will still be subject to mandatory suspensions, pending the results of an investigation.
4. The Ministry has updated the following resources to provide information on how staff must handle student incidents that occur at school, at school-related activities or in any other circumstances where the student's behaviour can have a negative impact on the school climate:
 - [Reporting and Responding: A Resource for Board Employees](#)
 - [Reporting and Responding to Incidents: A Resource for Occasional Teachers](#)
 - [Suspensions and Expulsions: What Parents and Students Need to Know](#)

These resources are intended to support a shared understanding among school staff, students and parents with regards to policies and procedures related to inappropriate student behaviour.
5. The Suspensions in Junior Kindergarten to Grade 3: Updated Factsheets Report, dated September 14, 2020, was shared with school administrators via email during the week of September 14, 2020.

6. A WebEx Q and A for school administrators will take place after trustees have been informed.

RECOMMENDATION

1. That the Suspensions in Junior Kindergarten to Grade 3: Updated Factsheets Report, dated September 22, 2020, be received for information.

Jamila Maliha
Superintendent of Education: Student Achievement

Français

Education Act

ONTARIO REGULATION 440/20 SUSPENSION OF ELEMENTARY SCHOOL PUPILS

Consolidation Period: From July 31, 2020 to the [e-Laws currency date](#).

No amendments.

This is the English version of a bilingual regulation.

1. (1) A pupil in junior kindergarten, kindergarten or grade 1, 2 or 3 shall not be suspended under section 306 of the Act for engaging in an activity described in subsection 306 (1) of the Act.

(2) A pupil in junior kindergarten, kindergarten or grade 1, 2 or 3 shall not be suspended under section 310 of the Act for engaging in an activity described in subsection 310 (1) of the Act unless the principal has conducted an investigation respecting the allegations.

(3) The condition set out in subparagraph 7.1 i of subsection 310 (1) of the Act does not apply in respect of a suspension under section 310 of the Act of a pupil in junior kindergarten, kindergarten or grade 1, 2 or 3.

2. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION).

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Back to top

Français

CHAPTER 14

An Act to amend the Education Act in respect of behaviour, discipline and safety*Assented to June 4, 2007*

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 300 of the *Education Act* is amended by adding the following subsection:**Receipt of notice**

(3) Where notice is given to a person under this Part, it shall be considered to have been received by the person in accordance with the following rules:

1. If the notice is sent by mail or another method in which an original document is sent, the notice shall be considered to have been received by the person to whom it was sent on the fifth school day after the day on which it was sent.
2. If the notice is sent by fax or another method of electronic transmission, the notice shall be considered to have been received by the person to whom it was sent on the first school day after the day on which it was sent.

2. Section 301 of the Act is amended by adding the following subsection:**Same, procedural matters**

(6.1) The Minister may establish policies and guidelines with respect to,

- (a) appeals of a decision to suspend a pupil;
- (b) principals' investigations to determine whether to recommend that a pupil be expelled; and
- (c) expulsion hearings.

3. (1) Subsection 302 (6) of the Act is repealed and the following substituted:**Same, procedural matters**

(6) A board shall establish policies and guidelines governing,

- (a) appeals of a decision to suspend a pupil;
- (b) principals' investigations to determine whether to recommend that a pupil be expelled; and
- (c) expulsion hearings.

Same

(6.1) If the Minister has established policies and guidelines under subsection 301 (6.1), a board's policies and guidelines under subsection (6) must address such matters and include such requirements as specified by the Minister.

(2) Section 302 of the Act is amended by adding the following subsection:**Communication of policies**

(9.1) A board shall ensure that a copy of the policies and guidelines it establishes under subsections (1) and (2) are available to the public.

4. Sections 306 to 311 of the Act are repealed and the following substituted:

SUSPENSION

Activities leading to possible suspension

306. (1) A principal shall consider whether to suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

1. Uttering a threat to inflict serious bodily harm on another person.
2. Possessing alcohol or illegal drugs.
3. Being under the influence of alcohol.
4. Swearing at a teacher or at another person in a position of authority.
5. Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school.
6. Bullying.
7. Any other activity that is an activity for which a principal may suspend a pupil under a policy of the board.

Factors principal must consider

(2) In considering whether to suspend a pupil for engaging in an activity described in subsection (1), a principal shall take into account any mitigating or other factors prescribed by the regulations.

