



REPORT TO

**STUDENT ACHIEVEMENT AND
WELL BEING, CATHOLIC
EDUCATION AND HUMAN
RESOURCES COMMITTEE**

**S.S.09 CODE OF CONDUCT POLICY,
DENOMINATIONAL RIGHTS, AND PROHIBITED
GROUNDS OF DISCRIMINATION REPORT**

FOR YOU SAY, 'MY CONDUCT IS PURE, AND I AM CLEAN IN GOD'S SIGHT.'
JOB 11:4

Created, Draft	First Tabling	Review
November 6, 2019	November 7, 2019	Click here to enter a date.
M. Caccamo, Superintendent of Nurturing our Catholic Community, Safe Schools and Continuing Education L. Di Marco, Superintendent of Curriculum Leadership, Innovation and Academic ICT R. McGuckin, Director of Education		
RECOMMENDATION REPORT		

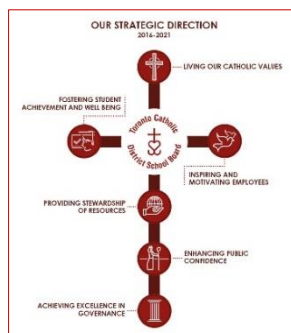
Vision:

At Toronto Catholic we transform the world through witness, faith, innovation and action.

Mission:

The Toronto Catholic District School Board is an inclusive learning community uniting home, parish and school and rooted in the love of Christ.

We educate students to grow in grace and knowledge to lead lives of faith, hope and charity.



Rory McGuckin
Director of Education

D. Koenig
Associate Director
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L. Noronha
Associate Director of Facilities,
Business and Community
Development, and
Chief Financial Officer

A. EXECUTIVE SUMMARY

This report will provide the Board with an update on recent discussions between the Archdiocese of Toronto (the Archdiocese), represented by legal counsel, and the TCDSB, represented by legal counsel and the Director of Education, pertaining to efforts to revise TCDSB policy S.S. 09 Code of Conduct. This is considered an urgent matter as the date by which the Ministry of Education expects school boards to amend their local Codes of Conduct is November 4, 2019.

The draft policy is presently before the Catholic Education and Living Our Catholic Values Subcommittee (the Subcommittee), and has been the subject of research, debate, delegations, a legal opinion, and public interest.

The central theme deals with whether the TCDSB must include the prohibited grounds of discrimination, as enumerated in the Ontario Human Rights Code and reinforced by the Ministry of Education's Policy/Program Memorandum 128 (PPM 128).

The core question being considered is whether the TCDSB is exempt from including the following prohibited grounds of discrimination from its Code of Conduct based on denominational rights and Church teachings: *gender identity, gender expression, family status, and marital status*.

Staff have reviewed the various documents placed before the Subcommittee, have listened to the delegations, reviewed PPM 128, have read the letter from the Human Rights Tribunal Commissioner on September 17, 2019.

Staff have further reviewed proposed language provided by representatives of the Archdiocese on the Subcommittee, and have engaged legal counsel of the Archdiocese on acceptable language. The Archdiocese will accept all prohibited grounds of discrimination as enumerated in the Ontario Human Rights Code, consistent with PPM 128, providing the policy contains language recommended by the Archdiocese which contextualizes that this policy will be interpreted through the lens of the Catholic faith as articulated by the teachings of the Church and protected in legislation.

The revised and proposed policy reflecting the new language is found in **Appendix A**.

Staff recommend that S.S. 09 Code of Conduct policy, as amended on November 4, 2019 arising from dialogue between the TCDSB and Archdiocese of Toronto, be referred back to the Governance and Policy Committee on November 12, 2019.

The cumulative staff time required to prepare this report was 16 hours

B. PURPOSE

1. This report is before the Board as it is deemed to be an urgent, time-sensitive matter. It contains information pertaining new language reviewed by the Archdiocese and TCDSB staff that can inform Board policy S.S. 09 Code of Conduct.

C. BACKGROUND

1. **March 19, 2019** – At Governance and Policy Committee, policy S.S.09 Code of Conduct was referred to the Catholic Education and Living Our Catholic Values Subcommittee.
2. **March 26, 2019** – At the Catholic Education and Living Our Catholic Values Subcommittee, the Code of Conduct policy was deferred until the next Subcommittee meeting, scheduled for April 30, 2019.
3. **April 30, 2019** - At the Catholic Education and Living Our Catholic Values Subcommittee, a delegation was received on this matter. Trustees moved a motion that referred the policy to staff for an infusion of our Roman Catholic denominational rights and Section 29 of the Charter, and that the Policy then return to the Catholic Education and Living our Catholic Values Subcommittee.
4. **May 21, 2019** – At the Catholic Education and Living Our Catholic Values Subcommittee, the meeting was dissolved as it did not have the required membership present with which to continue the meeting.
5. **May 28, 2019** – At the Student Achievement and Well-Being, Catholic Education and Human Resources Committee, delegations were received on this matter and referred to the Subcommittee.

