

Bullying Prevention and Intervention Policy S.S.11

PROCEDURAL GUIDELINE

Introduction:

The *Ontario Human Rights Code* requires that students not be discriminated against or harassed based on certain protected grounds. The Code takes precedence over provincial legislation and policies and as such the *Education Act* and its regulations, the Ministry of Education Program Policy Memoranda, and Board procedures and policies must be applied and interpreted in accordance with the *Code*.

The following information provides additional detail and explanation of the regulations listed in the *Bullying Prevention and Intervention Policy S.S. 11* and is intended to be read in conjunction with the policy.

Regulation	Additional Detail
1	<p>Safe and Accepting Schools Team and Safe Schools Plan:</p> <p>At TCDSB, members of the Safe and Accepting Schools Teams will have opportunities to meet, provide input into discussions, review data from the student surveys, assist in the development of the Safe Schools Plan and provide advice to the principal about school safety and Ministry of Education initiatives related to school climate and safety. Such local plans will be consistent and aligned with the Multi Year Strategic Plan. The Safe Schools Plan will be posted on each school's portal page.</p>
2, 4	<p>Responding to Bullying Behaviour:</p> <p>Employees who work directly with students – including administrators, teachers, and other school staff, for example – must respond to any student behaviour that is likely to have a negative impact on the school climate if, in the employee's opinion, it is safe to respond to it. Such behaviour includes bullying and all inappropriate and disrespectful behaviour. These behaviours may occur at any time at school and</p>

	<p>at any school-related event, in virtual learning environments or in other circumstances where the behaviour may have an impact on school climate. If the board employee feels that it is not safe to respond, they will be expected to inform the principal orally as soon as possible. For behaviours that must be considered for suspension or expulsion under the <i>Education Act</i>, a Reporting Form-Part I must be completed.</p> <p>The principal will ensure resources, programs, intervention, and other supports identified in the board bullying awareness and prevention plan are provided to students who have been bullied, students who have witnessed incidents of bullying (bystander) and students who have engaged in bullying behaviour to assist them in developing healthy relationships and practising pro-social behaviours. The programs, intervention and other supports will be provided by school-based employees of the board, and may be provided, at the discretion of the Board and with parental consent, by external, third-party providers as per the TCDSB Third-Party Protocol. The principal may consult with their area Superintendent and other departments as appropriate.</p> <p><u>Principals understand that addressing allegations of bullying is a priority and will begin the investigation immediately, absent exceptional circumstances. The TCDSB recognizes the significance of ensuring that investigations are conducted in a manner that is fair, timely, and non-biased, and that investigations benefit from sensitivity to the particular dynamics involved in any matter being investigated. To that end, TCDSB will ensure that its investigations will, as appropriate, incorporate gender sensitivity, cultural and racial sensitivity and sensitivity to different abilities.</u></p>
3	<p>Reporting Bullying Behaviour:</p> <p>The Safe Schools Incident Reporting Form- Part I must be completed and submitted to the principal by the end of the school day on which they became aware of the bullying incident having regard for the safety of others and/or the urgency of the situation. In urgent situations where immediate intervention is required, a verbal report may be made to the principal prior to submission of a written report.</p>

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Communication with Stakeholders:

To help ensure parents have access to the Board bullying prevention and intervention policy and plan, the TCDSB will provide a culturally relevant and accessible communication and outreach strategy taking into account linguistic, ethnocultural and accessibility considerations.

Communication with employee who reported:

Following the investigation conducted by the Principal, the Principal will communicate the results of the investigation to the employee who made the written report. Where the principal has taken action in response to the incident of bullying, a copy of Reporting Form-Part I and accompanying documentation will be filed in the student's OSR. The principal will provide the employee who reported the incident with written acknowledgment using the Safe Schools Incident Reporting Form- Part II.

Parents inquiries and reporting:

Parents/Guardians are to contact the classroom teacher and/or school principal if they have questions or concerns about bullying prevention, intervention, and reporting. Additional information about addressing concerns related to bullying, is in Policy A.33 Guidelines for Trustees, Parents and Staff in Addressing School Related Concerns.

Principal notification to parent(s)/guardian(s):

Principals will contact parents/guardians regarding a bullying allegation by the end of the same day as the allegation is received, absent exceptional circumstances.

Principals will investigate any report of bullying and will notify the parent/guardian of the student who was harmed and provide information about the activity that led to the harm, the nature of the harm to the student, and the steps taken to protect the student's safety including the nature of any disciplinary measures taken. Any notification to parent(s)/guardian(s) about other students will be guided by the Board's obligation under relevant privacy legislation including the Municipal Freedom of Information Protection of Privacy Act (MFIPPA). The principal will invite parents/guardians to discuss the supports that will be provided for their child.

