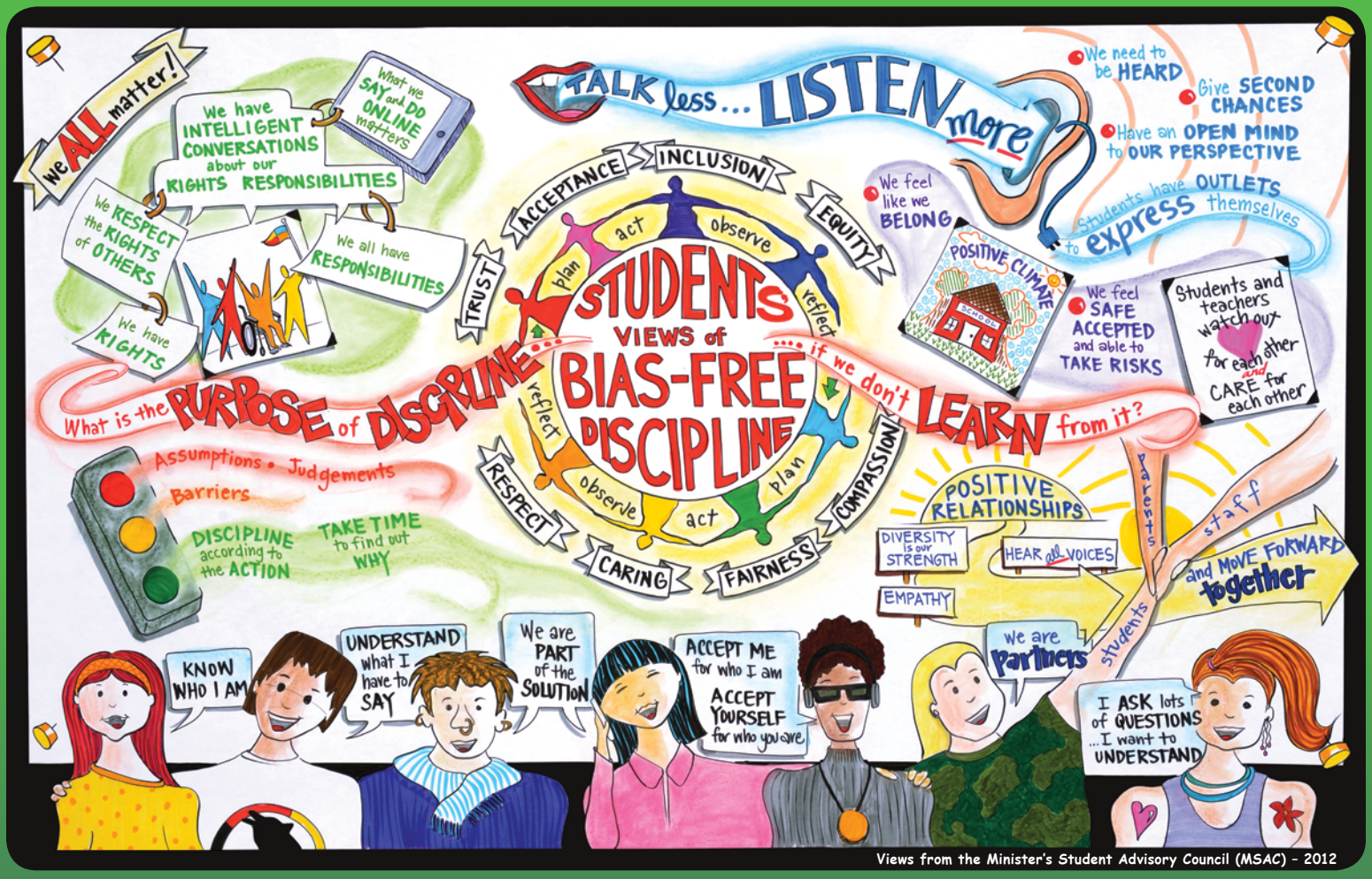
Supporting Bias-Free Progressive Discipline in Schools

A Resource Guide for School and System Leaders

The Ontario Ministry of Education in collaboration with the Ontario Human Rights Commission



Views from the Minister's Student Advisory Council (MSAC) - 2012

2013

Ontario Human Rights Commission
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the Ontario Human Rights Commission

2013

Ministry of Education

Minister

Mowat Block
Queen's Park
Toronto ON M7A 1L2

Ministère de l'Éducation

Ministre

Édifice Mowat
Queen's Park
Toronto ON M7A 1L2

Ontario

Ontario Human Rights Commission

Office of the Chief Commissioner

180 Dundas Street West, 8th Floor
Toronto ON M7A 2R9
Courier postal code: M5G 1Z8

Commission ontarienne des droits de la personne

Cabinet du commissaire en chef

180, rue Dundas ouest 8e étage
Toronto ON M7A 2R9
Code postal pour livraison : M5G 1Z8

A Message from the Minister of Education and the Chief Commissioner of the Ontario Human Rights Commission

We are pleased to introduce *Supporting Bias-Free Progressive Discipline in Schools: A Resource Guide for School and System Leaders,* which has been jointly developed by the Ministry of Education and the Ontario Human Rights Commission (OHRC). This guide is intended to assist school and system leaders in taking a bias-free approach to progressive discipline, and implementing early prevention and intervention practices to support positive student behaviour.

The ministry and the OHRC have been clear that discrimination based on race, age, disability, sexual orientation, gender identity and gender expression or other factors is unacceptable in our schools, and we are committed to fostering a caring, safe, inclusive, and accepting learning environment in all Ontario schools. In such an environment, all members of the school community are welcome, respected and valued. The result is a whole school approach that supports and inspires students to learn and succeed in a culture of high expectations.

Research shows a direct link between success in school and the school environment where learning takes place. Students are motivated to do well and aspire to reach their full potential in schools that have a positive school climate where they feel safe and supported.

In 2009, the ministry released *Realizing the Promise of Diversity: Ontario's Equity and Inclusive Education Strategy* to guide the education community in identifying and removing discriminatory biases and systemic barriers in our schools, in order to support student achievement and well-being. Building on the Equity and Inclusive Education and Safe Schools strategies, this resource guide supports Ontario's Comprehensive Action Plan for Accepting Schools and is aligned with OHRC policies and initiatives. It reflects the positive, collaborative relationship that has been established between the ministry and the OHRC and the common vision to support schools in promoting caring, safe, accepting, and inclusive learning environments.

The Ministry of Education and the Ontario Human Rights Commission would like to acknowledge and thank the many individuals and groups who play an essential role in supporting bias-free progressive discipline and creating caring, safe, inclusive and accepting schools throughout the province to support the success of all Ontario students.

Sincerely,

Liz Sandals
Minister of Education

Barbara Hall
Chief Commissioner
Ontario Human Rights Commission

A Note to Users of the Resource Guide

Supporting Bias-Free Progressive Discipline in Schools: A Resource Guide for School and System Leaders was developed jointly by the Ministry of Education* and the Ontario Human Rights Commission. The document is intended to guide school and system leaders in fostering a bias-free approach to progressive discipline, prevention, and early intervention practices to support positive student behaviour among all students.

Consultation with educators, non-teaching staff, students, and parent groups across the province provided valuable input for the development of this resource guide.

How is this resource guide meant to be used?

This resource guide is meant to be used to help enhance understanding among members of school communities about key areas and topics related to progressive discipline:

- consideration of mitigating and other factors;
- bias and barriers to equity;
- human rights principles; and
- leadership as it relates to progressive discipline.

The guide also sets out a range of suggested approaches and practices to assist you and your staff in:

- reviewing current practices related to progressive discipline through the lens of equity and inclusive education principles and human rights principles;
- revising practices as suggested by the review, and promoting a positive school climate by using a collaborative approach and building knowledge;
- implementing practices that support positive behaviour and bias-free progressive discipline, taking mitigating and other factors into account not only in response to inappropriate behaviour but in all interactions with students along the "continuum of progressive discipline".

These suggested approaches and practices are also provided in tabular form in a separate PDF (available at www.edu.gov.on.ca/eng/policyfunding/discipline.html), which can be printed on 11 X 17-inch paper as a **placemat** for easy reference.

The guide includes a detailed **glossary** of terms that appear in the text and, more broadly, that are used in the area of equity and inclusive education. The glossary can help facilitate understanding and communication among members of the school community.

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* The ministry branches involved were: Inclusive Education, Learning Environment, and Special Education Policy and Programs.

The guide also includes a set of appendices:

- **Appendix A:** A set of five scenarios illustrating inappropriate student behaviour, intended for use by professional learning communities. Each scenario is followed by questions designed to promote reflection and discussion among educators about disciplinary processes in their own schools.
- **Appendix B:** A checklist that identifies the types of circumstances and factors that boards and schools should consider in making disciplinary decisions, with a particular focus on the circumstances of students with special education needs
- **Appendix C:** An explanation of accommodations related to instruction, assessment, and the physical environment that must be provided for students with special education needs
- **Appendix D:** A tip sheet on the "whole-school approach" (also available as a separate PDF on the ministry website)
- **Appendix E:** Resources to support implementation

A Note about the Cover: ***What do students think about bias-free discipline?***

The image that appears on the cover of this publication is an illustrated poster depicting the views of members of the Minister's Student Advisory Council (MSAC) about bias-free progressive discipline. The poster, available as a PDF along with the resource guide at www.edu.gov.on.ca/eng/policyfunding/discipline.html, can be used as a tool to help school community members understand how students think bias-free discipline can be enhanced. It can also be used to promote reflection about how the school encourages student leadership, student engagement, and respectful and inclusive behaviour on the part of students.