Suspension

(3) If a principal decides to suspend a pupil for engaging in an activity described in subsection (1), the principal shall suspend the pupil from his or her school and from engaging in all school-related activities.

Duration of suspension

(4) A suspension under this section shall be for no less than one school day and no more than 20 school days and, in considering how long the suspension should be, a principal shall take into account any mitigating or other factors prescribed by the regulations.

Assignment to program, etc.

(5) When a principal suspends a pupil under this section, he or she shall assign the pupil to a program for suspended pupils in accordance with any policies or guidelines issued by the Minister.

Policies and guidelines

(6) The Minister may issue policies and guidelines to boards to assist principals in interpreting and administering this section.

School-related activities

(7) A pupil who is suspended is not considered to be engaged in school-related activities by virtue of participating in a program for suspended pupils.

Only one suspension per occurrence

307. A principal may not suspend a pupil under section 306 more than once for the same occurrence.

Notice of suspension

308. (1) A principal who suspends a pupil under section 306 shall,

- (a) inform the pupil's teacher of the suspension; and
- (b) make all reasonable efforts to inform the pupil's parent or guardian of the suspension within 24 hours of the suspension being imposed, unless,
 - (i) the pupil is at least 18 years old, or
 - (ii) the pupil is 16 or 17 years old and has withdrawn from parental control.

Same

(2) A principal who suspends a pupil under section 306 shall ensure that written notice of the suspension is given promptly to the following persons:

1. The pupil.
2. The pupil's parent or guardian, unless,
 - i. the pupil is at least 18 years old, or
 - ii. the pupil is 16 or 17 years old and has withdrawn from parental control.

3. Such other persons as may be specified by board policy.

Contents of notice

(3) The notice under subsection (2) must include the following:

1. The reason for the suspension.
2. The duration of the suspension.
3. Information about any program for suspended pupils to which the pupil is assigned.
4. Information about the right to appeal the suspension under section 309, including,
 - i. a copy of the board policies and guidelines governing the appeal established by the board under subsection 302 (6), and
 - ii. the name and contact information of the supervisory officer to whom notice of the appeal must be given under subsection 309 (2).

Appeal of suspension

309. (1) The following persons may appeal, to the board, a principal's decision to suspend a pupil under section 306:

1. The pupil's parent or guardian, unless,
 - i. the pupil is at least 18 years old, or
 - ii. the pupil is 16 or 17 years old and has withdrawn from parental control.
2. The pupil, if,
 - i. the pupil is at least 18 years old, or
 - ii. the pupil is 16 or 17 years old and has withdrawn from parental control.
3. Such other persons as may be specified by board policy.

Board designate

(2) Every board shall designate a supervisory officer for the purposes of receiving notices of intention to appeal a suspension.

Notice of appeal

(3) A person who is entitled to appeal a suspension under subsection (1) must give written notice of his or her intention to appeal to the supervisory officer designated by the board within 10 school days of the commencement of the suspension.

Board to inform all parties

(4) After receiving a notice of intention to appeal under subsection (3), the board shall promptly contact every person entitled to appeal the suspension under subsection (1) and inform him or her that it has received the notice of intention to appeal.

Party may contact supervisory officer

(5) A person who has given notice of intention to appeal under subsection (3) may contact the supervisory officer designated under subsection (2) to discuss any matter respecting the appeal of the suspension and, for the purposes of this section, the supervisory officer has the powers and duties set out in board policy.

Hearing of appeal

(6) The board shall hear and determine the appeal within 15 school days of receiving notice under subsection (3), unless the parties agree on a later deadline, and shall not refuse to deal with the appeal on the ground that there is a deficiency in the notice of appeal.

Appeal process

(7) Subject to this section, an appeal shall be conducted in accordance with the requirements established by board policy.

Parties to appeal

(8) The parties to the appeal are:

1. The principal who suspended the pupil.
2. The pupil, if,
 - i. the pupil is at least 18 years old, or
 - ii. the pupil is 16 or 17 years old and has withdrawn from parental control.
3. The pupil's parent or guardian, if the pupil's parent or guardian appealed the decision to suspend the pupil.

4. The person who appealed the decision to suspend the pupil, if the decision was appealed by a person other than the pupil or the pupil's parent or guardian.
5. Such other persons as may be specified by board policy.

