



POLICY P.144.SCO

TITLE: STUDENT EXCLUSIONS

Date issued: XX Month 20XX

Last revised: XX Month 20XX

Authorization: Board: (XX Month 20XX) (same as Date Issued)

1.0 OBJECTIVE

To ensure the fair, transparent, and accountable application of exclusions when required in support of student safety and well-being.

2.0 DEFINITIONS

In this policy,

- 2.1 **Adult Student** means a student who is 18 years of age or older or who is 16 or 17 years of age and has removed themselves from parental control.
- 2.2 **Board** means the Board of Trustees.
- 2.3 **District** means the Ottawa-Carleton District School Board.
- 2.4 **Protected Ground** means the attributes or characteristics upon which discrimination is prohibited under the *Human Rights Code* or by the OCDSB. The Code-Protected Grounds are age, ancestry, citizenship, colour, creed (religion), disability (including mental, physical, developmental or learning disabilities), ethnic origin, family status (such as being in a parent-child relationship), gender expression, gender identity, marital status (including married, single, widowed, divorced, separated or living in a conjugal relationship outside of marriage, whether in a same-sex or opposite-sex relationship), place of origin, race, record of offences (criminal conviction for a provincial offence, or for an offence for which a pardon has been received), sex (including pregnancy and breastfeeding), and sexual orientation.
- An additional ground protected from Discrimination at the OCDSB is Socioeconomic Disadvantage.
- 2.5 **Undue Hardship** means the point at which the legal duty to accommodate ends based on an objective assessment of only three factors: (i) costs, (ii) outside sources of funding (if any), and (iii) health and safety considerations (if any) of the proposed Accommodation.

- 2.6 **Student Exclusion** means the duty of a principal, under Section 265 (1)(m) of the *Education Act*, subject to an appeal to the board, to refuse to admit to the school or classroom a student whose presence in the school or classroom would in the principal's judgment be detrimental to the physical or mental well-being of the pupils.

3.0 GUIDING PRINCIPLES

- 3.1 The Board recognizes that Student Exclusions are a provision of the *Education Act* and a mechanism for ensuring the physical and mental well-being of students.
- 3.2 The Board recognizes the principal's responsibility to maintain and ensure the safety of students and the school and the exercise of judgment in the use of exclusion and the need to prioritize the safe and timely return of excluded students to school.
- 3.3 The Board recognizes the right of all students to an inclusive education and acknowledges its duty to accommodate students with disabilities to the point of Undue Hardship.
- 3.4 The Board recognizes a student's right to share their opinion and have their opinion given due weight in accordance with their age and developmental stage, in relation to any decisions being made about the student.

4.0 SPECIFIC DIRECTIVES

Application and Scope

- 4.1 At all times, this policy shall be interpreted to be consistent with other Board policies related to human rights and equity and with the *Ontario Human Rights Code*, the *Accessibility for Ontarians with Disabilities Act*, and *Ontario's Anti-Racism Act*.

Implementation

- 4.2 The use of an Exclusion may be necessary to address ongoing significant safety concerns or may result from the need to address a single significant safety incident.
- 4.3 Student Exclusions shall be used only as a temporary, non-disciplinary measure while a plan is put in place to promote the student's inclusion while supporting the physical and mental well-being of students.
- 4.4 A student shall be excluded from a classroom or school only if the student's presence would, in the principal's judgment, be detrimental to the physical or mental well-being of students, in accordance with section 265(1)(m) of the *Education Act*.
- 4.5 Before deciding to exclude a student, the principal shall consult with the Superintendent of Instruction (SOI).
- 4.6 Where a decision to exclude a student has been made, parents or guardians shall be provided with the following information in writing:
- a) the reason(s) for the Exclusion;
 - b) the steps for re-entry; and
 - c) the right and how to appeal to the Board.

- 4.7 The District recognizes its obligation to accommodate the student's right to access education and shall ensure the continuity of schoolwork for the student for the duration of the Exclusion.
- 4.8 Where the student excluded has a disability, the District shall engage in collaborative discussions with the student and their parent/guardian/caregiver to implement possible accommodations to the point of undue hardship in order to accelerate the student's reentry to school.

Exclusion Appeals

- 4.9 A decision to temporarily exclude a student may be appealed to the Board by the parent/guardian of a minor student or the adult student.
- 4.10 A parent or guardian or an Adult Student, having been informed of a decision for exclusion, has the right to appeal that decision. The appellant has the right to be represented by an advocate at the appeal hearing.
- 4.11 As required by Section 265(1)(m) of *the Education Act*, the Board shall hear Exclusion appeals and may, by a majority vote:
- a) uphold the Exclusion; or
 - b) overturn the Exclusion and return the student to school.
- 4.12 The decision of the Board is final and shall be confirmed in writing to the appellant.

Accountability

- 4.13 The District shall annually report to the Board on Exclusions. Summary reports shall be made public after removing any identification of individual students.
- 4.14 Reported data shall be disaggregated to identify and remove bias and discriminatory practices in the application of this policy.

Application

- 4.15 The Director of Education is authorized to issue such procedures, guidelines, and other materials as may be necessary to implement this policy.

5.0 REFERENCE DOCUMENTS

Education Act

[OHRC Policy on Accessible Education for Students with Disabilities](#)
[Protocol to Accompany Safe School Policies in the City of Ottawa, 2020](#)
[OCDSB Policy P.032.SCO: Safe Schools \(Managing Student Behaviour\)](#)
[OCDSB Policy P.125.SCO: School District Code of Conduct](#)
[OCDSB Policy P.147.GOV: Human Rights](#)
[OCDSB Procedure PR.524.SCO: Access to School/Board Premises](#)