Contents

Introduction 7

Supporting a Shared Vision 7

The Purpose and Format of This Resource Guide 7

Progressive Discipline: Taking Mitigating and Other Factors into Account 9

Mitigating Factors 10

Other Factors to Be Taken into Account 11

Discriminatory Bias and Systemic Barriers 12

Questions for Reflection 13

Human Rights Principles 14

Leadership and Bias-Free Progressive Discipline 16

Suggested Approaches and Practices to Support Bias-Free Progressive Discipline 19

Appendix A: Scenarios to Promote Reflection 24

Appendix B: Considerations in Addressing Inappropriate Behaviour 28

Appendix C: Accommodations for Students with Special Education Needs 29

Appendix D: A Whole-School Approach 30

Appendix E: Resources 32

Glossary 36

References 43

Une publication équivalente est disponible en français sous le titre suivant : *Vers une discipline progressive et sans préjugés à l'école : Guide de ressources à l'usage des leaders scolaires et les leaders du système*, 2013.

This publication is available on the Ministry of Education website at www.ontario.ca/education.

Introduction

Supporting a Shared Vision

The Ministry of Education and the Ontario Human Rights Commission (OHRC) are committed to fostering a caring, safe, inclusive, and accepting learning environment in Ontario schools. In such an environment, all students, parents, and other members of the school community are welcome, respected, and valued, and all students are supported in their learning and inspired to succeed in a culture of high expectations for learning.

> "There is an increasing body of research showing that students who feel connected to school – to teachers, to other students, and to the school itself – do better academically."
>
> (Ontario Ministry of Education, 2009b, p. 12)

This resource guide focuses on bias-free progressive discipline, and so builds on ministry policy and changes introduced through recent amendments to the Education Act (Bill 13, Accepting Schools Act, 2012) that promote safe, inclusive, and accepting schools. The legislation and ministry policies are designed to encourage positive behaviour and promote healthy relationships, growth, and development among *all* students. This resource guide complements and is aligned with ministry policies (see Appendix E), including the Equity and Inclusive Education Strategy and the Safe Schools Strategy, and is consistent with OHRC policies.

The Purpose and Format of This Resource Guide

This resource guide is intended to help school and system leaders support a bias-free approach to progressive discipline by:

- reviewing current student discipline practices;
- identifying bias and discriminatory barriers;
- assessing their own and other school community members' understanding of human rights principles;
- identifying which practices are working well and areas that may need further development and improvement.

The resource guide includes the following:

- a discussion of key areas and topics relevant to progressive student discipline, including the need to consider mitigating and other factors when responding to inappropriate behaviour: bias and barriers to equity; human rights principles; and leadership as it relates to progressive discipline;
- a section outlining suggested approaches to reviewing, developing, and applying relevant policies and practices, which are also provided separately, as a placemat, for easy reference;
- a set of appendices with additional resources relating to bias-free progressive discipline, including a set of scenarios with questions designed to promote reflection and discussion;
- a glossary of terms used in this resource guide as well as terms encountered in the broader context of equity and inclusive education.

Progressive Discipline: Taking Mitigating and Other Factors into Account

In compliance with the provisions of the Education Act and the Ontario Human Rights Code (referred to hereafter as "the Code"), school and system leaders must take mitigating and other factors into account when:

- a principal is considering whether to suspend a pupil;
- a principal is considering the duration of a suspension;
- a principal is considering the duration of a suspension pending an expulsion;
- a principal is considering whether to recommend to the board that a pupil be expelled;
- a board is considering whether to expel a pupil (and whether the expulsion will be from one school of the board or all schools of the board);
- a board, after deciding not to expel a pupil, is considering what to do about the suspension.

This resource guide recommends that mitigating and other factors be taken into account not only as specified above but also when determining interventions and consequences *along the full continuum of progressive discipline* – that is, from the implementation of prevention programs and initiatives to the determination of consequences in response to inappropriate behaviour. This recommendation is based on the principle discussed in *Caring and Safe Schools in Ontario* (Ontario Ministry of Education, 2010), that in order to be effective and constructive, responses to behavioural issues must emerge from an understanding of the challenges students face and the causes underlying their behaviour.

School leaders practise progressive discipline as part of a whole-school approach that involves a continuum of prevention programs, strategies for fostering and reinforcing positive behaviour and helping students make good choices, and age-appropriate interventions, supports, and consequences used to address inappropriate student behaviour. The disciplinary measures used in response to inappropriate behaviour are applied within a framework that shifts the focus from one that is solely punitive to one that is both corrective and supportive. (Ontario Ministry of Education, 2012).

Those seeking to understand student behaviour in the learning environment will find it helpful to keep the following in mind:

- Behaviour occurs in a context.
- Behaviour is learned.
- Behaviour serves a function for the individual.
- Behaviour can be changed over time.

(Surrey Place Centre, 2008, p. 7)

As stated in *Caring and Safe Schools in Ontario*, to manage behaviour effectively, educators need to consider not just the behaviour itself – what the student is doing – but also the underlying cause(s) of the behaviour. When educators focus only on what the student is doing and try to eliminate the behaviour, they often find that another inappropriate behaviour arises in its place, because the underlying need has not been met.

Inappropriate behaviour is often a student's way of responding to something in the environment. It may be an attempt to communicate a need, rather than a deliberately aggressive or purposefully negative act. Behaviour can be understood differently when viewed from different perspectives and when the context in which it occurs is taken into account.

> Throughout conversations with researchers, community leaders, and youth across the province about youth development, one message was clear: context matters. It matters whether a young person is growing up in an urban or rural setting, in a high or low socio-economic status neighbourhood, in a minority setting for a Francophone, or in a particular cultural community, for example, one of the many Aboriginal communities in Ontario. Environment, history, and life events impact the experiences youth have, the challenges they face, the supports and opportunities they have access to, and the choices that they make.
>
> (Government of Ontario, 2012, p. 16)

Understanding students' individual circumstances and the root causes of their behaviour will help educators identify the disciplinary measures most likely to address the behaviour effectively, and the resources most likely to provide the student with constructive ongoing support.

Being aware of mitigating and other factors is a critical step in understanding and effectively addressing a student's inappropriate behaviour. These factors[1] are outlined below.

Mitigating Factors

- The student does not have the ability to control his or her behaviour.
- The student does not have the ability to understand the foreseeable consequences of his or her behaviour.
- The student's continuing presence in the school does not create an unacceptable risk to the safety of any person.

1 As set out in Ontario Regulation 472/07, "Suspension and Expulsion of Pupils".

Other Factors to Be Taken into Account

- the student's history;
- whether a progressive discipline approach has been used with the student;
- whether the activity for which the student may be or is being suspended or expelled was related to any harassment of the student because of his or her race, ethnic origin, religion, disability, gender, or sexual orientation or any other harassment;
- how the suspension or expulsion would affect the student's ongoing education;
- the age of the student;
- in the case of a student for whom an Individual Education Plan (IEP) has been developed:
  - whether the behaviour was a manifestation of a disability identified in the student's individual education plan;
  - whether appropriate individual accommodation has been provided;
  - whether the suspension or expulsion is likely to result in an aggravation or worsening of the student's behaviour or conduct.

Ongoing interventions and supports may need to be revisited and/or readjusted to sustain and promote positive student behaviour and/or address underlying causes. Interventions for students with an IEP might include changing accommodations. (See Appendix B: Considerations in Addressing Inappropriate Behaviour.)

Discriminatory Bias and Systemic Barriers

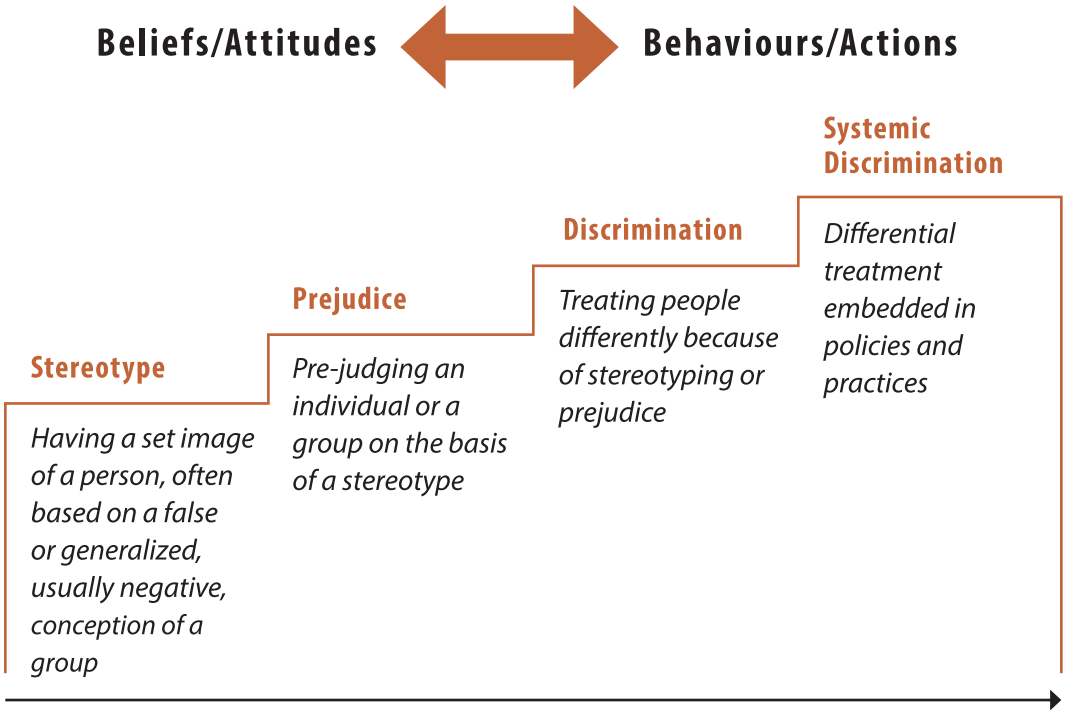
In addition to giving full consideration to mitigating and other factors at all stages of progressive discipline, school and system leaders should strive to identify discriminatory biases and eliminate systemic barriers.