Pupil may attend

(9) A pupil who is not a party to the appeal under subsection (8) has the right to be present at the appeal and to make a statement on his or her own behalf.

Powers on appeal

- (10) The board shall,
 - (a) confirm the suspension and the duration of the suspension;
 - (b) confirm the suspension, but shorten its duration, even if the suspension that is under appeal has already been served, and order that the record of the suspension be amended accordingly; or
 - (c) quash the suspension and order that the record of the suspension be expunged, even if the suspension that is under appeal has already been served.

Decision final

(11) The decision of the board on an appeal under this section is final.

Committee

(12) The board may authorize a committee of at least three members of the board to exercise and perform powers and duties on behalf of the board under this section, and may impose conditions and restrictions on the committee.

SUSPENSION, INVESTIGATION AND POSSIBLE EXPULSION

Activities leading to suspension

310. (1) A principal shall suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

1. Possessing a weapon, including possessing a firearm.
2. Using a weapon to cause or to threaten bodily harm to another person.
3. Committing physical assault on another person that causes bodily harm requiring treatment by a medical practitioner.
4. Committing sexual assault.
5. Trafficking in weapons or in illegal drugs.
6. Committing robbery.
7. Giving alcohol to a minor.
8. Any other activity that, under a policy of a board, is an activity for which a principal must suspend a pupil and, therefore in accordance with this Part, conduct an investigation to determine whether to recommend to the board that the pupil be expelled.

Same

(2) A pupil who is suspended under this section is suspended from his or her school and from engaging in all school-related activities.

Duration of suspension

(3) A principal may suspend a pupil under this section for up to 20 school days and, in considering how long the suspension should be, the principal shall take into account any mitigating or other factors prescribed by the regulations.

Assignment to program, etc.

(4) When a principal suspends a pupil under this section, he or she shall assign the pupil to a program for suspended pupils in accordance with any policies or guidelines issued by the Minister.

Notice of suspension

311. (1) A principal who suspends a pupil under section 310 shall,

- (a) inform the pupil's teacher of the suspension; and
- (b) make all reasonable efforts to inform the pupil's parent or guardian of the suspension within 24 hours of the suspension being imposed, unless,
 - (i) the pupil is at least 18 years old, or

- (ii) the pupil is 16 or 17 years old and has withdrawn from parental control.

Same

(2) A principal who suspends a pupil under section 310 shall ensure that written notice of the suspension is given promptly to the following persons:

1. The pupil.
2. The pupil's parent or guardian, unless,
 - i. the pupil is at least 18 years old, or
 - ii. the pupil is 16 or 17 years old and has withdrawn from parental control.
3. Such other persons as may be specified by board policy.

Contents of notice

(3) The notice under subsection (2) must include the following:

1. The reason for the suspension.
2. The duration of the suspension.
3. Information about any program for suspended pupils to which the pupil is assigned.
4. Information about the investigation the principal will conduct under section 311.1 to determine whether to recommend that the pupil be expelled.
5. A statement indicating that,
 - i. there is no immediate right to appeal the suspension,
 - ii. if the principal does not recommend to the board that the pupil be expelled following the investigation under section 311.1, the suspension will become subject to appeal under section 311.2, and
 - iii. if there is an expulsion hearing because the principal recommends to the board that the pupil be expelled, the suspension may be addressed by parties at the hearing.

Investigation following suspension

311.1 (1) When a pupil is suspended under section 310, the principal shall conduct an investigation to determine whether to recommend to the board that the pupil be expelled.

Conduct of investigation

(2) The principal's investigation shall begin promptly following the suspension and shall be conducted in accordance with the requirements established by board policy and, for the purpose of the investigation, the principal has the powers and duties set out in the policy.

Same

(3) As part of the investigation, the principal shall make all reasonable efforts to speak with the following persons:

1. The pupil.
2. The pupil's parent or guardian, unless,
 - i. the pupil is at least 18 years old, or
 - ii. the pupil is 16 or 17 years old and has withdrawn from parental control.
3. Any other person whom the principal has reason to believe may have relevant information.

Factors principal must consider

(4) In considering whether to recommend to the board that the pupil be expelled, a principal shall take into account any mitigating or other factors prescribed by the regulations.

