Northeastern Catholic District School Board

SAFE SCHOOLS
APPEALS – STUDENT DISCIPLINE

Administrative Procedure Number: APE034-6

POLICY STATEMENT

The Northeastern Catholic District School Board (NCDSB) believes that all people are created in the image and likeness of God and that every person has the right to be treated with dignity, respect and fairness. The Board recognizes that a positive school climate exists when all members of the school community feel safe, included and accepted and actively promote positive behaviours and interactions. The NCDSB is committed to building and sustaining safe Catholic school communities where all members and stakeholders share the responsibility of eliminating violence in accordance with our Catholic faith and gospel values.

The NCDSB believes that safe learning environments enable students to reach their full academic and spiritual potential.

REFERENCES

Education Act
Child and Family Services Act
Policy Program Memorandum (PPM)
- 128 The Provincial Code of Conduct and School Board Codes of Conduct
- 142 School Board Programs for Expelled Students

NCDSB Policy
- E-34 Safe Schools

NCDSB Administrative Procedure
- APE034-4 Safe Schools: Suspension and Expulsion
- APE034-5 Safe Schools: Expulsion Hearing Guidelines

DEFINITIONS

Nil.

PROCEDURES

1.0 GENERAL

1.1 The adult student or parent/guardian has the right to appeal a suspension or expulsion according to the provisions of this procedure.

2.0 SUSPENSION APPEALS

2.1 Notice of the intention to appeal to the Superintendent of Education is required within ten (10) school days of the commencement of the suspension.

2.2 The Superintendent of Education has the discretion to settle the appeal through a review. The general process may include:

i) Discuss the incident and the suspension appeal with the adult student and/or parent/guardian;
ii) Review the suspension, including the reason, duration and any mitigating or other factors;
iii) Consult, if necessary, with the principal about changing or expunging the suspension;
iv) Request a meeting with the adult student and/or parent/guardian to discuss the suspension and to try to reach a settlement;
v) Arrange for an appeal before the Student Discipline Committee if a settlement is not reached.

2.3 The Student Discipline Committee of the Board will hear the appeal at a duly constituted meeting.

2.4 A request for an appeal does not stay the suspension. The Student Discipline Committee will determine whether the suspension and duration should be confirmed or modified and whether the record should be modified accordingly.

2.5 The appeal will be heard within fifteen (15) school days of receiving the notice of intention to appeal.

2.6 In the case of an expunged expulsion and shortened suspension, the Principal will send the suspended adult student or the parents/guardians of the suspended student information about the right to appeal the suspension to the Board including:

i) A copy of the Boards' policies and guidelines regarding suspension appeals;
ii) Contact information for the Superintendent of Education;
iii) A statement that written notice of an intention to appeal must be given within five (5) school days following receipt by the party of notice of the decision not to recommend expulsion; and/or
iv) Notice that the appeal is of the shortened length of the suspension.

3.0 EXPULSION APPEAL

3.1 The Board's decision to expel a student may be appealed to the Child and Family Services Review Board of the Province of Ontario. The decision of the tribunal is final.

3.2 NCDSB Administrative Procedure APE034-5 provides for further direction on an expulsion hearing.

4.0 Related Forms and Documents

DOCUMENT:	Hearing Before the Student Discipline Committee
LETTER:	Expulsion Decision – School
LETTER:	Expulsion Decision – Board
LETTER:	Notice of Determination for Alternative Discipline to Expulsion
LETTER:	Notice of Expulsion Hearing
LETTER:	Notice of Non-Commission of Expulsion Infraction by Expulsion Hearing Panel

Chief Executive Officer: *Tricia Stefanic Weltz*
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