It is important to acknowledge that all individuals have assumptions and biases. Biases are beliefs and attitudes that can affect an individual's behaviour and actions and may have an adverse impact on students, both those belonging to groups identified in the Code and those that belong to other related groups. Biases may be intentional or unintentional, and may have been adopted unconsciously through the influence of the social environment and the media. When reviewing progressive discipline practices, it is important that school and system leaders consciously identify personal biases and monitor decisions and actions to determine if they or staff are influenced by bias.

A bias-free approach is one that respects all people and groups, and reflects the human rights principles described in the following pages. A bias-free approach helps build and foster a positive, safe, accepting, and respectful school culture and climate and helps students and their families, school staff, and other members of the school community:

- respect individuals' dignity and diversity;
- ensure that every person receives fair and equitable treatment based on individual strengths and needs;
- consider the root causes of student behaviour;
- improve strategies that focus on prevention and early intervention to resolve behavioural issues;
- enhance the school's approach to student discipline;
- support student achievement and prepare students for their role as engaged, productive, and responsible citizens.

Systemic barriers typically arise not as much from individual biases as from entrenched institutional policies and practices. The following diagram and set of questions for reflection may be helpful in understanding and identifying both unconscious biases in beliefs and attitudes that can lead to discriminatory behaviours, and systemic barriers perpetuated through policies and practices.



Source: Adapted from B. Thomas and C. Novogrodsky, *Combating Racism in the Workplace.* Toronto: Cross Cultural Communication Centre, 1983.

Questions for Reflection

- How can the beliefs and attitudes of educators and non-teaching staff about individuals or groups identified in the Code affect the following:
  - student learning
  - student behaviour
  - policies and practices
  - school climate, and relationships with members of the school community (e.g., parents)?
- In what way could prejudices or stereotypes affect the leader's assessments of and decisions in disciplinary situations?

> *"Children learn at a young age to understand that others can have different perspectives than their own (for example, they can hold different beliefs and have different desires) but the development of perspective-taking continues into early adulthood. Later in adolescence, young people begin to understand that perspectives are almost never "neutral" and that everyone's perspective is coloured by their context, beliefs and background."*
>
> (Government of Ontario, 2012, p. 26)

Human Rights Principles

Implementing bias-free progressive discipline requires an understanding of key human rights principles. These include rights and obligations that have been articulated through a broad interpretation of the Code and set out over the years in provincial case law and policy. An understanding of the following principles, which have been jointly developed by the Ministry of Education and the Ontario Human Rights Commission, will help school and system leaders build the foundation for bias-free, progressive discipline.

Human dignity: Respect for human dignity is the foundation of human rights.

Substantive equality: "Substantive equality" occurs when people experience equal opportunities, outcomes, and benefits from policies, practices, programs, services, and systems. Sometimes, treating people and groups the same way will achieve substantive equality, and sometimes they must be treated differently to take into account their particular needs and situations.

Power imbalance: Power is role-dependent or relational. Power imbalances are a normal condition in societies and institutions, including schools. Societal power imbalances can play out in school settings, both in relationships among students and relationships between students and school leaders. Because power imbalances may lead to discrimination and harassment, it is important to recognize the imbalances that exist within the school community and understand how they may be affecting relationships.

Individualized approach: Every student is unique and should be treated as an individual with particular strengths and needs, and should not be stereotyped based on association with any group.

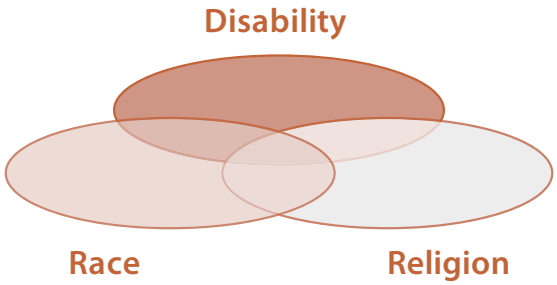
Impact, not intent: When deciding if discrimination has occurred, it is important to take into account the impact of an action rather than whether there was an intent to discriminate.

Duty to accommodate: The legal obligation that school boards have under the Ontario Human Rights Code to take measures that enable individuals to benefit from and take part in the provision of services equally and to participate equally and perform to the best of their ability in the educational setting. (Refer to www.ohrc.on.ca.)

Removing barriers: Barriers are obstacles to equity. They may be overt or subtle, intended or unintended, and systemic or specific to an individual or group, and they prevent or limit access to opportunities, benefits, or advantages that are available to other members of society. Barriers, including those related to Code grounds and other factors, may contribute to inappropriate behaviour by students and they may also be embedded in disciplinary processes. They should be identified and removed.

Historic/ongoing systemic disadvantage: When dealing with students from certain groups identified in the Code, it is important to recognize that the group may have been disadvantaged by barriers over a long period of time and that the group's history may be a factor contributing to the student's behaviour. School and system leaders should try to determine whether this is the case, detect any hidden biases (individual or systemic), and decide on the types of support and/or consequences that could help change the student's behaviour.

Intersectionality: An individual identified by more than one of the grounds under the Code may be subject to unique forms of discrimination. Grounds such as race, sexual orientation, physical or mental disability, and gender identity can intersect to create additional barriers for some students. In addition, other factors, such as socio-economic status, may intersect with grounds identified under the Code as an element of the discrimination.



Leadership and Bias-Free Progressive Discipline

The Ontario Leadership Framework (OLF) identifies successful leaders as those who are committed to equity of outcome and who are sensitive to the diversity of the specific settings in which they work. Such leaders strive to create inclusive and instructionally effective learning environments that make it possible for *all* students to be successful learners. School and system leaders use a growth-oriented and collaborative approach to achieve this goal (Institute for Education Leadership, 2012, pp. 6–7).

Effective leaders take their understanding of community diversity and of legislation and regulations under the Education Act and the Code, as well as ministry policy, into account when determining their professional learning goals and refining their leadership practices. Depending on a leader's degree of expertise and professional learning, his or her learning goals might include understanding of discriminatory bias and barriers and understanding of human rights principles. This knowledge will help leaders keep all students, with their particular circumstances and needs, in mind when designing prevention, intervention, and disciplinary policies and processes. It will also help them take steps to remove any barriers that may exist. Working to expand knowledge and capacity, foster ongoing communication, and guide members of the school community are essential aspects of leadership in developing and implementing bias-free progressive discipline.

The collection of data[2] is another important strategy for understanding student behaviour and monitoring school climate. School and system leaders can use school climate surveys that include questions about harassment and discrimination to help them identify biases and barriers in their schools and boards. The knowledge gained can guide their efforts in promoting a positive and inclusive school climate.

Many school boards and schools in Ontario are well on their way to establishing a culture of evidence-informed decision making. The evidence gathered can be qualitative or quantitative.

2 When collecting data, boards and schools must adhere to the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), and provincial schools to the Freedom of Information and Protection of Privacy Act (FIPPA), as well as the Education Act and regulations made under the act. MFIPPA establishes the way in which school boards must protect an individual's right to privacy when collecting, retaining, using, disclosing, and disposing of personal information, and FIPPA does the same with respect to information held by the provincial government. These acts also establish the right of individuals to request access to information held by school boards and governments. Boards should consult with their legal counsel and freedom of information coordinators to ensure that they are fulfilling all their legal responsibilities. Furthermore, when developing their policies, boards must respect all applicable collective agreements (Ontario Ministry of Education, 2009a, pp. 47–48).

Data are collected systematically, usually for a specific purpose. Some boards and schools already collect the following types of data (Ontario Ministry of Education, 2009a, pp. 47–48):

- **demographic:** contextual data that relate to equity and inclusive education (e.g., students' ethnicity; community socio-economic factors that may be taken into consideration when planning for improved student achievement; enrolment, attendance, and graduation data).[3]
- **perceptual:** students', teachers', and parents' perceptions of the learning environment, values and beliefs, attitudes, observations
- **student achievement:** data on student learning and achievement (e.g., teacher observations; samples of students' classroom work; results of informal and formal assessments; report card data; large-scale assessment results)
- **school processes:** information about school programs and processes as they affect student achievement.

Successful school and system leaders find it useful to take the following considerations into account as they work to develop and implement bias-free progressive discipline in their schools:

- Discrimination can be direct or indirect, overt or subtle, intentional or unintentional. It can consist of systemic factors, unfair treatment, harassment, or unmet needs for accommodation. When making decisions about intervention, supports, and discipline, successful leaders keep in mind that inappropriate behaviour on the part of students who belong to groups identified in the Code may be in reaction to discrimination, and that being subjected to discrimination is likely to cause strong emotions and responses. Each decision along the continuum of progressive discipline should take this factor into account.
- Individuals may have unconscious biases that can result in prejudice and/or stereotyping and may influence their actions and decisions. Stereotyping on grounds identified in the Code can lead to discrimination and create barriers in the progressive discipline process. Successful leaders have processes in place to identify and safeguard students from bias.
- Students who come from backgrounds of historic and systemic disadvantage may face additional, at times intersecting, barriers to equity that should be taken into account in decision making about inappropriate behaviour at any point along the continuum of progressive discipline. In such cases, the student's background would be seen as a factor to take into account.
- Principals are only permitted to share information documented in the Ontario Student Record (OSR) with board employees who do not have access to the OSR, if disclosure is necessary, so that employees can carry out their duties, including their duty to respond to inappropriate and disrespectful student behaviour. In such cases, principals may share only the necessary information pertaining to behaviour that may present risk of physical harm. (Policy/Program Memorandum No. 145, "Progressive Discipline and Promoting Positive Student Behaviour", December 5, 2012, p. 8.)