If expulsion not recommended

(5) If, on concluding the investigation, the principal decides not to recommend to the board that the pupil be expelled, the principal shall,

- (a) confirm the suspension and the duration of the suspension;
- (b) confirm the suspension but shorten its duration, even if the suspension has already been served, and amend the record of the suspension accordingly; or
- (c) withdraw the suspension and expunge the record of the suspension, even if the suspension has already been served.

Same: notice

(6) If the principal does not recommend to the board that the pupil be expelled, the principal shall ensure that written notice containing the following information is given promptly to every person to whom he or she was required to give notice of the suspension under section 311:

1. A statement that the pupil will not be subject to an expulsion hearing for the activity that resulted in the suspension.
2. A statement indicating whether the principal has, under subsection (5), confirmed the suspension and its duration, confirmed the suspension but reduced its duration or withdrawn the suspension.
3. Unless the suspension was withdrawn, information about the right to appeal the suspension under section 311.2, including,
 - i. a copy of the board policies and guidelines governing the appeal established by the board under subsection 302 (6), and
 - ii. the name and contact information of the supervisory officer to whom notice of the appeal must be given under section 311.2.

If expulsion recommended: report

(7) If, on concluding the investigation, the principal decides to recommend to the board that the pupil be expelled, he or she shall prepare a report that contains the following:

1. A summary of the principal's findings.
2. The principal's recommendation as to whether the pupil should be expelled from his or her school only or from all schools of the board.
3. The principal's recommendation as to,
 - i. the type of school that might benefit the pupil, if the pupil is expelled from his or her school only, or
 - ii. the type of program for expelled pupils that might benefit the pupil, if the pupil is expelled from all schools of the board.

Same

(8) The principal shall promptly provide a copy of the report to the board and to every person whom the principal was required to give notice of the suspension under section 311.

Written notice

(9) The principal shall ensure that written notice containing the following is given to every person to whom the principal was required to give notice of the suspension under section 311 at the same time as the principal's report is provided to that person:

1. A statement that the pupil will be subject to an expulsion hearing for the activity that resulted in the suspension.
2. A copy of the board policies and guidelines governing the expulsion hearing established by the board under subsection 302 (6).
3. A statement that the person has the right to respond, in writing, to the principal's report provided under this section.
4. Detailed information about the procedures and possible outcomes of the expulsion hearing, including, but not limited to, information explaining that,
 - i. if the board does not expel the pupil, it will, with respect to the suspension imposed under section 310, confirm the suspension, shorten its duration or withdraw it,
 - ii. the parties will have the right to make submissions during the expulsion hearing as to whether, if the pupil is not expelled, the suspension imposed under section 310 should be confirmed, reduced or withdrawn,
 - iii. any decision of the board with respect to the suspension imposed under section 310 made at the expulsion hearing is final and not subject to appeal,
 - iv. if the board expels the pupil from his or her school only, the board will assign the pupil to another school, and
 - v. if the board expels the pupil from all schools of the board, the board will assign the pupil to a program for expelled pupils.
5. The name and contact information of a supervisory officer whom the person may contact to discuss any matter respecting the expulsion hearing.

Party may respond

(10) A person who is entitled to receive the principal's report under subsection (8) and written notice under subsection (9) may respond, in writing, to the principal and the board.

Appeal of suspension

311.2 If the principal does not recommend to the board that the pupil be expelled and does not withdraw the suspension, the suspension may be appealed and section 309 applies for that purpose, with necessary modifications, subject to the following:

1. A person who is entitled to appeal must give written notice of his or her intention to appeal within five school days of the date on which he or she is considered, in accordance with the rules set out in subsection 300 (3), to have received the notice given under subsection 311.1 (9).
2. If the principal confirmed the suspension but reduced its duration under subsection 311.1 (8), the appeal is from the reduced suspension and not the original suspension.

Expulsion hearing by board

311.3 (1) If a principal recommends to the board that a pupil be expelled, the board shall hold an expulsion hearing and, for that purpose, the board has the powers and duties specified by board policy.

Conduct of hearing

(2) Subject to the requirements set out in this section, the expulsion hearing shall be conducted in accordance with the requirements established by board policy.

