



POLICY P.144.SCO

TITLE: PAUSE FOR SAFETY (STUDENT EXCLUSION)

Date issued: 20 June 2022

Last revised: XX Month 20XX

Last reviewed:

COMMITMENT TO INDIGENOUS RIGHTS, HUMAN RIGHTS, AND EQUITY

The Board recognizes its responsibility to ensure that this policy and associated procedures promote and protect Indigenous rights, human rights, and equity and to seek to address and eliminate racism and structural and systemic barriers for students, staff, and the community.

1.0 RATIONALE

This policy was developed in support of the legislative duty of the 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 person 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.

2.0 GUIDING PRINCIPLES

- 2.1 The Board recognizes that issuing a Pause for Safety is one of the principal's duties under the *Education Act* where the student's presence, in the principal's judgement, is Detrimental to the Physical and/or Mental Safety of students.
- 2.2 The Board recognizes the equal right of all students under *the Education Act*, the *Human Rights Code*, and the *Anti-Racism Act* to attend school without Discrimination and the priority of the safe and timely return to school for students who are subject to a Pause for Safety.
- 2.3 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.

3.0 POLICY

Application and Scope

- 3.1 In response to student infraction of Board Policy [P.125.SCO School District Code of Conduct](#), the District may employ a Pause for Safety only:
 - a) where progressive discipline is deemed inappropriate after reviewing Mitigating and other Factors; and

- b) where the student's infraction is deemed Detrimental to the Physical and/or Mental Safety of students and cannot be mitigated by other available supports.
- 3.2 This policy applies only to a Pause for Safety of students from a school, an Ottawa-Carleton Virtual Academy (OCV), or a school-related activity.
- 3.3 Assigning programming time outside of a student's classroom does not constitute a Pause for Safety and is rather covered under Board Policy [P 096 SES - Special Education Programs and Services](#).
- 3.4 Safety risks to staff as a result of students' infractions to the School District Code of Conduct shall be addressed under the Board occupational health and safety policies, and where the behaviour is detrimental to the mental safety of other students, this policy may apply.
- 3.5 The exclusion of community members other than students shall be addressed under Board [Policy P.125.SCO School District Code of Conduct](#) and the associated trespass to property procedure.

Legal Requirements

- 3.6 A Pause for Safety shall be used only as a temporary, non-disciplinary measure while a plan is put in place to promote the student's timely return to school ensuring the physical and mental safety of all students.
- 3.7 Where a decision to issue a Pause for Safety has been made, the District shall engage in collaborative discussions with the student, where appropriate, and their parent/guardian, and offer the opportunity for engaging an advocate.
- 3.8 The District shall provide the student, where appropriate, and their parent/guardian with the following information in writing:
 - a) the reason(s) for issuing A Pause for Safety;
 - b) the steps for re-entry; and
 - c) the notice of the right and process to appeal the decision to the Board.
- 3.9 To protect a student's right to access to education under *the Education Act* and *the Human Rights Code*, the District shall accelerate the re-entry of students to learning and ensure the continuity of schoolwork for the student for the duration of the Pause for Safety.
- 3.10 The District shall provide appropriate accommodations to the point of Undue Hardship for students with a disability in compliance with the [Board Policy P.121.GOV Accessibility](#).

Appeals

- 3.11 The parent/guardian or student has the right to appeal the decision of a Pause for Safety to the Board.

- 3.12 The student subject to a Pause for Safety shall be offered an opportunity to be represented by an advocate at the appeal hearing.

Accountability

- 3.13 The District shall employ internal accountability mechanisms to ensure the fair, transparent, and accountable application of a Pause for Safety, when required, in support of students' physical and mental safety.
- 3.14 The District shall annually report to the Board on Pauses for Safety. Summary reports shall be made public after removing any identification of individual students.
- 3.15 Reported data shall be disaggregated to identify and remove bias and discriminatory practices in the application of this policy.

Communication

- 3.16 At the beginning of each school year, the District shall ensure that students and their parents/guardians are aware of this policy. Communication shall be culturally relevant and accessible taking into account linguistic, ethnocultural, and accessibility considerations.
- 3.17 The Director of Education is authorized to issue such procedures, guidelines, and other materials as may be necessary to implement this policy.

4.0 APPENDICES

Appendix A: Policy Definitions

5.0 REFERENCE DOCUMENTS

Education Act

[OHRC Policy on Accessible Education for Students with Disabilities](#)

[Policy/Program Memorandum 145, Progressive Discipline and Promoting Positive Student Behaviour, October 17, 2018.](#)

[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.058.HS: Occupational Health and Safety](#)

[OCDSB Policy P.096.SES: Special Education Programs and Services](#)

[OCDSB Policy P.121.GOV: Accessibility](#)

[OCDSB Policy P.125.SCO: School District Code of Conduct](#)

[OCDSB Policy P.132.HS: Violence in the Workplace](#)

[OCDSB Policy P.147.GOV: Human Rights](#)

[OCDSB Procedure PR.515.SCO: Student Suspension and Expulsion](#)

[OCDSB Procedure PR.524.SCO: Access to School/Board Premises](#)

[OCDSB Procedure PR.695.SCO Pause for Safety \(Student Exclusion\)](#)

Appendix A to Policy P.144.SCO Pause for Safety (Student Exclusion)

POLICY DEFINITIONS

Board means the Board of Trustees.

Detrimental to the Physical and/or Mental Safety of Students means an extreme and significant impediment for a student to access their educational programming as a result of a student's infraction of Board Policy P.125.SCO School District Code of Conduct. This might include but is not limited to physical injury or hurt and/or mental harms such as traumatic impacts.

Discrimination means any form of unequal treatment based on a Protected Ground, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, policies, practices, procedures, or systems that appear neutral, but disadvantage certain groups of people. Discrimination may take obvious forms or it may happen in very subtle ways. Even if there are many factors affecting a decision or action, if Discrimination is one factor, that is a violation of this policy.

Discrimination may happen because of perceptions about a person based on a Protected Ground or because of association with a person or group with characteristics that are a Protected Ground. Engaging in a Hate-related Behaviour and Harassment are types of Discrimination.

District means the Ottawa-Carleton District School Board.

Mitigating and Other Factors means extenuating circumstances that, when considered, may mitigate the application of a suspension and whether further investigation should be undertaken to recommend the expulsion of a student. For more information, please consult [Procedure PR.515.SCO: Student Suspension and Expulsion](#)

Pause for Safety, previously known as Exclusion, means, under Section 265 (1)(m) of the *Education Act*, subject to an appeal to the Board, the refusal to admit to the school or a classroom a student whose presence would, in the principal's judgement, be detrimental to the physical or mental safety of the pupils.

Protected Ground means the attributes or characteristics upon which Discrimination is prohibited under the 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.

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.