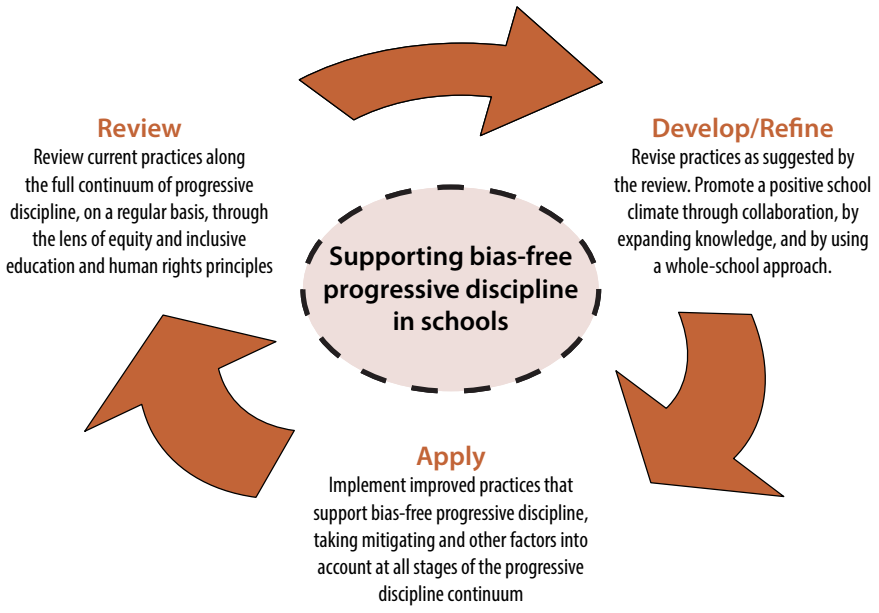
3 To help school leaders learn about student demographics, the Ontario Human Rights Commission has developed a guideline for collecting data entitled *Count Me In! Collecting Human Rights–Based Data* (2010). The OHRC's *Guidelines for Collecting Data on Enumerated Grounds Under the Code* (September 24, 2003; revised November 2009) explains when it is permissible to collect and analyse data based on "enumerated grounds", such as race or disability.

- When making or reviewing decisions in individual discipline cases, system and school leaders should minimize delays and changes that might create hardship for the student and affect his or her learning. For example, delays in the discipline process may have a greater impact on students belonging to groups identified in the Code, who may become disengaged from school.

Suggested Approaches and Practices to Support Bias-Free Progressive Discipline

Approaches that can be taken to support bias-free progressive discipline are outlined in this section. They are organized in three parts, based on a cycle involving continuous review of current practices related to student discipline, the development and/or refinement of such practices, and the application of assessed and improved practices (see the figure below). The approaches outlined below reflect topics addressed in the preceding sections of this guide, including ways of looking at current practices, identifying bias and discriminatory barriers, assessing leaders' and other school community members' understanding of human rights principles, and identifying what is working well and areas that may need further development.

The approaches listed below are also provided in a tabular "placemat" form, available in a separate PDF at www.edu.gov.on.ca/eng/policyfunding/discipline.html. The placemat sets out the Review, Develop/Refine, and Apply panels horizontally for easy reference.



Review

Review policies and practices related to progressive discipline to identify and remove, or prevent, bias and discriminatory barriers

- Review progressive discipline practices on a regular basis to help ensure that they are bias-free and implemented in a consistent and equitable manner.
- Consider human rights and equity and inclusive education principles when reviewing progressive discipline policies and practices.
- Assess whether progressive discipline practices are applied in a fair and timely way for all students, including students from groups identified in the Ontario Human Rights Code.
- Establish that staff members monitor student behaviour to evaluate which measures have been most successful in improving behaviour.
- Review prevention and intervention practices with staff on a regular basis.
- Review and assess the use of programs and practices that promote healthy relationships and positive peer interaction (e.g., character development).
- Assess how well staff, students, and parents understand their rights and responsibilities with respect to progressive discipline policies and practices.
- Seek to identify any discriminatory barriers that may prevent students, particularly those from groups identified in the Code, from reporting incidents of harassment or discrimination.

Review various types of data for evidence of the effect (positive or adverse) that progressive disciplinary practices are having on students, including students identified in the Code, and determine ways to achieve more positive effects

- Review the data being collected by the school and school board (e.g., demographic, perceptual, student achievement, school process) and how it is being used.
- Review information gathered from school climate surveys, parental feedback, EQAO (Education Quality and Accountability Office) assessment results, student and class profiles, attendance records, suspension and expulsion trend data, and the like to collect evidence of the effects that current disciplinary practices are having.
- Work with staff to identify and review other sources of evidence or information that can be used to assess the effect that disciplinary practices are having on students, including students from groups identified in the Code.
- Consider the feedback, observations, and perceptions expressed by staff, students, and parents (e.g., in surveys, meetings, interviews) about ways of approaching issues of student behaviour.
- Determine what action is needed to make improvements in existing policies and practices.
- Keep the school community informed about the evidence of the effects of bias-free progressive discipline and related practices (e.g., school climate survey results).

Develop/Refine

Collaborate with staff, students, parents, and community members to address perceived biases and stereotypes

- Inform all members of the school community about school policies, practices, and roles and responsibilities related to bias-free progressive discipline.
- Consult with students, staff, parents, and other members of the school community to understand how the progressive discipline policy of the board/school has affected student learning, growth, and well-being. Where appropriate, use insights gained through such consultation to inform the development, implementation, and revision of progressive discipline policies and practices.
- Use a variety of strategies to reach out to members of the school community to obtain their perspectives on the best way to develop and implement bias-free progressive discipline.
- Collaborate with members of the school community to address identified prejudices, biases, and stereotypes.
- Provide support for staff to help them understand how to embed human rights principles into progressive discipline practices.
- Draw on existing expertise within the school board as well as in community agencies and groups to support the implementation of bias-free policies and procedures.
- Communicate information to members of the school community about actions taken and results.

Expand knowledge among members of the school community and guide them in the development and implementation of a bias-free approach to progressive discipline

- Implement practices designed to assess whether staff, students, and parents understand progressive discipline, the procedures associated with it, and their own rights and responsibilities in connection with it.
- Build capacity among staff for recognizing and being guided by human rights principles when they apply progressive discipline procedures.
- Hold regular information sessions and provide learning opportunities to educate students, staff, parents, and other members of the school community about:
  - overt or subtle, intended or unintended, and systemic discrimination or specific biases and barriers against individuals or groups;
  - prejudice and stereotyping (e.g., how people can accept and act on stereotypes without giving them much thought);
  - issues of privilege, power, and power dynamics within the school;
  - bullying and intimidation behaviours (e.g., harassment based on grounds under the Code or other factors, such as disability, sexual orientation, gender identity, gender expression, family circumstances, race, social status, size, or strength);
  - mental health and addictions;
  - intervention and prevention strategies.

- Foster awareness among staff and other members of the school community of the Ontario Human Rights Code and ministry policies and resources, including the following:
  - Ontario's Equity and Inclusive Education Strategy
  - Safe Schools Strategy
  - *Caring and Safe Schools in Ontario*
  - Provincial Code of Conduct
  - Accepting Schools Comprehensive Action Plan

Promote positive peer interaction, healthy relationships, and a positive school climate

- Clearly communicate expectations for a positive, bias-free school climate.
- Address comments and/or actions that may have a negative impact on school climate (e.g., sexist or racist comments or comments based on stereotypes) directly and promptly. Behaviour that is not addressed can become an accepted norm.
- Empower students to take responsibility for their own behaviour and to model positive and inclusive peer interactions and healthy relationships.
- Provide opportunities for students and staff to learn about effective problem-solving strategies (e.g., restorative practices, mediation).
- Establish or reinforce ongoing practices that promote a positive school climate (e.g., support for student-initiated events; welcoming/greeting programs).
- Foster positive behaviours by providing a continuum of age-appropriate prevention programs.

Apply

Engage members of the school community in actively supporting positive student behaviour

- Set up and maintain informal and formal mechanisms to support a safe and trusting reporting environment for all students, staff, and parents (e.g., to report bullying/harassment).
- Adjust practices as necessary to eliminate any discriminatory barriers that might prevent students from reporting incidents of harassment or discrimination.
- Implement practices for ongoing feedback and dialogue with staff, students, parents, and community members.
- Implement strategies to support staff in practising a bias-free approach to progressive discipline (e.g., include helpful ideas and approaches in staff and student handbooks; embed guidelines in board policies and procedures).

Establish with staff the practice of taking into account mitigating and other factors when responding to inappropriate student behaviour

- Seek information to help understand the underlying causes of student behaviour.
- Consider mitigating factors and other factors *at all points along the continuum of progressive discipline.*

- Take into consideration any information provided by parents or students that may relate to mitigating or other factors.
- Consider the range of needs, circumstances, and types of conditions that may affect student behaviour (e.g., communication, medical, sensory, social, academic, emotional, and physical needs; mental health issues; communication disorders; executive function deficits).
- Consider the range of interventions, supports, or consequences and determine which are most suitable for a student who engages in a particular inappropriate behaviour.
- Monitor student behaviour to evaluate which measures have been most successful in changing the behaviour.

Apply policies and practices consistently and equitably, taking into account that equity does not mean treating people the same without regard for individual differences

- Determine the appropriate consequence, taking into account the severity of the behaviour, the safety of others, and any mitigating and other factors.
- Address inappropriate behaviour promptly, recognizing that delays can result in unintended consequences.
- Ascertain that the behaviour is not associated with a disability or a medical condition.
- Determine consequences that are age-appropriate, in the knowledge that inappropriate disciplinary measures can have long-term effects.
- Consider whether accommodations are needed to meet the student's individual needs.
- Address identified prejudices, biases, and stereotypes in collaboration with the school community.
- Implement programs to support healthy relationships and positive peer interaction (e.g., character development).
- Foster positive behaviour among students by implementing age-appropriate prevention programs, consistently practising early intervention and providing the support students need.
- Improve capacity to adjust practices as necessary to meet the needs of *all* students by constantly monitoring behaviour, reviewing and refining policies and practices, and applying improved policies and practices.