6. **June 11, 2019** – At the Catholic Education and Living Our Catholic Values Subcommittee, a delegation on this matter was received. Trustees deferred the Code of Conduct and all related matters to the next Subcommittee meeting.
7. **August 29, 2019** - At the Catholic Education and Living Our Catholic Values Subcommittee, delegations on this matter were received.
8. **September 5, 2019** - At the Student Achievement and Well-Being, Catholic Education and Human Resources Committee, the Subcommittee's Minutes from the April 30 meeting were approved. It was recommended that the Code of Conduct be referred to staff to stipulate our Roman Catholic denominational rights and Section 29 of the Charter and that the Policy then return to the Catholic Education and Living our Catholic Values Subcommittee.
9. **September 25, 2019** – At the Catholic Education and Living Our Catholic Values Subcommittee, all previous items related to the Code of Conduct were referred to the next Subcommittee meeting of October 30, 2019. Delegations were received on the matter of the Code of Conduct.
10. **October 2, 2019** - At the Student Achievement and Well-Being, Catholic Education and Human Resources Committee, the Minutes from the August 29 meeting of the Subcommittee were tabled. A delegation on the Code of Conduct was received and referred to staff.
11. **October 25, 2019** – Discussions between TCDSB's General Legal Counsel and legal counsel from the Archdiocese began regarding the inclusion in the Code of Conduct policy of the enumerated grounds prohibiting discrimination in the 4 disputed areas: gender identity; gender expression, family status; marital status.
12. **October 30, 2019** – At the Catholic Education and Living Our Catholic Values Subcommittee, multiple delegations were received and referred to staff.
13. **November 1, 2019** – The Director reviewed the proposed language sent by the Archdiocese and adopted it into policy format.

14. **November 4, 2019** – The Archdiocese communicated that it had no objection to the manner in which the Policy and Guidelines were revised to include the contextual language proposed by the Archdiocese and the mandatory inclusion of the prohibited grounds of discrimination in the Ontario Human Rights Code, and reinforced by the Ministry of Education's PPM 128.
15. **November 5, 2019** – Trustees were advised that the Archdiocese accepted the use all terms identified in the Human Rights Code in the Code of Conduct policy contingent on the use of language that contextualizes the policy through the lens of Catholic denominational rights and teachings.

Trustees were advised that a report about the Code of Conduct, denominational rights and prohibited grounds of discrimination would be presented at the Student Achievement and Well-Being, Catholic Education and Human Resources Committee on November 7, 2019.

D. EVIDENCE/RESEARCH/ANALYSIS

1. At the Catholic Education and Living Our Catholic Values Subcommittee, a number of documents were provided to inform about the Roman Catholic Church's teachings about gender and sexuality:
 - a. Vatican Paper 2019: 'Male and Female He Created Them'. Towards a Path of Dialogue on the Issue of Gender Theory in Education
 - b. Gender-Ideology: Select-Teaching-Resources
 - c. Speaking the Truth in Love: Pastoral Guidelines for Educators Concerning Students Experiencing Gender Incongruence
 - d. The Human Person, Love and Sexuality: Education Commission of the Assembly of Catholic Bishops of Ontario
2. The Subcommittee also reviewed a letter from Renu Mandhane, Ontario Human Rights Chief Commissioner, regarding Including Gender Identity, Gender Expression, Family Status and Marital Status in the Toronto Catholic District School Board's Code of Conduct Policy
3. Staff reviewed some identified resources related to the themes within the Code of Conduct:
 - a. The Catechism of the Catholic Church. # 364, 1699-1715, 2297, 2333, 2393

- b. Pope St. John Paul II, Letter to Families {1994}, #6 and #19
- c. Pope Benedict XVI, Encyclical letter, Deus Caritas Est. 2005, 5
- d. Pope Benedict – Address to the German Bundestag {September 22, 2011}
- e. Pope Benedict - Address to the Roman Curia {December 21, 2012}
- f. Compendium of the Social Doctrine of the Church, #224
- g. Pontifical Council for the Family, #8 [2000]
- h. Congregation for the Doctrine of the Faith, Letter on the Collaboration of Men and Women in the Church and in the World (2004), #2
- i. Pope Francis, Address to the Bishops of Puerto Rico [June 8, 2015]
- j. Male and Female He Created Them, Vatican Office of the Congregation for Catholic Education, 2019
- k. Ontario Catholic School Graduate Expectations, Institute for Catholic Education (ICE), 2019
- l. Pastoral Guidelines to Assist Students of Same-Sex Attraction, Assembly of Catholic Bishops of Ontario, 2004
- m. Pastoral Guidelines to Assist Students of Same-Sex Attraction: A Parent's Guide, Assembly of Catholic Bishops of Ontario, 2004
- n. Pastoral Ministry to Young People with Same-Sex Attraction, Episcopal Commission for Doctrine, Canadian Conference of Catholic Bishops, June 2011 p. 1-2
- o. Message of Pope Francis for the 48th World Communications Day, June 1, 2014
- p. Ontario Education Act section 169.1 (Ministry amended PPM 128, the Provincial Code of Conduct and School Board Codes of Conduct, August 2019)
- q. TCDSB Pastoral Plan: Rooted in Christ – we Belong, we Believe, we Become, TCDSB, 2018-2021
- r. TCDSB Equity Action Plan 2018-2021
- s. Our Catholic Schools 2006-2007 - A Discussion of Ontario's Catholic Schools and Their Future
- t. Respecting Difference Resource for Catholic School Boards: Clarifications to Support Implementation in Catholic Schools. Ontario Catholic School Trustee Association, 2012