	<p>Principals will notify the parent(s)/guardian(s) of students who engaged in the bullying behaviours and provide information about the activity that lead to the harm, the nature of the harm to the other student and the nature of any disciplinary measures taken in response to the activity. The principal will invite parents/guardians to discuss the supports that will be provided for their child.</p> <p><u>When student is at risk of harm from a parent(s)/guardian(s):</u> A principal will not notify a parent/guardian of a student if, in the principal's opinion, such notification is not in the student's best interest, that is, if notification would put the student at risk of harm from a parent/guardian. Where a principal has decided not to notify a parent/guardian that their child/ward was involved in a serious student incident the principal must, document the rationale for this decision and notify both the teacher who reported the incident and the appropriate supervisory officer of this decision. In addition, principals should refer the student to Board resources or to a community-based service provider that can provide the appropriate type of confidential support when the student's parent/guardian is not called (e.g., counselling services). In circumstances where Board employees have reason to believe that a student may be in need of protection, the Catholic Children's Aid Society must be contacted per the <i>Child, Youth and Family Services Act, 2017</i>.</p> <p><u>Parent communication with Area Superintendent:</u> If dissatisfied with the supports that the principal implemented in response to the complaint, parents are encouraged to contact the area superintendent. If the matter remains unresolved, parents may access Policy A.33, Guidelines for Trustees, Parents and Staff in Addressing School Related Concerns, for additional information.</p>
6	<p><u>Progressive Discipline:</u></p> <p><u>Junior Kindergarten to Grade 3 - Discretionary Suspensions (S. 306, Education Act):</u> Principals cannot issue discretionary suspensions under Section 306, Education Act for students in junior kindergarten to grade 3. Students in JK – 3 and students in 4 – 12 are subject to differentiated consideration as mandated in the Education Act and outlined in the Procedural Guideline. Incidents of bullying involving students from junior kindergarten to grade 3 should</p>

be addressed with the appropriate positive behaviour supports in the school setting.

Junior Kindergarten to Grade 3 - Suspension Pending Possible Expulsion (S. 310, *Education Act*):

Principals must suspend, pending possible expulsion, students in junior kindergarten to grade 3 for incidents of bullying if:

- their continuing presence in the school creates an unacceptable risk to the safety of another person;
- the bullying is motivated by bias, prejudice, or hate based on race, ancestry, place of origin, colour, ethnic origin, citizenship, language, religion, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or mental or physical disability or similar factors that may create disadvantage (for example, socio- economic status, appearance).

The principal may only suspend a student in junior kindergarten to grade 3 under section 310 of the *Education Act* for bullying if they have conducted an investigation that considers all relevant information, policy and legislation respecting the allegations.

Grades 4 to 12:

Principals must suspend a student between grades 4 to 12 for bullying and, after an investigation that considers all relevant information, policy and legislation respecting the allegations and they must consider referring that student for expulsion if:

- the student has previously been suspended for bullying and the student's continuing presence in the school creates an unacceptable risk to the safety of another person;
- the bullying is motivated by bias, prejudice, or hate based on race, ancestry, place of origin, colour, ethnic origin, citizenship, language, religion, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or mental or physical disability or similar factors that may create disadvantage (for example, socio- economic status, appearance).

7	<p>Students with Special Needs:</p> <p>Principals must ensure that any interventions, supports and consequences for students with special education needs, are consistent with the child's strengths and needs, and with the program goals and learning expectations documented in their Individual Education Plan (IEP).</p> <p>Ongoing intervention and support may be necessary to promote and sustain positive student behaviour. In reporting incidents of bullying and arranging for appropriate intervention, mitigating and other factors, such as any known student special needs, will be taken into account.</p>
8	<p>Professional Development:</p> <p>The Board will put in place curriculum-linked culturally responsive and relevant pedagogy training strategies on bullying prevention and intervention to provide administrators, teachers, and other school staff the resources and support they need to disrupt and dismantle systemic barriers and to address all forms of bullying, including bullying that is a result of discriminatory behaviour.</p>
10	<p>Student Led Activities:</p> <p>These activities and organizations may promote equitable and non-discriminatory school and learning environments based on grounds protected by the Human Rights Code (including dismantling anti-Black racism, Indigenous education, gender equity, anti- racism, an understanding and respect for people with disabilities, or an understanding and respect for all people regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or mental or physical disability and other similar factors that may create disadvantage (for example, language, socio- economic status, appearance). The activity or organization must promote a positive school climate that is inclusive and accepting of all students and must be consistent with Catholic social teachings and the expectations of the Code of Conduct (S S.09).</p>