Appendix A

Scenarios to Promote Reflection

Scenario 1

Bill, a high school student, is being suspended for assaulting another student, Tom. Bill explained to the principal that Tom had called him gay and that he (Bill) had been bullied over the last year by a number of students. During that period, Bill had been sent to the office on several occasions for reacting angrily towards his peers, but he had never revealed to the principal that his outbursts were in response to being bullied. When the principal discussed this most recent incident with Bill, she told him that his behaviour was inappropriate and asked him to approach staff if he had similar problems in the future.

When the principal met with Bill's parents to discuss the suspension, they said they had noticed that Bill had become angrier at home over the last year. They knew that some students were picking on him, but Bill had insisted on handling the problem himself.

The parents asked how it was possible that the adults in the school had not intervened when students made derogatory comments to their son. In their opinion, Bill had no choice but to take things into his own hands, since the school was "not doing enough" to keep him safe from the harassment by his peers.

Questions for consideration

1. What are the issues in this scenario?
2. What information, and what mitigating and other factors, should the principal have considered when Bill was last sent to his or her office?
3. What information would have helped the principal understand the root causes of Bill's behaviour?
4. What supports and interventions for both Bill and Tom could the principal have considered following this most recent incident?
5. How should the principal respond to the parents?
6. How can the principal identify any barriers that may be preventing students like Bill from reporting incidents of harassment, discrimination, or bullying?
7. What informal and formal mechanisms could be put in place to support a safe and trusting environment for reporting incidents of bullying/harassment?
8. How can the principal build capacity among staff to enable them to consider and appropriately apply a range of interventions, supports, and/or consequences when students engage in inappropriate behaviour (e.g., both for Bill and for Tom)?
9. What action should be taken to improve existing practices in order to prevent similar incidents from occurring in the future and to support a positive school climate?

Scenario 2

Maria has admitted to stealing food from the cafeteria. Two other girls were involved, but Maria refuses to tell the principal who they are. Maria is a new student in Grade 9. She has an older sibling at the school who has been sent to the principal's office for inappropriate behaviour on a number of occasions. The principal does not know that Maria works after school to help support her family and that she recently lost her job. He suspends her for the theft and requests that she reimburse the cafeteria for the cost of the stolen food.

Questions for consideration

1. What are the issues in this scenario?
2. What information, and what mitigating and other factors, should the principal have considered when determining how to discipline Maria for her behaviour?
3. If the principal had had an understanding of Maria's personal circumstances, might he have addressed her behaviour differently? How?
4. What supports and interventions might be considered for Maria?
5. Identify informal and formal mechanisms that might help make the environment safe and trusting for a student like Maria to ask for help?

Scenario 3

Daniel, a Grade 8 student, has been having difficulty paying attention in class. He has stopped doing his homework on a consistent basis, and his grades have dropped considerably. His homeroom teacher brought Daniel to a meeting of the in-school resource team, and Daniel is now on a waiting list for a formal assessment. Recently, Daniel started to yell out in class. The principal has met with Daniel on several occasions, but the homeroom teacher reports that his classroom behaviour has not improved. The principal is concerned that Daniel's outbursts may have something to do with an underlying learning disorder.

On Friday, Daniel swore at the homeroom teacher and threw his books in his direction. The principal suspended Daniel for two days. Daniel's parents are not pleased and believe that the principal does not know how to manage teachers who simply do not understand their son. They plan to appeal the suspension and no longer want Daniel to be formally assessed.

Questions for consideration

1. What are the issues in this scenario?
2. What information and what mitigating and other factors, should the principal have considered when Daniel swore at the homeroom teacher?
3. What information might the principal have considered previously that would have warranted providing early interventions?
4. What preventive measures could have helped Daniel?
5. What supports and interventions would you consider for Daniel and his family?
6. How would you respond to the parents?
7. What action is needed to improve existing practices in order to prevent similar incidents in the future?

Scenario 4

Shannon, a Grade 6 Haudenosaunee student, routinely misses a week of school in January and is periodically absent on Fridays throughout the year to attend traditional ceremonies.

One day, when the students in the class were working on a group assignment, the teacher heard another student, Rachel, telling Shannon angrily that it wasn't fair that Shannon didn't have to do as much work as the others because of her special holidays. The teacher intervened immediately and spoke with the two girls individually. She learned from Shannon that Rachel and other students had often said similar things to her when she returned to school after community ceremonies.

The teacher spoke with the principal about Rachel's behaviour, which seemed to reflect the perspective of other students in the school, and suggested inviting the community Elders to the school to provide traditional teachings about their ceremonies to the students.

The teacher told Rachel that her behaviour was inappropriate and sent her to the principal's office. The principal called both Rachel's and Shannon's parents to discuss the situation.

Questions for consideration

1. What are the issues in this scenario?
2. What information, and what mitigating, and other factors, should the principal consider when determining next steps?
3. What supports and interventions would you consider, for both Rachel and Shannon, in response to the incident?
4. What strategies could be used to improve the classroom or school climate and to strengthen the relationship among students?
5. What could the principal do to build capacity among educators and non-teaching staff to enable them to increase students' knowledge and awareness about First Nations traditions, cultures, and perspectives more effectively?
6. What informal and formal mechanisms might help Shannon feel safer and more trusting to report incidents to staff?
7. What action could be taken to improve existing practices and prevent similar incidents in the future?

Scenario 5

During class, a teacher stopped two boys who were pushing each other in a rough manner – Mutambo Bonbawe and Harinder Gill, both in Grade 7. The teacher kept both boys in at recess and made it clear that their behaviour was inappropriate. Mutambo was a newcomer to the province and had been at the school for only a month. He received English as a Second Language support.

The next day, as the students were entering the classroom, Mutambo and Harinder were pushing each other again. This time the teacher called the parents of both boys and explained that the students would serve a detention as a result of their inappropriate behaviour.

After the incident, Mutambo was absent from school for the next three days. When the office staff called Mutambo's home to inquire about his absence, his parent struggled to provide information, and then hung up. The next day, the parents came to the school accompanied by a neighbour, who served as their translator. They asked to speak with the principal.

The Bonbawe family explained to the principal that they had been upset to learn that their son had behaved inappropriately in class and that it was very important to them that their child receive the best education possible. They expected Mutambo to do as well as he had done in their home country.

In addition, they said that their son often cried and that he hated school. At first, they thought Mutambo might be missing his friends from home, but then they learned that he was being picked on. Mutambo was being teased at recess, called names based on his race, and often pushed around, mostly by Harinder Gill. The parents said other students were involved as well, but they didn't know their names.

The principal reassured Mutambo's parents that he and his staff would make sure that their son was safe at school and that they would take steps to make him feel included. The principal looked into the situation and determined the consequence. He then called Harinder's parents and spoke to the students in the class who had been supporting the inappropriate behaviour towards Mutambo.

Questions for consideration

1. What are the issues in this scenario?
2. What information should the principal consider when determining how to discipline Harinder and the other students for their behaviour towards Mutambo? What should the consequence be?
3. What supports and interventions might be considered for Mutambo, Harinder, and the bystanders?
4. What informal and formal mechanisms could be considered to address racism in the school?
5. What supports and interventions for both Harinder and Mutambo could the principal consider to build a positive relationship between the two boys?
6. How should the principal respond to both sets of parents?
7. Determine what action should be taken to improve existing practices in order to prevent similar incidents from occurring in the future and to support a positive school climate?

Appendix B

Considerations in Addressing Inappropriate Behaviour

The following checklist identifies the types of circumstances and factors that boards and schools should consider in making disciplinary decisions, with a particular focus on the circumstances of students with special education needs.

Considerations for the most appropriate response to address inappropriate behaviour:

- ☐ Particular student circumstances (e.g., mitigating or other factors)
- ☐ The nature and severity of the behaviour
- ☐ The impact on the school climate (i.e., the relationships within the school community)

Mitigating circumstances applicable to the student:

- ☐ The student does not have the ability to control his or her behaviour.
- ☐ The student does not have the ability to understand the foreseeable consequences of his or her behaviour.
- ☐ The student's continuing presence in the school does not create an unacceptable risk to the safety of any person.

Comment: _____

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_____

Other factors:

- the student's history
- whether a progressive discipline approach has been used with the student
- whether the activity for which the student may be or is being suspended or expelled was a consequence of harassment of the student because of his or her race, ethnic origin, religion, disability, gender or sexual orientation, or any other factor
- how the suspension or expulsion would affect the student's ongoing education
- the age of the student
- in the case of a student for whom an Individual Education Plan (IEP) has been developed,
  - i. whether the behaviour was a manifestation of a disability identified in the student's individual education plan
  - ii. whether appropriate individual accommodation has been provided
  - iii. whether the suspension or expulsion is likely to result in an aggravation or worsening of the student's behaviour or conduct

Information about the school culture – i.e., is the student accepted and respected, and are others aware of his or her special education needs?

Comment: _____

_____

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Source: Ontario Regulation 472/07, "Behaviour, Discipline and Safety of Pupils", sections 2 and 3, as cited in Ontario Ministry of Education, *Caring and Safe Schools in Ontario: Progressive Discipline for Students With Special Education Needs, Kindergarten to Grade 12 (2010)*, p. 51.

Appendix C

Accommodations for Students with Special Education Needs

The term *accommodations* has a specific meaning in special education. Accommodations for students with special education needs include special teaching and assessment strategies, human supports, and/or individualized equipment that help the student learn and demonstrate learning. Accommodations described in the *Individual Education Plan* (IEP) should include only strategies and supports that differ from what is normally provided during classroom instruction.

Students who require accommodations may have subjects or courses classified as "Accommodated only", "Modified", and/or "Alternative". It is quite possible that the student will require the same accommodations in many or all of his or her subjects or courses.