- u. Respecting Difference: A Resource for Catholic Schools in the Province of Ontario - Regarding the Establishment and Running of Activities or Organizations Promoting Equity and Respect for All Students, Ontario Catholic School Trustee Association, January 2012
 - v. Toward a Policy of Care. Josephine Lombardi, Ph.D. January 2019
4. There were twenty-three (23) delegations on the topic of including prohibited grounds of discrimination within the Board's Code of Conduct policy that were received at Board, at the Student Achievement and Well-Being, Catholic Education and Human Resources Committee, and at the Catholic Education and Living Our Catholic Values Subcommittee.
 5. Language provided by the Archdiocese through its representatives on the Catholic Education and Living Our Catholic Values Subcommittee, as well as from its legal counsel, has been integrated into both the Policy and the accompanying Guidelines.

PROPOSED ARCHDIOCESE LANGUAGE	POLICY INTEGRATION
<p><i>Add specific references to protections of denominational rights afforded to Catholic school boards:</i></p> <ul style="list-style-type: none"> • Education Act Part Sections 1, 169.1, 301 • Ontario Human Rights Code, Sections 1 and 19 	<p>This language is presented in the Cross Reference section of the policy document.</p>
<p><i>A positive school climate exists when all members of the school community “respect and treat others fairly at all times regardless of personal characteristics of any kind. All members of school communities and Board worksites will value and respect the teachings of the Catholic Church, including the teaching that all people are created in the image and likeness of God and have infinite dignity and worth.”</i></p>	<p>This language is presented in the policy statement within the policy document.</p>
<p>This policy is interpreted through the lens of the Catholic faith as articulated by the teachings of the Church, having due regard for the following:</p> <ul style="list-style-type: none"> • Teachings of the Catholic Church, as expressed through various documents of the Universal Church, the Bishops of Canada, 	<p>This language is presented in the policy guidelines (Appendix A) in the preamble.</p>

<p>the Bishops of Ontario, and the Archdiocese of Toronto.</p> <ul style="list-style-type: none"> • Education Act, Sections 1 (4); 169.1; 301 • Program Policy memorandum (PPM) 128 Provincial Code of Conduct and School Board Codes of Conducts, August 29, 2019. • Ontario Human Rights Code, Sections 1; 19 	
<p><u>Code of Conduct Guidelines</u> <i>Respect, Civility, and Responsible Citizenship</i></p> <p>The following requirements do not adversely affect any right or privilege guaranteed under the Constitution Act 1867; the Canadian Charter of Rights and Freedoms, or the Ontario Human Rights Code.</p>	<p>This language is presented in the policy guidelines (Appendix A) in the section: Purpose of the Code of Conduct: Standards of Behaviour-Respect, Civility and Responsible Citizenship.</p> <p>The statement precedes the reference to the Ontario Human Rights Code prohibited grounds of discrimination</p>

6. Language mandated by the Ontario Human Rights Code and reinforced by the Ministry of Education's Policy/Program Memorandum 128 have been added to S.S.09 Code of Conduct policy and Guidelines:

MANDATED ONTARIO HUMAN RIGHTS LANGUAGE	POLICY/GUIDELINES LANGUAGE
<p>All members of the school community must:</p> <ul style="list-style-type: none"> • Respect and treat others fairly, regardless of, for example, race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability 	<p>This language is presented in the Policy Guidelines (Appendix A) in the section: Purpose of the Code of Conduct: Standards of Behaviour-Respect, Civility and Responsible Citizenship.</p>

7. S.S. 09 Code of Conduct policy has been further revised to reflect the requirements of school boards to enforce a cell phone ban, except for certain conditions. The language below has been added to the Guidelines in the section: Purpose of the Code of Conduct: Standards of Behaviour-Respect, Civility and Responsible Citizenship. All members of the school community must:
- respect the need of others to work in an environment that is conducive to learning and teaching; ***including by ensuring that personal mobile devices are only used during instructional time for the educational and other permitted purposes outlined on page 1 of Policy/Program Memorandum No. 128 dated August 29, 2019.***

E. STAFF RECOMMENDATION

That S.S. 09 Code of Conduct policy, as amended on November 4, 2019 arising from dialogue between the TCDSB and the Archdiocese of Toronto, be referred back to the Governance and Policy Committee on November 12, 2019.