Parties

- (3) The parties to the expulsion hearing are:
 1. The principal.
 2. The pupil, if,
 - i. the pupil is at least 18 years old, or
 - ii. the pupil is 16 or 17 years old and has withdrawn from parental control.
 3. The pupil's parent or guardian, unless,
 - i. the pupil is at least 18 years old, or
 - ii. the pupil is 16 or 17 years old and has withdrawn from parental control.
 4. Such other persons as may be specified by board policy.

Pupil may attend

(4) A pupil who is not a party to the expulsion hearing under subsection (3) has the right to be present at the hearing and to make a statement on his or her own behalf.

Submissions and views of parties

- (5) At the hearing, the board shall,
 - (a) consider the submissions of each party in whatever form the party chooses to deliver his or her submissions, whether orally, in writing or both;
 - (b) solicit the views of all the parties as to whether the pupil, if he or she is expelled, should be expelled from his or her school only or from all schools of the board; and
 - (c) solicit the views of all the parties as to whether, if the pupil is not expelled, the board should confirm the suspension originally imposed under section 310, confirm the suspension but reduce its duration or withdraw the suspension.

Decision

- (6) After completing the hearing, the board shall decide,
 - (a) whether to expel the pupil; and
 - (b) if the pupil is to be expelled, whether the pupil is expelled from his or her school only or from all schools of the board.

Factors board must consider

- (7) In making the decisions required under subsection (6), the board shall take into account,
 - (a) all submissions and views of the parties, including their views as to whether the pupil, if expelled, should be expelled from his or her school only or from all schools of the board;
 - (b) any mitigating or other factors prescribed by the regulations; and
 - (c) any written response to the principal's report recommending expulsion that a person gave to the board under subsection 311.1 (7) before the completion of the hearing.

Restriction on expulsion

(8) The board shall not expel a pupil if more than 20 school days have expired since the pupil was suspended under section 310, unless the parties to the expulsion hearing agree on a later deadline.

Committee

(9) The board may authorize a committee of at least three members of the board to exercise and perform powers and duties on behalf of the board under this section, and may impose conditions and restrictions on the committee.

If pupil not expelled

311.4 (1) If a board does not expel a pupil, the board shall, with respect to the suspension originally imposed under section 310,

- (a) confirm the suspension and the duration of the suspension;
- (b) confirm the suspension, but shorten its duration, even if the suspension that is under appeal has already been served, and order that the record of the suspension be amended accordingly; or
- (c) quash the suspension and order that the record of the suspension be expunged, even if the suspension that is under appeal has already been served.

Factors board must consider

- (2) In determining which action to take under subsection (1), the board shall take into account,
 - (a) any submissions made by the parties as to whether the suspension and its duration should be confirmed, the suspension should be confirmed but its duration reduced or the suspension should be withdrawn;
 - (b) any mitigating or other factors prescribed by the regulations.

Notice that pupil not expelled

(3) After determining which action to take under subsection (1), the board shall give written notice containing the following to every person who was entitled to be a party to the expulsion hearing under subsection 311.3 (3):

1. A statement indicating that the pupil is not expelled.
2. A statement indicating whether the board has, under subsection (1), confirmed the suspension and its duration, confirmed the suspension but reduced its duration or withdrawn the suspension.

Decision final

- (4) The decision of the board under subsection (1) is final.

If pupil expelled

311.5 If a board expels a pupil, the board shall assign the pupil to,

- (a) in the case of a pupil expelled from his or her school only, another school of the board; and
- (b) in the case of a pupil expelled from all schools of the board, a program for expelled pupils.

Notice of expulsion

311.6 (1) A board that expels a pupil shall ensure that written notice of the expulsion is given promptly to,

- (a) all the parties to the expulsion hearing; and
- (b) the pupil, if the pupil was not a party to the expulsion hearing.

Contents of notice

(2) The notice under subsection (1) must include the following:

1. The reason for the expulsion.
2. A statement indicating whether the pupil is expelled from his or her school only or from all schools of the board.
3. Information about the school or program for expelled pupils to which the pupil is assigned.
4. Information about the right to appeal under section 311.7, including the steps that must be taken to appeal.

Appeal of expulsion

311.7 (1) In this section,

“designated tribunal” means a tribunal designated under the regulations to hear appeals of board decisions to expel pupils.