The accommodations that the student requires in connection with instruction, assessment, and functioning in the physical environment should be identified and listed separately, as follows:

- Instructional accommodations – adjustments in teaching strategies required to enable the student to learn and to progress through the curriculum;
- Environmental accommodations – changes or supports in the physical environment of the classroom and/or the school;
- Assessment accommodations – adjustments in assessment activities and methods required to enable the student to demonstrate learning.

Source: Ontario Ministry of Education, *The Individual Education Plan (IEP): A Resource Guide* (2004), p. 25.

Appendix D

A Whole-School Approach

The text of this Ministry of Education tip sheet on the whole-school approach was originally distributed to the field in October 2012. The PDF version is available on the ministry website, along with this resource guide.

ACCEPTING SCHOOLS: BUILDING ON THE SAFE SCHOOLS AND EQUITY AND INCLUSIVE EDUCATION STRATEGIES

Promoting a Positive and Inclusive School Climate

A tip sheet drawn from evidence-informed resources that focus on promoting a safe, inclusive, and accepting school climate

Issue #1A – October 2012 Update

A Whole-School Approach to Promoting a Safe, Inclusive, and Accepting School Climate

The Question:

"We want to move forward to implement a whole school approach to accepting schools. How do we proceed?"

The Answer:

Understanding five essential elements is key to successful implementation of a whole-school approach:

1. Definition
2. Research
3. Leadership and evidence
4. Common elements
5. Components

"Bullying should be considered across multiple contexts that include the individual, family, peer, school, and community … this perspective is reflected in the whole-school approach in that it seeks to alter the context of bullying on multiple levels while addressing inter- and intra-individual concerns."

Allen, 2011

1. DEFINITION

A whole-school approach engages all key learning areas, all grades, and the wider community. Students and adults in the school and the wider community develop awareness and understanding of the factors that contribute to safe, inclusive, caring, and accepting school climates.

All aspects of school life are considered, such as curriculum, school climate, teaching practices, policies, and procedures.

2. RESEARCH

Research shows that there is a direct link between students' success and the school environment in which engagement in learning takes place.

An effective school does more than achieve academic markers; it develops healthy relationships among staff, among students, and between staff and students to promote a positive school climate.

A whole-school approach involving all education and community partners is an important step to bring about systemic changes. Canadian and international research calls for the adoption of safe schools policies, equity and inclusive education policies, and related initiatives.

"A positive school climate makes negative behaviours such as bullying and harassment unacceptable."

Pepler et al., 2004

3. LEADERSHIP AND EVIDENCE

A whole-school approach requires shared and committed leadership, including at the level of the Director of Education, Supervisory Officer, and Principal. This is essential for establishing a vision, policies, procedures, and programs that promote a positive school culture.

A whole-school approach is evidence-informed and starts with a review of data from a school climate survey. The results of the survey should inform the development of strategies, practices, programs, bullying prevention, intervention plans, and so on.

A pre- and post-evaluation strategy is critical. The pre-evaluation phase creates a baseline and identifies gaps and areas of concern as well as areas of strength and success. A post-evaluation gathers evidence to test the efficacy of the prevention, responses, interventions, or supports provided, and changes are made where necessary.

"Research on bullying prevention in schools has repeatedly shown that principals' leadership is essential to establishing a foundation of collaboration across all groups within the school community – staff, students, parents, and community partners."

Jaffe, Crooks, & Watson, 2010

4. COMMON ELEMENTS

School policies and procedures in addressing student behaviour must be consistent regardless of the individual involved or the context, taking into account mitigating factors.

Building a positive school climate means embedding the principles of equity and inclusive education in all aspects of the learning environment to support the well-being and achievement of all students.

Implementation of the whole-school approach needs to occur at four levels: the level of the school, the classroom, the individual, and the community. The common,

overlapping themes of prevention, response, intervention, support, and monitoring occur at all the levels. At each level, the following elements are critical:

- Identification of roles and responsibilities
- Staff, student, parent, and community engagement
- A pre- and post-evaluation strategy (You may find the ministry's Sample School Climate Surveys to be useful tools.)

"A comprehensive evaluation of a bullying-prevention program needs to include assessments of change at different levels of the system."

Pepler et al., 2004

5. COMPONENTS

No single solution can guarantee the creation and maintenance of a positive, safe, inclusive, caring, and accepting school climate. Success requires an ongoing, comprehensive, and collaborative effort on the part of everyone involved.

According to research, the following types of activities should occur within each component:

Individual Level:

- Foster respectful relationships and understanding among those around you.
- Hold meetings with students and their parents when inappropriate behaviour occurs.
- Support positive change and positive behaviour.
- Develop individual intervention plans for students involved in serious incidents.

Classroom Level:

- Communicate positive behavioural expectations and consistently enforce school-wide rules on behaviour.
- Hold regular class meetings and communicate regularly with parents.
- Learn and practise curriculum-linked and evidence-based/research-informed prevention and intervention strategies that give opportunities for social emotional learning to build and practise healthy relationship skills.
- Embed the principles of respect, equity, and inclusive education through curriculum resources and classroom practices.

School Level:

- Establish a coordinating committee (e.g., a Safe and Accepting Schools Team, as referenced in Policy/Program Memorandum No. 144).
- Provide training for committee and staff.
- Conduct pre- and post-evaluations and use results to inform practices (e.g., school climate surveys).
- Establish school rules regarding behaviour.
- Develop bullying prevention and intervention plans.
- Review and refine the school's supervision plan, which should identify "hotspots" or those areas that are difficult to supervise.
- Develop processes that are transparent to facilitate engagement and communication with parents, with a focus on diverse parent groups.
- Promote a safe, inclusive, and accepting school climate.

Community Level:

- Foster school-community partnerships to support the school's programs.
- Involve community members in the policy development process.
- Communicate the school's Code of Conduct and expectations about appropriate behaviour to the school community.

Building and sustaining a positive, inclusive, safe, and accepting school climate is a complex challenge requiring multi-pronged solutions and monitoring of progress.

This tip sheet has been updated to support boards in the implementation of a whole-school approach. You may also find the following ministry resources helpful: *Promoting a Positive School Climate: A Resource for Schools*, and the *Worksheet for Discussion and Planning*.

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Appendix E

Resources

Ontario Human Rights Commission

- Ontario Human Rights Code (www.e-laws.gov.on.ca)
- "Human Rights 101", OHRC e-Learning module. (www.ohrc.on.ca/en/learning/ohrc-elearning-your-elearning-source-human-rights/human-rights-101)
- OHRC policies (www.ohrc.on.ca/en/our_work/policies_guidelines?page=1). See, for example, policies on: Racism and Racial Discrimination, Discrimination and Harassment because of Sexual Orientation, Preventing Sexual and Gender-based Harassment, and Disability and the Duty to Accommodate.
- *Count me in! Collecting Human Rights–Based Data* (www.ohrc.on.ca/en/count-me-collecting-human-rights-based-data)
- *Policy on Competing Human Rights* (www.ohrc.on.ca/en/policy-competing-human-rights)

Ministry of Education

Comprehensive Action Plan for Accepting Schools

- Ontario's Comprehensive Action Plan for Accepting Schools (www.ontario.ca/acceptingschools/)
- Accepting Schools Act, 2012 (Bill 13) (http://ontla.on.ca/web/bills/bills_detail.do?locale=en&BillID=2549)

Equity and Inclusive Education Strategy

- *Ontario's Equity and Inclusive Education Strategy* (www.edu.gov.on.ca/eng/policyfunding/equity.pdf)
- *Equity and Inclusive Education in Ontario: Guidelines for Policy Development and Implementation* (www.edu.gov.on.ca/eng/policyfunding/inclusiveguide.pdf)
- Policy/Program Memorandum No. 119, "Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools", April 22, 2013 (www.edu.gov.on.ca/extra/eng/ppm/119.pdf)
- *Quick Facts: Ontario's Equity and Inclusive Education Strategy* (www.edu.gov.on.ca/eng/policyfunding/EquityQuickFacts.pdf)

Safe Schools Strategy

- Ontario's Safe Schools Strategy (www.edu.gov.on.ca/eng/safeschools/ministry.html)
- *Promoting a Positive School Climate: A Resource for Schools* (text introduction) (www.edu.gov.on.ca/eng/parents/IntroDocEng.pdf)
- *Promoting a Positive School Climate Resource: A Resource for Schools* (resource – chart) (www.edu.gov.on.ca/eng/parents/ResourceDocEng.pdf)
- Related policies that provide resources and policies for school boards in developing and implementing a safe and positive learning environment (e.g., www.edu.gov.on.ca/eng/parents/safeschools.html)
- Sample school climate surveys for students, school staff and parents (www.edu.gov.on.ca/eng/teachers/climate.html)
- On-line modules on Bill 157 (http://bill157.apandrose.com)
- Policy/Program Memorandum No. 145, "Progressive Discipline and Promoting Positive Student Behaviour", December 5, 2012 (www.edu.gov.on.ca/extra/eng/ppm/145.pdf)
- Policy/Program Memorandum No. 144, "Bullying Prevention and Intervention", December 5, 2012 (www.edu.gov.on.ca/extra/eng/ppm/144.pdf)
- Policy/Program Memorandum No. 141, "School Board Programs for Students on Long Term Suspensions", December 5, 2012 (www.edu.gov.on.ca/extra/eng/ppm/141.pdf)
- Policy/Program Memorandum No. 142, "School Board Programs for Expelled Students", December 5, 2012 (www.edu.gov.on.ca/extra/eng/ppm/142.pdf)
- Policy/Program Memorandum No. 128, "The Provincial Code of Conduct and School Boards Code of Conduct", December 5, 2012 (www.edu.gov.on.ca/extra/eng/ppm/128.pdf)
- Policy/Program Memorandum No. 120, "Reporting Violent Incidents to the Ministry of Education", May 16, 2011 (www.edu.gov.on.ca/extra/eng/ppm/120.pdf)
- *Provincial Model for a Local Police/School Board Protocol*, 2011 (www.edu.gov.on.ca/eng/document/brochure/protocol/locprote.pdf)
- *Model Bullying Prevention and Intervention Plan,* Working Draft, January 2013 (www.edu.gov.on.ca/eng/document/curricul/BullyingPreventPlan.pdf)
- *Bullying – We Can All Help Stop It: A Guide for Parents of Elementary and Secondary School Students*, Spring 2013. The pamphlet was recently updated to reflect the Accepting Schools Act. (www.edu.gov.on.ca/eng/multi/english/BullyingEN.pdf)
  The pamphlet has also been translated into numerous languages, and is also available on the ministry website. (www.edu.gov.on.ca/eng/parents/multiLanguages.html) .