POLICY SECTION: SAFE SCHOOLS

Appendix A

SUB-SECTION:

POLICY NAME: Code of Conduct

POLICY NO: S.S.09

Date Approved: November 7, 2013	Date of Next Review: November, 2016	Dates of Amendments:
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Cross References:

- Education Act Part XIII, Behaviour, Discipline and Safety **Sections 1, 169.1, 301**
- **Ontario Human Rights Code, Sections 1 and 19**
- ~~Program/Policy/Program~~ Memorandum 128, 2012 **2019** *The Provincial Code of Conduct and School Board Codes of Conduct*
- O. Reg. 472/07 Behaviour, Discipline and Safety of Pupils
- Police/School Board Protocol (~~Revised 2013~~)
- ~~S.S.04: Access to School Premises and Trespass~~ **Access to Students in Schools**
- **S.S.14: Trespass**
- ~~S.S.05: Expulsions~~ **S.S.01 – Suspension and Expulsion**
- ~~S.S.06: Suspensions~~
- S.S.10: Progressive Discipline
- S.S.11: Bullying Prevention and Intervention
- T. 07: Community Engagement

Appendix

- Appendix A: TCDSB Code of Conduct S.S.09 Guidelines
- Appendix B: Toronto Police/School Board Protocol

Purpose:

This Policy affirms that all students, parents, and teachers and other school staff have the right to be safe, and to feel safe, in their school community. The purpose of this Policy is to set out how schools will implement and enforce the provincial Code of Conduct and all other rules related to the provincial standards that promote and support respect, civility, responsible citizenship, safety and well-being for all individuals at TCDSB facilities for educational or other activities.



POLICY SECTION: SAFE SCHOOLS

Appendix A

SUB-SECTION:

POLICY NAME: Code of Conduct

POLICY NO: S.S.09

Scope and Responsibility:

This Policy extends to all individuals or organizations engaged in education or other activities while in **that could have an impact on the climate of Toronto Catholic District School Board schools or worksites.** ~~of the Toronto Catholic District School Board.~~ The Director of Education, supported by the Superintendent of Safe Schools and school principals, is responsible for this policy.

Alignment with MYSP:

Living Our Catholic values
Fostering Student Achievement and Well-Being
Achieving Excellence in Governance
Inspiring and Motivating Employees
Strengthening **Enhancing** Public Confidence

Financial Impact:

Generally, there is no significant financial impact on the TCDSB.

Legal Impact:

~~The Education Act requires school boards and all schools of a board to develop a Code of Conduct that contains clearly articulated standards of behaviour, and outlines what responsibilities are held by stakeholders to promote a safe and accepting school climate.~~



POLICY SECTION: SAFE SCHOOLS

Appendix A

SUB-SECTION:

POLICY NAME: Code of Conduct

POLICY NO: S.S.09

Policy:

The Toronto Catholic District School Board is committed to ensuring that schools be an example of Christian Community that promote, maintain, and encourage responsibility, ~~respect~~, civility, equity, inclusivity, academic excellence and well-being in a safe learning and teaching environment. A positive school climate exists when all members of the school community ~~feel safe, comfortable and accepted, and is supported through a whole school approach~~ **respect and treat others fairly at all times regardless of personal characteristics of any kind. All members of school communities and Board worksites will value and respect the teachings of the Catholic Church, including the teaching that all people are created in the image and likeness of God and have infinite dignity and worth.**

The Code of Conduct for all schools of the TCDSB will be based on the Board's Code of Conduct, allowing for some local standards of behaviour consistent with input from students, parents, staff members and other community members in the school community.

Regulations:

1. The TCDSB Code of Conduct is consistent with the provincial Code of Conduct and clearly sets out the standards of behaviour for all members of the school community **and worksites** including: but not limited to, students, parents, volunteers, teachers and other staff members, board staff, trustees, visitors, third-party service providers and permit holders while on board premises **or at school-related activities.** ~~(Appendix A)~~ **The TCDSB code of conduct is also applicable to all members of the school community for behaviour occurring off school premises or outside of school hours that negatively impacts school climate.**



POLICY SECTION: SAFE SCHOOLS

Appendix A

SUB-SECTION:

POLICY NAME: Code of Conduct

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~~The Code of Conduct applies to all students while at school, on school buses, at school-related activities, or in other circumstances that could have an impact on the school climate.~~

2. Each school's code of conduct will clearly set out **describe** what is acceptable and what is unacceptable behavior for all members of the elementary, secondary and continuing education school communities, referencing students, parents, staff members, board staff, trustees, visitors, volunteers, third-party service providers, permit holders, and other members of the community.
3. ~~All TCDSB employees who work directly with students must respond to any student behavior that is contrary to the Code of Conduct and likely to have a negative impact on the school climate.~~

Board employees who work directly with students – including administrators, teachers and other school staff – must respond to any student behaviour that is likely to have a negative impact on school climate if it is safe to do so. If the board employees feel it is not safe to respond, they are expected to verbally inform the principal as soon as possible.