Certain persons may appeal

(2) The following persons may appeal a board’s decision to expel a pupil, whether the pupil is expelled from his or her school only or from all schools of the board, to the designated tribunal:

1. The pupil's parent or guardian, unless,
 - i. the pupil is at least 18 years old, or
 - ii. the pupil is 16 or 17 years old and has withdrawn from parental control.
2. The pupil, if,
 - i. the pupil is at least 18 years old, or
 - ii. the pupil is 16 or 17 years old and has withdrawn from parental control.
3. Such other persons as may be specified by the designated tribunal.

Hearing

(3) The designated tribunal shall hear and determine an appeal under this section, and, for that purpose, it has the powers and duties set out in the regulations.

Parties to appeal

- (4) The parties to the appeal are:
1. The board.
 2. The pupil, if,
 - i. the pupil is at least 18 years old, or
 - ii. the pupil is 16 or 17 years old and has withdrawn from parental control.
 3. The pupil's parent or guardian, if the parent or guardian appealed the decision.
 4. The person who appealed the decision to expel the pupil, if the decision was appealed by a person other than the pupil or the pupil's parent or guardian.

Decision final

(5) The decision of the designated tribunal on an appeal under this section is final.

Regulations

- (6) The Minister may make regulations,
- (a) designating a tribunal to hear appeals of board decisions to expel pupils;
 - (b) prescribing the procedures to be followed on an appeal under this section;
 - (c) prescribing the powers and duties of a designated tribunal under this section.

5. (1) Subsections 312 (1), (2) and (3) of the Act are repealed and the following substituted:

Programs for suspended, expelled pupils

- (1) Every board shall provide, in accordance with policies and guidelines issued by the Minister, if any,
- (a) at least one program for suspended pupils; and
 - (b) at least one program for expelled pupils.

Policies and guidelines

(2) The Minister may establish policies and guidelines with respect to programs for suspended and expelled pupils and may,

- (a) impose different requirements on the provision of the programs for different circumstances, different locations or different classes of pupils;
- (b) set criteria respecting pupils' eligibility to participate in the programs and respecting the criteria to be met for successful completion of the programs;
- (c) require boards to offer plans to assist pupils who have successfully completed a program for expelled pupils with their transition back to school and to set criteria respecting those plans; and
- (d) authorize boards, subject to such conditions and restrictions as the Minister imposes, to enter into agreements with other boards for the provision of the programs.

(2) **Subsection 312 (5) of the Act is amended by striking out "program established under subsection (2) or (4)" and substituting "program established by the Minister under subsection (4)".**

6. The Act is amended by adding the following sections:

Status of expelled pupil

313. (1) An expelled pupil continues to be a pupil of the board that expelled him or her if the pupil attends a program for expelled pupils,

- (a) offered by that board; or
- (b) offered by another board under an agreement between that board and the board that expelled the pupil.

Same

- (2) An expelled pupil ceases to be a pupil of the board that expelled him or her if,
 - (a) the pupil is assigned by that board to a program for expelled pupils and does not attend the program; or
 - (b) the pupil registers as a pupil of another board.

Powers of other board

314. (1) If a pupil who has been expelled from one board registers as a pupil of another board, the other board may,

- (a) assign the pupil to a school of that board; or
- (b) assign the pupil to a program for expelled pupils, unless the pupil satisfies the requirements of clause 314.1 (1) (a) or (b) as determined by a person who provides a program for expelled pupils.

Clarification

(2) If the other board assigns the expelled pupil to a school without knowing that he or she has been expelled by another board, the board may subsequently remove the pupil from the school and assign him or her to a program for expelled pupils, subject to the following conditions:

1. The board must assign the pupil to a program for expelled pupils promptly on learning that he or she has been expelled from another board.
2. The board shall not assign the pupil to a program for expelled pupils if the pupil satisfies the requirements of clause 314.1 (1) (a) or (b) as determined by a person who provides a program for expelled pupils.

Return to school after expulsion

314.1 (1) A pupil who has been expelled from all schools of a board is entitled to be readmitted to a school of the board if the pupil has, since being expelled,

- (a) successfully completed a program for expelled pupils; or
- (b) satisfied the objectives required for the successful completion of a program for expelled pupils.

Determination

(2) The determination of whether an expelled pupil satisfies the requirements of clause (1) (a) or (b) is to be made by a person who provides a program for expelled pupils.