Special Education

- *Caring and Safe Schools in Ontario: Supporting Students with Special Education Needs through Progressive Discipline, Kindergarten to Grade 12.* (www.edu.gov.on.ca/eng/general/elemsec/speced/Caring_Safe_School.pdf)
- *Shared Solutions: A Guide to Preventing and Resolving Conflicts Regarding Programs and Services for Students with Special Education Needs* (www.edu.gov.on.ca/eng/general/elemsec/speced/shared.html)
- *Special Education: A Guide for Educators* (www.edu.gov.on.ca/eng/general/elemsec/speced/guide.html)
- *The Individual Education Plan (IEP): A Resource Guide* (www.edu.gov.on.ca/eng/general/elemsec/speced/guide/resource/index.html)

Mental Health

- *Open Minds, Healthy Minds: Ontario's Comprehensive Mental Health and Addictions Strategy* (www.health.gov.on.ca/en/common/ministry/publications/reports/mental_health2011/mentalhealth.aspx)
- *Mental Health Awareness in Ontario School Boards.* School Mental Health ASSIST website at http://smh-assist.ca
- *Building and Sustaining District Conditions for Effective School Mental Health.* Mental Health ASSIST website at http://smh-assist.ca

School Board and School Planning

- *School Effectiveness Framework K–12: A Support for School Improvement and Student Success* (www.edu.gov.on.ca/eng/literacynumeracy/Framework_english.pdf)

Leadership

- Ontario Leadership Framework (see Ontario Institute for Education Leadership, below)
- *Ideas into Action: Core Leadership Capacities* (www.edu.gov.on.ca/eng/policyfunding/leadership/IdeasIntoAction09.pdf)
- *Ideas into Action: Courageous Conversations* (www.edu.gov.on.ca/eng/policyfunding/leadership/IdeasIntoAction10.pdf)
- *Ideas into Action: Collaborative Learning* (www.edu.gov.on.ca/eng/policyfunding/leadership/IdeasIntoActionSpring.pdf)

Aboriginal Education Strategy

- *Ontario First Nation, Métis, and Inuit Education Policy Framework*, 2007 (www.edu.gov.on.ca/eng/aboriginal/fnmiFramework.pdf)
- *Aboriginal Perspectives: A Guide to the Teacher's Toolkit – Teaching Resources and Strategies for Elementary and Secondary Classrooms* (www.edu.gov.on.ca/eng/aboriginal/Guide_Toolkit2009.pdf)

French Language Education Policy and Programs

- *Politique d'aménagement linguistique de l'Ontario pour l'éducation en langue française* (www.edu.gov.on.ca/fre/document/policy/linguistique/linguistique.pdf)
- *L'admission, l'accueil, et l'accompagnement des élèves dans les écoles de langue française de l'Ontario : Énoncé de politique et directives* (www.edu.gov.on.ca/fre/document/policy/admissions.pdf)
- *Une approche culturelle de l'enseignement pour l'appropriation de la culture dans les écoles de langue française de l'Ontario : Cadre d'orientation et d'intervention* (www.edu.gov.on.ca/fre/amenagement/PourLaFrancophonie2009.pdf)

Parent Engagement

- Ontario's Parent Engagement Policy (www.edu.gov.on.ca/eng/parents/policy.html)
- "Parent" portal (www.edu.gov.on.ca/eng/parents/)

Curriculum

- The Ontario Curriculum, K–12 (www.edu.gov.on.ca/eng/teachers/curriculum.html)
- *Ontario Schools, Kindergarten to Grade 12: Policy and Program Requirements*. 2011 (www.edu.gov.on.ca/eng/document/policy/os/ONSchools.pdf)
- *Growing Success: Assessment, Evaluation, and Reporting in Ontario Schools,* First Edition, Covering Grades 1 to 12, 2010 (www.edu.gov.on.ca/eng/policyfunding/growSuccess.pdf)

Ontario Institute for Education Leadership

- Ontario Leadership Framework (www.education-leadership-ontario.ca/content/framework)
- Safe and Accepting Schools website (www.safeacceptingschools.ca/index.php/ssrms/safeschools/home)

Ontario Ministry of Children and Youth Services

- *Stepping Stones: A Resource on Youth Development* (www.children.gov.on.ca/htdocs/English/topics/youthopportunities/steppingstones/youth_policy.aspx)

Glossary

The glossary is provided to assist educators in understanding various terms used in this resource as well as terms they may encounter in the context of discussions about safe, inclusive, and accepting schools. School and system leaders may find it helpful in their work with teachers, staff, students, parents, and members of the community in various contexts, including training and professional development.*

Terminology in the area of equity and inclusive education is constantly evolving. The Ministry of Education recognizes that terms used by diverse individuals and communities in various contexts and at different points in time may differ.

Aboriginal peoples. The descendants of the original inhabitants of North America. Section 35(2) of the Constitution Act, 1982, states: "In this Act, 'Aboriginal peoples of Canada' includes the Indian, Inuit, and Métis peoples of Canada". These separate groups have unique heritages, languages, cultural practices, and spiritual beliefs. Their common link is their indigenous ancestry.

accommodation. An adjustment made to policies, programs, guidelines, or practices, including adjustments to physical settings and various types of criteria, that enables individuals to benefit from and take part in the provision of services equally and to participate equally and perform to the best of their ability in the workplace or an educational setting. Accommodations are provided so that individuals are not disadvantaged or discriminated against on the basis of the prohibited grounds of discrimination identified in the Ontario Human Rights Code or other factors. (Refer to the Ontario Human Rights Commission's *Guidelines on Accessible Education* and *Policy and Guidelines on Disability and the Duty to Accommodate*, at www.ohrc.on.ca.).

accommodations for students with special education needs. The term *accommodations* has a specific meaning in special education. Accommodations for students with special education needs include special teaching and assessment strategies, human supports, and/or individualized equipment that help the student learn and demonstrate learning. (See Appendix C.)

ageism. Prejudice, stereotyping, and discrimination against older adults, youth, and children, based on age. Ageism may be evident in organizational and institutional structures, policies, procedures, and programs, as well as in the attitudes and behaviours of individuals.

antiracist education. An approach that integrates the perspectives of Aboriginal and racialized communities into an educational system and its practices. Antiracist education seeks to identify and change educational policies, procedures, and practices that may foster racism, as well as the racist attitudes and behaviours that underlie and reinforce such policies

* The definitions in this glossary are provided for explanatory rather than legal purposes. Readers should consult the Education Act, the Ontario Human Rights Code, or other legislation for legal definitions.

and practices. It provides teachers and students with the knowledge and skills that will enable them to critically examine issues related to racism, power, and privilege. Antiracist education promotes the removal of discriminatory biases and systemic barriers based on race.

barrier. An obstacle to equity that may be overt or subtle, intended or unintended, and systemic or specific to an individual or group, and that prevents or limits access to opportunities, benefits, or advantages that are available to other members of society.

bias. An opinion, preference, prejudice, or inclination that limits an individual's or a group's ability to make fair, objective, or accurate judgements.

bisexual. A person who is emotionally/romantically/sexually/physically attracted to and/or involved with both men and women.

bullying. Under the Education Act (s.1(1)), "aggressive and typically repeated behaviour by a pupil where, (a) the behaviour is intended by the pupil to have the effect of, or the pupil ought to know that the behaviour would be likely to have the effect of, (i) causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual's reputation or harm to the individual's property, or (ii) creating a negative environment at a school for another individual, and (b) the behaviour occurs in a context where there is a real or perceived power imbalance between the pupil and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race, disability or the receipt of special education; ("intimidation")". It includes the use of any physical, verbal, electronic, written or other means.