4. ~~All TCDSB employees who become aware that a student, registered in a TCDSB school may have engaged in a serious incident shall report the matter to the principal as soon as reasonably possible. The Safe Schools Reporting Form Part I must be completed by the employee and submitted to the principal by the end of the school day.~~

Any board employee who becomes aware that a pupil student at a school of the board may have engaged in a serious student incident for which the pupil



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may be suspended or expelled shall report the matter to the principal as soon as reasonably possible. The employee must consider the safety of others and the urgency of the situation in reporting the incident, but, in any case, must report it to the principal no later than the end of the school day using the Safe Schools Incident Reporting Form - Part I. In cases where an immediate action is required, a verbal report to the principal may be made and the written report must be made when it is safe to do so. In addition to board employees, school bus drivers, early childhood educators and other staff in board-operated extended-day programs, employees and contractors of third-party operators, and other individuals who are not employees of the board and come into direct contact with pupils students on a regular basis are subject to these same reporting requirements.

5. The Code of Conduct at each school of the TCDSB will be reviewed annually. In developing and reviewing the local standards of behaviour, the principal shall take into consideration the views of the Catholic School ~~Advisory Council~~ **Parent Council (CSPC)** and additionally should seek input from students, staff, parents and other members of the school community.
6. The Code of Conduct will be communicated to the school's community annually.
7. ~~In the situation~~ Where the TCDSB enters into agreement with a third party with respect to rental of school space, or any individual or organization respecting the permitted use of a school and/or premises operated by the Board, the standards of behaviour consistent with the Board's Code of Conduct must be followed.
8. The TCDSB will collaborate with the other district school boards in the city of Toronto and Toronto Police Services to review and revise the mandatory Police/School Board Protocol. The Protocol defines the working relationship and



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appropriate responses to incidents where police involvement ~~of intervention~~ is requested or required in relation to school related incidents. (~~Appendix B~~)

9. The TCDSB will collaborate with other district school boards, Toronto Police Services and community organizations to provide coordinated prevention and intervention programs and services in support of safe and ~~respectful~~ **accepting** school communities.
10. The Board will conduct a thorough review of its Code of Conduct every three (3) years by consulting with Catholic School ~~Advisory~~ **Parent** Councils of the Board and other stakeholders.

Definitions:

Police/School Board Protocol

This protocol has been developed by the four publicly funded district school boards operating within the city of Toronto and Toronto Police Service with the clear purpose of supporting schools as safe, caring, inclusive and accepting places for learning and teaching. The Protocol clearly outlines the roles and responsibilities of school officials and police officers in situations where the police are present at school for a school related incident or in other situations.

Safe and Accepting School Teams

Each school must have in place a Safe and Accepting Schools Team responsible for fostering a safe, inclusive and accepting school climate. The team must include at least one parent, one teacher, one non-teaching staff member, one community partner, and the principal. The team should include at least one student. The Chairperson of this team must be a staff member.



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At TCDSB, members of the Safe and Accepting School Teams will have opportunities to meet, provide input into discussions, review data from the student surveys, and provide advice to the principal about school safety and Ministry of Education initiatives related to school climate and safety.

School Climate

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.

Third-Party Service Provider

Any organization, not internal to a school board, that provides services for the TCDSB. Some examples include: regulated health professionals, bus companies, cafeteria operators, etc.

Evaluation and Metrics:

The effectiveness of the policy will be determined by measuring the following:

1. Anonymous Safe School Climate surveys administered to representative groups of TCDSB students and parents.
2. The Safe and Accepting Schools Team at each school will annually review safe schools data to assess the effectiveness of the school's Code of Conduct and inform of any changes required.

TCDSB Code of Conduct Policy S.S. 09

Appendix A - Guidelines

Preamble:

The Toronto Catholic District School Board is an inclusive community rooted in the love of Christ. We educate students to grow in grace and knowledge and to lead lives of faith, hope and charity. Through our Catholic values, we believe in the worth and dignity of every person and that people thrive in a safe, healthy and compassionate environment. One of the goals of the Board's Multi-Year Strategic Plan requires that, in order to create equitable learning environments for all students, ~~we will provide all students~~ **will be provided** with safe, healthy learning environments by promoting a positive school climate, inclusive and accepting of all ~~pupils, students~~ **students**, ~~and by promoting the prevention of bullying.~~

This policy is interpreted through the lens of the Catholic faith as articulated by the teachings of the Church, having due regard for the following:

- **Teachings of the Catholic Church, as expressed through various documents of the Universal Church, the Bishops of Canada, the Bishops of Ontario, and the Archdiocese of Toronto.**
- **Education Act, Sections 1 (4); 169.1; 301**
- **Program Policy memorandum (PPM) 128 Provincial Code of Conduct and School Board Codes of Conducts, August 29, 2019.**
- **Ontario Human Rights Code, Sections 1; 19.**

Purpose of the Code of Conduct

The TCDSB Code of Conduct is consistent with the requirements set out in the Provincial Code of Conduct, by establishing standards of behaviour for all members of the school community. The following goals are foundational to the Board's Code of Conduct:

1. To ensure that all members of the school community, **especially people in positions of authority**, are treated with respect and dignity.
2. To promote responsible citizenship by encouraging appropriate participation in the civic life of the school community.

