



POLICY SECTION: SAFE SCHOOLS
SUB-SECTION:
POLICY NAME: FRESH START
POLICY NO: S.S. 12

Date Approved: March 26, 2008- Board	Date of Next Review: January, 2024	Dates of Amendments: August 25, 2016-Board January 24, 2019 - Board
Cross References: <ul style="list-style-type: none">• S.S. 04 Access to School Premises• S.S. 13 Victim’s Rights Policy• <i>Education Act</i>• Program/Policy Memorandum 145, <i>Progressive Discipline and Promoting Positive Student Behaviour</i>• “A Guide to Ontario Legislation Covering the Release of Students’ Personal Information” (Privacy Commissioner)• <i>Occupational Health and Safety Act</i>		
Appendix: A: Elementary Fresh Start Package B: Secondary Fresh Start Package C: Fresh Start Appeal Package		

Purpose

This Policy affirms the need for students to feel safe at school and to provide successful transitions for those students subject to a Fresh Start. All Fresh Starts will be facilitated with a balanced approach that incorporates fairness and equity. Successful Fresh Start transitions will promote safe and positive learning environments which are essential for student achievement and well-being.

Scope and Responsibility

The policy extends to all students of the TCDSB and assigns specific duties to principals and employees of the board to ensure compliance with the policy and legislation. The Director of Education, the Superintendent of Safe Schools, and school principals are responsible for this policy.



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Alignment with MYSP

Living Our Catholic Values

Strengthening Public Confidence

Fostering Student Achievement and Well-Being

Policy

The TCDSB is committed to ensuring that all schools focus on building a safe, inclusive, and accepting learning environment rooted in the Ontario Catholic Graduate Expectations. The purpose of this policy is to ensure that students and staff feel safe at school and that students who are subject to a Fresh Start are provided with a successful transition. A Fresh Start is a non-disciplinary administrative transfer to a new school to preserve school safety.

Regulations

1. A Fresh Start is a non-disciplinary administrative transfer to a new school to preserve student and staff safety while at school or school related events. A Fresh Start may not be imposed as a form of discipline.
2. Fresh Starts can be imposed:
 - a. in response to TCDSB Victims’ Rights Policy (S.S.13);
 - b. to assist the student **in complying** with **a court order** or an undertaking or conditions agreed to by the student and/or student’s parent/legal guardian;
or
 - c. in other circumstances to preserve school safety as approved by the superintendent of the student’s school.



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3. Criteria Considered for Safe Schools Transitions

The *Education Act* provides that a student has the right to attend a school, but not the right to attend a particular school. When deciding on the new school location for a student, the following criteria will be considered:

- a. Distance from student's home to the new school;
- b. Availability of academic and social-emotional supports at the new school;
- c. **Compliance with a court order or** undertaking or conditions agreed to by the student and/or student's parent/legal guardian;
- d. Fair and equitable distribution of ~~fresh start~~ students **subject to Safe Schools transitions** amongst the schools of the Board;
- e. ~~Previous school transfers~~ **Safe Schools transitions** of the ~~Fresh Start Student~~ **student**;
- f. Presence of student(s) or staff **at school(s) under consideration** who were previously the victim of, or in conflict with, the ~~Fresh Start~~ student;
- g. **Presence of student(s) at school(s) under consideration who may have been involved in previous serious incidents with the student**;
- h. **Other Factors: Additional factors that may compromise the student's safety and well-being, such as but not limited to, geographical/demographic considerations (i.e. concerns related to gangs, family circumstances, etc.).**
- i. **In extenuating circumstances, when in-person learning may not be possible, a virtual program will be considered.**

4. A parent/guardian (or an adult student/student who has withdrawn from parental control) shall have the right to file an appeal of the fresh start decision as outlined in Appendix C hereto. The fresh start appeal must be filed in writing, within three (3) school days of receiving written notice of the fresh start, using the Notice of Intention to Appeal a Fresh Start Form and by sending this Form to the Safe Schools Officer.

Evaluation and Metrics

The effectiveness of the policy will be reported to the Trustees in the annual SafeSchools



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Report.