Board must readmit pupil

(3) An expelled pupil may apply in writing to a person designated by the board that expelled him or her to be readmitted to a school of that board and, if the pupil satisfies the requirements of clause (1) (a) or (b) as determined by a person who provides a program for expelled pupils, the board shall,

- (a) readmit the expelled pupil to a school of the board; and
- (b) promptly inform the pupil in writing of his or her readmittance.

Clarification: successful completion of program

314.2 A pupil who has successfully completed a program for expelled pupils provided by any board or person under this Part has satisfied the requirements of clause 314.1 (1) (a), and no board shall,

- (a) require the pupil to attend a program for expelled pupils provided by that board before being admitted to a school of the board; or
- (b) refuse to admit the pupil on the basis that the pupil completed a program for expelled pupils provided by another board or person.

Return to original school after expulsion

314.3 A pupil who has been expelled from one school of a board but not from all schools of the board may apply in writing to a person designated by the board to be re-assigned to the school from which he or she was expelled.

Clarification: resident pupils

314.4 For greater certainty, nothing in this Part requires a board to admit or readmit a pupil who is not otherwise qualified to be a resident pupil of the board.

Transitional provisions

314.5 In this section and in sections 314.6 to 314.10,

“coming into force date” means the day on which the *Education Amendment Act (Progressive Discipline and School Safety)*, 2007 comes into force; (“date d’effet”)

“new Part XIII” means Part XIII as it reads on the coming into force date; (“nouvelle partie XIII”)

“old Part XIII” means Part XIII as it read immediately before the coming into force date. (“ancienne partie XIII”)

Old Part XIII applies

314.6 (1) Old Part XIII continues to apply with respect to,

- (a) suspensions imposed before the coming into force date; and
- (b) limited and full expulsions imposed under old Part XIII before the coming into force date, subject to the exceptions set out in sections 314.8 and 314.9.

Same – reviews and appeals

(2) For greater certainty, old Part XIII continues to apply with respect to the review or appeal of a suspension described in clause (1) (a) and with respect to the appeal of an expulsion described in clause (1) (b) and, without limiting the generality of the foregoing,

- (a) in the case of a review or appeal of a suspension,
 - (i) Ontario Regulation 106/01 (Suspension of a Pupil), as it read immediately before the coming into force date, continues to apply with respect to the review or appeal, and
 - (ii) if the review or appeal was required to be conducted in accordance with the requirements established by board policy, the board policy that was in place under old Part XIII continues to apply with respect to the review or appeal; and
- (b) in the case of an appeal of a board decision to expel a pupil under old Part XIII, Ontario Regulation 37/01 (Expulsion of a Pupil), as it read immediately before the coming into force date, continues to apply with respect to the appeal.

New Part XIII applies

(3) If a pupil engaged in an activity before the coming into force date that was an infraction for which a suspension or expulsion could be imposed or was required to be imposed under old Part XIII but no action had been commenced in respect of the activity before the coming into force date, the pupil is subject to new Part XIII in respect of the activity.

Expulsions under old Part XIII

314.7 On the coming into force date, every pupil who is still subject to a limited or full expulsion imposed under old Part XIII is deemed to be a pupil of the board from which he or she was expelled.

Pupil subject to limited expulsion

314.8 (1) With respect to any pupil of a board who is still subject to a limited expulsion imposed under old Part XIII on the coming into force date, the board shall,

- (a) assign the pupil to a school of the board and offer a plan to assist the pupil with his or her transition back to school; or
- (b) assign the pupil to a program for expelled pupils provided by the board under subsection 312 (1).

Return to school

(2) If a pupil is assigned to a program for expelled pupils under subsection (1), the pupil is not entitled to attend school until the date on which he or she would have been entitled to return to school under subsection 309 (14) of old Part XIII, as it read immediately before the coming into force date.

Pupil subject to full expulsion

314.9 (1) With respect to a pupil of a board who is still subject to a full expulsion imposed under old Part XIII on the coming into force date, the board shall, on that date, reassign the pupil to a program for expelled pupils provided by the board under subsection 312 (1).

Return to school

(2) Every pupil subject to a full expulsion under old Part XIII may return to school in accordance with new Part XIII and, for the purpose, sections 314.1 and 314.2 of new Part XIII apply with necessary modifications.