3. To maintain an environment where conflict and difference can be addressed in a manner characterized by respect and civility.
4. To encourage the use of non-violent means to resolve conflict.
5. To promote the safety of people in the schools **and board sites**.
6. To discourage the use of alcohol, ~~and~~ illegal drugs, **and, except by a medical cannabis user, cannabis.**
7. To prevent bullying in schools.

Standards of Behaviour

Respect, Civility, and Responsible Citizenship

The following requirements do not adversely affect any right or privilege guaranteed under the Constitution Act 1867; the Canadian Charter of Rights and Freedoms, or the Ontario Human Rights Code.

All members of the school community must:

- respect and comply with all applicable federal, provincial, and municipal laws;
- demonstrate honesty and integrity;
- respect differences in people, their ideas, and their opinions;
- treat one another with dignity and respect at all times, and especially when there is disagreement;
- **respect and treat others fairly, regardless of, for example, race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability;**
- respect the rights of others;
- show proper care and regard for school property and the property of others;
- take appropriate measures to help those in need;
- seek assistance from a member of the school staff, if necessary, to resolve conflict peacefully;
- respect all members of the school community, especially persons in positions of authority;

- respect the need of others to work in an environment that is conducive to learning and teaching; **including by ensuring that personal mobile devices are only used during instructional time for the educational and other permitted purposes outlined on page 1 of Policy/Program Memorandum No. 128 dated August 29, 2019**
- not swear at a teacher or at another person in a position of authority.

Safety

All members of the school community must not:

- engage in bullying behaviours;
- commit sexual assault;
- traffic in weapons or illegal drugs;
- give alcohol or cannabis to a minor;
- commit robbery;
- be in possession of any weapon, including firearms;
- use any object to threaten or intimidate another person;
- cause injury to any person with an object;
- be in possession of, or be under the influence of alcohol, cannabis (unless the individual has been authorized to use cannabis for medical purposes), and illegal drugs;
- provide others with alcohol, illegal drugs, or cannabis (unless the recipient is an individual who has been authorized to use cannabis for medical purposes);
- inflict or encourage other to inflict bodily harm on another person;
- engage in hate propaganda and other forms of behaviour motivated by hate or bias;
- commit an act of vandalism that causes extensive damage to school property or to property located on the premises of the school.

Role and Responsibilities

Toronto Catholic District School Board

The Board will provide direction to its schools to ensure opportunity, academic excellence, and accountability in the education system. It is the responsibility of the Board to:

- develop policies that set out how schools will implement and enforce the provincial Code of Conduct and all other rules that it develops that are related to the provincial standards that promote and support respect, civility, responsible citizenship, and safety;
- establish a process that clearly communicates the provincial Code of Conduct and TCDSB's code of conduct to all parents, students, principals, teachers, other school staff, and members of the school community in order to obtain their commitment and support;
- review these policies regularly with those listed above;
- seek input from school councils, Parent Involvement Committees, and the Special Education Advisory Committee;
- develop effective intervention strategies and respond to all infractions related to the standards for respect, civility, responsible citizenship, and safety;
- provide opportunities for all of the staff to acquire the knowledge, skills, and attitudes necessary to develop and maintain academic excellence in a safe learning and teaching environment.

Principals

Under the direction of the Director of Education, principals take a leadership role in daily operation of a school. They provide this leadership by:

- demonstrating care for the school community and a commitment to academic excellence in a safe, inclusive, and accepting teaching and learning environment;
- holding everyone under their authority accountable for his or her behaviour and actions;
- empowering students to be positive leaders in their school and community;
- communicating regularly and meaningfully with all members of their school community.

Teachers and Other School Staff

Under the leadership of their principals, teachers and other school staff maintain order in the school and are expected to hold everyone to the highest standard of respectful and responsible behaviour. As role models, teachers and other school staff uphold these high standards when they;

- help students work to their full potential and develop their sense of self-worth;
- empower students to be positive leaders in their classroom, school, and community;
- communicate regularly and meaningfully with parents;
- maintain consistent standards of behaviour for all students;
- demonstrate respect for all students, staff, parents, volunteers, and other members of the school community;
- prepare students for the full responsibilities of citizenship.