Code grounds. The grounds of discrimination under the Ontario Human Rights Code: race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion), sex, sexual orientation, gender identity, gender expression, disability, age, marital status (including same-sex partners), family status, receipt of public assistance (in housing accommodation only), and record of offences (in employment only). People are also protected from discrimination based on intersecting grounds (see **intersectionality**), or because they are associated with someone who identifies with a Code ground, or when they are perceived to be a member of a group identified by a Code ground. (Refer to www.ohrc.on.ca/en/commission/about.)

creed. One of the prohibited grounds of discrimination in the Ontario Human Rights Code, interpreted by the Ontario Human Rights Commission to mean "religious creed" or "religion". Creed is "a professed system and confession of faith, including both beliefs and observances or worship" that is "sincerely held" and includes non-deistic belief systems. Creed does not include "secular, moral, or ethical beliefs or political convictions" or "religions that promote violence or hate towards others or that violate criminal law". Individuals who do not belong to a religion or practise any specific faith are also protected by the Code. (Refer to the *Ontario Human Rights Commission's Policy on Creed and the Accommodation of Religious Observances*, at www.ohrc.on.ca.)

culture. The totality of ideas, beliefs, values, knowledge, language, and way of life of a group of people who share a certain historical background.

cyber-bullying. Under the Education Act (1.0.0.2), bullying by electronic means, including by "(a) creating a web page or a blog in which the creator assumes the identity of another person; (b) impersonating another person as the author of content or messages posted on the internet; and (c) communicating material electronically to more than one individual or posting material on a website that may be accessed by one or more individuals." Cyber-bullying can involve the use of email, cell phones, text messages, and/or social media sites to threaten, harass, embarrass, socially exclude, or damage reputations and friendships. It may include put-downs or insults and can also involve spreading rumours; sharing private information, photos, or videos; or threatening to harm someone. Cyber-bullying is always aggressive and hurtful. (Refer to *Bullying – We Can All Help Stop It: A Guide for Parents of Elementary and Secondary School Students*, at www.edu.gov.on.ca/eng/multi/english/BullyingEN.pdf.)

disability. A term that covers a broad range and degree of conditions, some visible and others not (e.g., physical, mental, and learning disabilities, hearing or vision disabilities, epilepsy, environmental sensitivities). A disability may be present from birth, may be caused by an accident, or may develop over time (e.g., as a result of an illness). (Refer to www.ohrc.on.ca/en/issues/disability.)

discrimination. Unfair or prejudicial treatment of individuals or groups on the basis of grounds set out in the Ontario Human Rights Code (e.g., race, sexual orientation, disability), or on the basis of other, similar factors. Discrimination, whether intentional or unintentional, has the effect of preventing or limiting access to opportunities, benefits, or advantages that are available to other members of society. Discrimination may be evident in organizational and institutional structures, policies, procedures, and programs, as well as in the attitudes and behaviours of individuals.

diversity. The presence of a wide range of human qualities and attributes within a group, organization, or society. The dimensions of diversity include, but are not limited to, ancestry, culture, ethnicity, gender identity/gender expression, language, physical and intellectual ability, race, religion, sex, sexual orientation, and socio-economic status.

duty to accommodate. The legal obligation that school boards, employers, unions, and service providers have under the Ontario Human Rights Code to take measures that enable people to benefit from and take part in the provision of services equally and to participate equally and perform to the best of their ability in the workplace or an educational setting. (Refer to www.ohrc.on.ca.)

equity. A condition or state of fair, inclusive, and respectful treatment of all people. Equity does not mean treating people the same without regard for individual differences.

ethnicity. The shared national, ethnocultural, racial, linguistic, and/or religious heritage of a group of people, whether or not they live in their country of origin.

First Nations. A term that came into use in the 1970s to replace the word *Indian*, which many found offensive. The term *First Nation* has been adopted to replace the word *band* in the names of communities.

gay. An individual who is emotionally/romantically/sexually/physically attracted to and/or involved with other individuals of the same sex.

gender. A term that refers to those characteristics of women and men that are socially constructed. (*See also* **sex, gender expression,** and **gender identity**.)

gender expression. The manner in which individuals express their **gender identity** to others. A person's gender expression is often based on a social construct of gender, which is either stereotypically male or stereotypically female. However, some individuals who do not see themselves as being either male or female but as some combination of the two genders, or as *without* gender, choose to express their identity in terms of a multiple model of gender, mixing both male and female expressions.

gender identity. A person's sense of self with respect to being male or female. Gender identity is different from sexual orientation, and may be different from birth-assigned sex. (Refer to the Ontario Human Rights Commission's *Policy on Discrimination and Harassment because of Gender Identity*, at www.ohrc.on.ca.)

harassment. A form of discrimination that may include unwelcome attention and remarks, jokes, threats, name-calling, touching, or other behaviour (including the display of pictures) that insults, offends, or demeans someone because of his or her identity. Harassment involves conduct or comments that are known to be, or should reasonably be known to be, offensive, inappropriate, intimidating, and hostile.

Haudenosaunee. A sovereign people made up of six Indigenous nations: the Mohawk, the Oneida, the Onondaga, the Cayuga, the Seneca, and the Tuscarora. The Haudenosaunee are often referred to as the Six Nation Iroquois Confederacy. (Refer to www.kahnawakelonghouse.com/index.php.)

homophobia. A disparaging or hostile attitude or a negative bias, which may be overt or unspoken and which may exist at an individual and/or a systemic level, towards people who are, or who are perceived to be, lesbian, gay, bisexual, or transgender. (See also **LGBT**.)

human rights. Rights that recognize the dignity and worth of every person, and provide for equal rights and opportunities without discrimination, regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, or disability, as set out in the Ontario Human Rights Code.

inclusive education. Education that is based on the principles of acceptance and inclusion of all students. Students see themselves reflected in their curriculum, their physical surroundings, and the broader environment, in which diversity is honoured and all individuals are respected.

Individual Education Plan (IEP). A written plan describing the special education program and/or services required by a particular student, based on a thorough assessment of the strengths and needs that affect the student's ability to learn and to demonstrate learning.

intersectionality. The overlapping, in the context of an individual or group, of two or more prohibited grounds of discrimination under the Ontario Human Rights Code, or other factors, which may result in additional biases or barriers to equity for that individual or group.

Inuit. Aboriginal people in northern Canada, living mainly in Nunavut, the Northwest Territories, northern Quebec, and Labrador. Ontario has a very small Inuit population. The Inuit are not covered by the Indian Act.

lesbian. A woman who is emotionally/romantically/sexually/physically attracted to and/or involved with other women.

LGBT. The initialism is commonly used to refer to *lesbian*, *gay*, *bisexual*, and *transgender* people. A broader range of identities is also sometimes implied, or may be represented more explicitly by the initialism LGBTT2SIQ, which stands for *lesbian*, *gay*, *bisexual*, *transgender*, *transsexual* or *two-spirited*, *intersex*, and *questioning*. (*See also* **homophobia**.)

Métis. People of mixed First Nation and European ancestry. The Métis culture draws on diverse ancestral origins, such as Scottish, Irish, French, Ojibwe, and Cree.

Ontario Human Rights Code ("the Code"). A provincial law that gives everyone equal rights and opportunities, without discrimination, in specific areas such as education, jobs, housing, and services. The goal of the Code is to address and prevent discrimination and harassment (available at www.ohrc.on.ca).

positive school climate. The school climate may be defined as 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. Principles of equity and inclusive education are embedded in the learning environment to support a positive school climate and a culture of mutual respect. (Refer to PPM No. 145.)

power dynamics. The process by which one group defines and subordinates other groups and subjects them to differential and unequal treatment.

power imbalance. A situation in which an individual or group is able to influence others and impose its beliefs, subjecting other individuals and/or groups to differential and unequal treatment.

prejudice. The pre-judgement (usually negative) of groups or individuals, or preconceived notions about them, based on misinformation, bias, or stereotypes.

privilege. The experience of freedoms, rights, benefits, advantages, access, and/or opportunities on the basis of group membership or social context, which is denied or not extended to members of all groups.

progressive discipline. A whole-school approach that uses a continuum of prevention programs, interventions, supports, and consequences to address inappropriate student behaviour, as well as a variety of strategies to promote and foster positive behaviours. Disciplinary measures are applied within a framework that shifts the focus from one that is solely punitive to one that is both corrective and supportive (PPM No. 145).

queer. A term for homosexuality that was seen as pejorative but that has more recently been reclaimed by some or many of the LGBT movement to be used for self-identification in a positive way.

race. A social construct that groups people on the basis of common ancestry and characteristics such as colour of skin, shape of eyes, hair texture, and/or facial features. The term is used to designate the social categories into which societies divide people according to such characteristics. Race is often confused with ethnicity (a group of people who share a particular cultural heritage or background); there may be several ethnic groups within a racial group. (Refer to

the Ontario Human Rights Commission's *Policy and Guidelines on Racism and Racial Discrimination*, at www.ohrc.on.ca.)

racialization. The process through which groups come to be seen as different and may be subjected to differential and unequal treatment.

racialized group. A group of people who may experience social inequities on the basis of race, colour, and/or ethnicity.

racism. A set of erroneous assumptions, opinions, and actions stemming from the belief that one race is inherently superior to another. Racism may be evident in organizational and institutional structures, policies, procedures, and programs, as well as in the attitudes and behaviours of individuals.

religion. *See* **creed**.

sex. The category of male or female based on characteristics that are biologically determined.

sexism. Prejudice, stereotyping, and discrimination directed against people on the basis of their sex or gender. Sexism may be evident in organizational and institutional structures, policies, procedures, and programs, as well as in the attitudes and behaviours of individuals.

sexual orientation. A person's sense of sexual attraction to people of the same sex, the opposite sex, or both sexes. (*See also* **LGBT**, and refer to the Ontario Human Rights Commission's *Policy on Discrimination and Harassment because of Sexual Orientation*, at www.ohrc.on.ca.)

stereotype. A false or generalized, and usually negative, conception of a group of people that results in the unconscious or conscious categorization of each member of that group, without regard for individual differences. Stereotyping may be based on race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, or disability, as set out in the Ontario Human Rights Code, or on the basis of other factors.

systemic discrimination. A pattern of discrimination that arises out of apparently neutral institutional policies or practices, that is reinforced by institutional structures and power dynamics, and that results in the differential and unequal treatment of members of certain groups.

transgender. A transgender person is a person whose gender identity, outward appearance, gender expression, and/or anatomy are not consistent with the conventional definitions or expectations of male and female; often used to represent a wide range of gender identities and behaviours.[4]

two-spirited. A term used by First Nations people to refer to a person having both the feminine and masculine spirits and includes sexual or gender identity, sexual orientation, and social roles; includes a broad range of identities, such as lesbian, gay, bisexual, and transgender. (*See also* **LGBT**.)

4 Toby's Law (Bill 33), passed in the Ontario Legislature on June 13, 2012, amends the Ontario Human Rights Code to include gender identity and gender expression, and makes Ontario the first major jurisdiction in North America to provide human rights protection for transgendered people.

universal design for learning (UDL). A teaching approach that uses teaching strategies or pedagogical materials originally designed to meet special needs to enhance learning for all students, regardless of age, skills, or situation.

whole-school approach. *See Appendix D in this resource guide.*

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