Regulations – transitional

314.10 (1) The Lieutenant Governor in Council may make regulations providing for any transitional matters that the Lieutenant Governor in Council considers necessary or advisable,

- (a) for the effective implementation of new Part XIII or regulations made under it;
- (b) to facilitate the transition from old Part XIII or regulations made under it to new Part XIII or regulations made under it.

Scope

(2) A regulation under this section may be general or particular in its application.

Commencement

7. This Act comes into force on February 1, 2008.

Short title

8. The short title of this Act is the *Education Amendment Act (Progressive Discipline and School Safety), 2007*.

Français

[Back to top](#)

KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD

TO: Program Review Committee

TOPIC: **KPRDSB Learn at Home Program**

INITIATOR: Joe Tompkins, Superintendent of Education: Student Achievement
Greg Ingram, Superintendent of Education: Student Achievement

BACKGROUND

1. In April 2020, all public school boards in Ontario established Emergency Distance Learning to support students from K-12 as an initial response to the closure of schools resulting from the COVID-19 pandemic.
2. In order to support student learning in this distance model, KPRDSB provided many students with technology, internet access and in some cases, paper resources to continue their learning.
3. Teachers primarily engaged with students using digital tools such as Desire to Learn (D2L) and Google Classroom. Where the use of a digital tool was not possible, teachers provided lessons using paper. Teachers also supported students and parents using Edsby and telephone communication.
4. Teachers primarily used an asynchronous approach to instruction given how varied the internet service is across the district for both teachers and students. Some teachers were able to engage students through a synchronous approach where technology and the internet permitted.
5. In June 2020, recognizing that the COVID pandemic would likely continue, the Ontario Ministry of Education directed school boards to prepare for three possible scenarios for the reopening of school in September 2020 as follows: full student attendance in school, partial attendance combined with online instruction and full online.
6. KPRDSB surveyed parents in mid-August to determine their education plans for September and then provided them with another opportunity to formally 'opt out' of the traditional school in favour of attending through the Learn at Home model. This survey closed on August 19, 2020.
7. The Province introduced [PPM 164 - Requirements for Remote Learning](#) which provided guidance around the expectations for Learn at Home programs.

STATUS

8. In response to PPM 164, KPRDSB has created an elementary and a secondary virtual school. The virtual elementary school (VES) has approximately 4330 students registered and the virtual high school (VHS) has approximately 1660 students.

9. Given the overwhelming choice by parents to enrol their children in the virtual school, an administrator team with support staff has been established with dedicated support from Information and Communications Technology (ICT), Human Resource Services, and other Board departments.
10. The administrator teams for both schools have successfully assigned hundreds of teachers and support staff, placing students in classes and creating timetables.
11. Providing orientation sessions and resources to support educators in preparing to teach in a virtual school have been provided and will be a focus for ongoing professional learning.
12. Traditional eLearning is continuing for senior secondary students as part of our 25 Board consortium. These courses are being offered in both the quadmester and semester framework.

RECOMMENDATION

1. That the KPRDSB Learn at Home report, dated September 22, 2020, be received for information.

Joe Tompkins, Superintendent of Education: Student Achievement
Greg Ingram, Superintendent of Education: Student Achievement

Ensuring a common understanding of language related to Remote Learning

Remote learning: Learning that occurs when classes are taught at a distance and when students and educators are not in a conventional classroom setting. Remote learning takes place in times of extended interruption to in-person learning – for example, as a result of a pandemic or natural disaster. Classes can be synchronous or asynchronous and can be taught online through a Learning Management System (LMS) or by using videoconferencing tools. In some cases, they may be delivered through emails, print materials, broadcast media, or telephone calls.

Synchronous learning: Learning that happens in real time. Synchronous learning involves using text, video, or voice communication in a way that enables educators and other members of the school- or board-based team to instruct and connect with students in real time. Synchronous learning supports the well-being and academic achievement of all students, including students with special education needs, by providing educators and students with an interactive and engaging way to learn. It helps teachers provide immediate feedback to students and enables students to interact with one another.

Asynchronous learning: Learning that is not delivered in real time. Asynchronous learning may involve students watching pre-recorded video lessons, completing assigned tasks, or contributing to online discussion boards.