Students

Students are to be treated with respect and dignity. In return, they must demonstrate respect for themselves, for others, and for the responsibilities of citizenship through acceptable behaviour. Respect and responsibility are demonstrated when a student:

- comes to school prepared, on time, and ready to learn;
- shows respect for himself or herself, for others, and for those in authority;
- refrains from bringing anything to school that may compromise the safety of others;
- follows the established rules and takes responsibility for his or her own actions.

Parents

Parents/**guardians** play an important role in the education of their children, and can support the efforts of school staff in maintaining a safe, inclusive, accepting, and respectful learning environment for all students. Parents fulfil their role when they:

- show an active interest in their child's school work and progress;
- communicate regularly with the school;
- help their child be neat, appropriately dressed, and prepared for school;
- ensure that their child attends school regularly and on time;
- promptly report to the school their child's absence or late arrival;
- show that they are familiar with the provincial Code of Conduct, the board's code of conduct, and school rules;

- encourage and assist their child in following the rules of behaviour;
- assist school staff in dealing with disciplinary issues involving their child.

The Toronto Catholic District School Board will:

a) ~~Provide direction to all schools to ensure opportunity, academic excellence, and accountability in the education system by:~~

- ~~Developing policies that set out how schools will implement and enforce the provincial Code of Conduct and all other rules related to the provincial standards that promote and support respect, civility, responsible citizenship, and safety;~~
- ~~Establishing a process that clearly communicates the provincial Code of Conduct and TCDSB Code of Conduct to all parents/guardians, students, principals, teachers, other school staff, and members of the school community in order to obtain their commitment and support;~~
- ~~Seeking input and reviewing the TCDSB Code of Conduct and related policies regularly in consultation with principals, teachers and other staff members, students, parents, parish priests, volunteers, community partners/agencies, Catholic School Advisory Councils, Safe and Accepting School Teams, Parent Involvement Committee, Special Education Advisory Committee, and other groups that may not be traditionally consulted;~~
- ~~Providing opportunities for all staff to acquire the knowledge, skills, and attitudes necessary to develop and maintain academic excellence and well-being in a safe inclusive and accepting learning and teaching environment.~~

b) ~~Ensure that Respect, Civility and Responsible Citizenship are followed by all members of the school community.~~

~~The standards of behaviour apply to all individuals involved in the publicly funded school system including, but not limited to, students, parents, volunteers, teachers and other staff members, superintendents, senior board staff, board~~

~~personnel, trustees, visitors, permit holders/third party with respect to rental of school space, co-op employers, crossing guards, bus drivers, service providers, guests and delivery personnel whether they are present on school property, on school buses, at school-related events or in other circumstances that could have an impact on the school climate.~~

~~All members must:~~

- ~~• Respect and comply with all applicable federal, provincial and municipal laws;~~
- ~~• Demonstrate honesty and integrity;~~
- ~~• Respect differences in people, their ideas, and their opinions;~~
- ~~• Treat one another with dignity and respect at all times, and especially when there is disagreement;~~
- ~~• Respect and treat others fairly, regardless of, for example, race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, gender, sexual orientation, age, disability or other;~~
- ~~• Respect the rights of others;~~
- ~~• Show proper care and regard for school property and the property of others;~~
- ~~• Take appropriate measures to help those in need;~~
- ~~• Seek assistance from a member of the school staff, if necessary, to resolve conflict peacefully;~~
- ~~• Respect all members of the school community, especially persons in positions of authority.~~
- ~~• Respect the need of others to work in an environment that is conducive to learning and teaching.~~

c) **Ensure that a safe and positive climate is promoted in all schools and board sites by:**

- Promoting strategies and initiatives to address inappropriate behaviour, and to foster a positive school climate that supports student achievement in all areas identified in the *Ontario Catholic School Graduate Expectations* and the *TCDSB Multi-Year Strategic Plan*;
- Ensuring that all members of the school community, especially people in positions of authority, are treated with respect and dignity.
- Promoting responsible citizenship by encouraging appropriate participation in the civic life of the school community;
- Maintaining an environment where conflict and difference can be addressed in a manner characterized by respect and civility;
- Encouraging the use of non-violent means to resolve conflict;
- Promoting the safety of people in the schools.

d) **Develop awareness/prevention/intervention strategies and will respond to all infractions related to the standards for respect, civility, responsible citizenship, safety including bullying prevention in schools.**

Developing awareness/prevention/intervention strategies and will respond to all activities related to the standards for respect, civility, responsible citizenship, safety including bullying prevention in schools.

The Board will ensure that the following behaviours are responded to promptly and addressed through a progressive discipline approach and consistent with the Education Act and board policies for suspensions and expulsions. **Mitigating and Other Factors must be considered by the principal.**

~~Education Act Section 306 Suspension~~

~~Under subsection 306 (1) of the Education Act, a principal shall consider whether to suspend a pupil if he/she has engaged in any of the following activities on school property, 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) Possession alcohol or illegal drugs~~
- 3) Possessing cannabis, unless the pupil is a medical cannabis user.**
- ~~4) Being under the influence of alcohol~~
- 5) Being under the influence of cannabis, unless the user is a medical cannabis user.**
- ~~6) Swearing at a teacher or at another person in a position of authority~~
- ~~7) 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~~
- ~~8) Bullying~~

~~Any other activity that is an activity for which a principal may suspend a pupil under a policy of the board. At TCDSB, these activities include:~~ **Under Board policy, activities for which a principal may suspend a pupil include:**

- ~~● Persistent opposition to authority~~
- ~~● Habitual neglect of duty~~
- ~~● Use of profane or improper language~~
- ~~● Theft~~
- ~~● Aid/incite harmful behaviour~~
- ~~● Physical assault~~

- ~~Being under the influence of illegal drugs~~
- ~~Sexual h~~**Harassment**
- ~~Racial harassment~~
- ~~Fighting~~
- ~~Extortion~~
- ~~Inappropriate use of electronic communications/media~~ **equipment**
- ~~Conduct injurious to the moral tone of the school or to the physical or mental well-being of others~~

Education Act Section 310 Suspension, Investigation and Possible Expulsion

~~Under subsection 310 (1) of the Education Act, a principal shall suspend a pupil if he/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. The principal will conduct an investigation to determine whether to recommend to the board that the pupil be expelled.~~

- ~~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~~

- ~~• Bullying, if,~~
 - ~~i. The pupil has previously been suspended for engaging in bullying, and~~
 - ~~ii. The pupil's continuing presence in the school creates an unacceptable risk to the~~
 - ~~iii. safety of another person.~~
- ~~• Any activity listed in subsection 306 (1) of the Act that is motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, gender expression, or any other similar factor basis.~~

8. Give Cannabis to a minor.

~~9. Any other activity that, under a policy of a board, is an activity for which a principal must suspend a pupil and conduct an investigation to determine whether to recommend to the board that the pupil be expelled. Under board policy~~ At TCDSB, these activities include:

- ~~• Possession of explosive substance~~
- ~~• Serious or repeated misconduct.~~
- ~~• Refractory conduct~~
- ~~• Conduct injurious to the moral tone of the school or to the physical or mental well-being of others~~

It is also an expectation of the TCDSB Code of Conduct that, in addition to students, all members of the school community not engage in any activity that may compromise school safety or security.

e) Ensure that principals take a leadership role in their respective school by demonstrating commitment to academic excellence and student well-being

~~in a safe, inclusive and accepting teaching and learning environment. Principals will provide this leadership by:~~

- ~~• Demonstrating care for the school community and a commitment to academic excellence in a safe, inclusive and accepting teaching and learning environment;~~
 - ~~• Holding everyone under their authority accountable for his or her behaviour and actions in order to maintain proper order and discipline within the school and to ensure the highest standard of respect, civility and responsible behaviour;~~
- f) ~~Ensure that, under the leadership of the principal, teachers and staff will maintain order in the school and are expected to role model and to hold everyone to the highest standard of respectful and responsible behaviour. As role models, teachers and other school staff uphold these high standards when they:~~
- ~~• Help students work to their full potential and develop their sense of self-worth;~~
 - ~~• Empower students to be positive leaders in their classroom, school, and community;~~
 - ~~• Communicate regularly and meaningfully with parents;~~
 - ~~• Maintain consistent standards of behaviour for all students;~~
 - ~~• Demonstrate respect for all students, staff, parents, volunteers, and other members of the school community;~~
 - ~~• Prepare students for the full responsibilities of citizenship.~~
- g) ~~Ensure that students are treated with respect and dignity and in return students must demonstrate respect for themselves, for others, and for the responsibilities of good citizenship as they work towards the Ontario Catholic School Graduate Expectations. Respect and responsibility are demonstrated when students:~~
- ~~• Come to school prepared, on time, and ready to learn;~~
 - ~~• Show respect for themselves, for others, and for those in authority;~~

- ~~Refrain from bringing anything to school that may compromise the safety of others;~~
 - ~~Follow the established rules and takes responsibility for their own actions.~~
- h) ~~Expect parents to support the efforts of school staff in maintaining a safe, inclusive, accepting, and respectful learning environment for all students. Parents fulfill their role when they:~~
- ~~Assist school staff in dealing with disciplinary issues and by supporting the Code of Conduct and all associated policies;~~
 - ~~Show an active interest in their child's school work and progress;~~
 - ~~Communicate regularly with the school;~~
 - ~~Help their child be neat, appropriately dressed, and prepared for school;~~
 - ~~Ensure that their child attends school regularly and on time;~~
 - ~~Promptly report to the school their child's absence or late arrival;~~
 - ~~Show that they are familiar with the provincial Code of Conduct, the TCDSB Code of Conduct, and school rules;~~
 - ~~Encourage and assist their child in following the rules of behaviour;~~
 - ~~Assist school staff in dealing with disciplinary issues involving their child.~~