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Effective: Until January 31,
2008, unless revoked
or modified

Subject: SCHOOL BOARD PROGRAMS FOR STUDENTS WHO HAVE
RECEIVED A FULL EXPULSION

Application: Chairs of District School Boards
Directors of Education
Secretaries of School Authorities
Principals of Elementary Schools
Principals of Secondary Schools
Principals of Provincial Schools

Reference: This memorandum replaces Policy/Program Memorandum No. 130,
September 1, 2006.

Introduction

The purpose of this memorandum is to require school boards¹ to provide programs, courses, and services for students who have received a full expulsion.² Boards are required to provide programs for expelled students³ in order to give them an opportunity both to continue their education and to deal with the underlying causes of their behaviour so that they may eventually return to school within the publicly funded school system.

This memorandum applies only to those school boards that do not have agreements – either with the ministry or with an organization approved by the ministry – to provide strict-discipline programs.⁴ Boards that have such agreements are listed in appendix B of this memorandum.

1. In this document, *school board* and *board* refer to district school boards and school authorities.

2. See subsections 312(2) to (5) of the Education Act (as amended by the Safe Schools Act, 2000), cited in appendix A of this memorandum. As stated in subsection 309(16), “a pupil who is subject to a full expulsion is not entitled to attend any school in the province or to engage in school-related activities of any school in the province until he or she meets such requirements as may be established by regulation for returning to school after being expelled.”

3. In this document, *expelled student(s)* and *student(s)* refer exclusively to students who have received a full expulsion.

4. Section 1 of Ontario Regulation 37/01, “Expulsion of a Pupil”, states that a “strict discipline program” is “a program approved by the Minister as a strict discipline program”.

Requirements for School Board Programs for Expelled Students

School board programs for expelled students must include both academic support and non-academic support. School boards must ensure that an initial assessment is done to determine the needs of an expelled student. This assessment should be conducted as soon as the expelled student enters the board's program. School boards may contact a provider of a strict-discipline program (see appendix B) for advice regarding assessment and program development for the student.

An agreement must be made between the school board and any organization or person contracted to provide assessment or other services as part of the school board's program for these expelled students. The agreement will include a description of the services to be provided and a statement requiring that all necessary information be provided in accordance with all legal and statutory requirements, including privacy laws.

The school board must provide the student and/or the student's parents⁵ with the board's plan for the student's academic and non-academic support so that all involved have a clear understanding of the plan for the student. The school board may also wish to establish an agreement with the student and/or parents on attendance, behaviour rules, and expectations for parental involvement.

School boards may not refuse to allow an expelled student to participate in a school board program for expelled students, unless the health of the student or of others is put at risk. Boards must make all necessary arrangements to ensure the safety of everyone involved in the program.

School boards must make all necessary arrangements to accommodate the needs of individual students admitted to the program, including exceptional students and other students with special needs.

Each school board must inform expelled students and/or their parents about its program for expelled students. Students who have been expelled may choose to participate in a school board's program, but are not required to do so. They may attend a similar program or a strict-discipline program anywhere in Ontario.

Return of Expelled Students to Schools in the Publicly Funded School System

To determine whether a student who has received a full expulsion is ready to return to a school in the publicly funded school system, a school board must have the student assessed by a provider of a strict-discipline program (see appendix B). Providers may make these assessments through interviewing the student or evaluating a written report on the student provided by the school board, or they may contract an appropriate local organization or person to do the assessment. Before being allowed to return to a

5. In this document, *parents* refers to parent(s) and guardian(s).

school in the publicly funded school system, students who have received a full expulsion will be expected to:

- demonstrate respect for themselves, for others, and for those in authority;
- demonstrate that they understand and can accept the consequences of their actions;
- demonstrate the ability to participate in school without compromising the safety and well-being of themselves or others at the school;
- comply with the standards set out in the provincial Code of Conduct.

In addition, before the expelled student can return to school, a transition plan for the student must be developed jointly by the strict-discipline program provider that deems the student ready for re-entry and the school board to which the student is returning. If the student is entering from another board, the receiving board will develop this transition plan in collaboration with the board that expelled the student and the strict-discipline program provider. The transition plan is intended to help the student make a successful re-entry into the regular school system.

Development of School Board Programs

Each school board is required to develop a plan outlining its program for students who have received a full expulsion. School board plans must be consistent with the requirements identified in this memorandum. In developing their plans, boards may use the guidelines provided in appendix C of this memorandum.

Boards will continue to develop and establish their programs in the 2007–08 school year up to and including January 31, 2008.

Appendix A: Legislative and Regulatory Requirements

Subsections 312(2) to (5) of the Education Act (as amended by the Safe Schools Act, 2000) state the following:

- (2) The Minister may require boards to establish and maintain specified programs, courses and services for pupils who are expelled and may authorize boards,
 - (a) to enter into agreements with other boards for the provision of the programs, courses and services;
 - (b) to retain others to provide the programs, courses and services; or
 - (c) to establish one or more corporations to provide the programs, courses and services.
- (3) The Minister may impose conditions and restrictions when authorizing a board to engage in an activity described in subsection (2).
- (4) The Minister may establish one or more programs for expelled pupils to prepare the pupils to return to school and may require boards to give specified information about the programs to expelled pupils.
- (5) The Minister may establish policies and guidelines respecting pupils' eligibility to participate in a program established under subsection (2) or (4) and respecting the criteria to be met for successful completion of the program.

With regard to a student's return to school after expulsion, section 3 of Ontario Regulation 37/01, "Expulsion of a Pupil", states the following:

- (1) A pupil who is subject to a full expulsion under Part XIII of the [Education] Act [Behaviour, Discipline and Safety] may attend a school in Ontario if he or she successfully completes a strict discipline program or has satisfied the objectives required for the successful completion of a strict discipline program.
- (2) The determination of whether a pupil has satisfied the objectives required for the successful completion of a strict discipline program must be made by a person who provides a strict discipline program.

Appendix B: Providers of Strict-Discipline Programs

The following have been approved by the ministry as providers of strict-discipline programs for students who have received a full expulsion.

English-Language Providers

Algoma District School Board
Centre for Education and Training of the Peel District School Board and Dufferin-Peel Catholic District School Board
Durham District School Board and Durham Catholic District School Board
East Metro Youth Services and the Toronto District School Board
Hincks-Dellcrest Centre and the Toronto District School Board
Lakehead District School Board
Niagara Catholic District School Board
Ottawa-Carleton District School Board and Ottawa-Carleton Catholic District School Board
Rainbow District School Board and Sudbury Catholic District School Board
York Region District School Board, York Region Catholic District School Board
Upper Canada District School Board
Waterloo Foundation and Waterloo Region District School Board
Windsor-Essex Catholic District School Board

French-Language Providers

Conseil scolaire de district catholique de l'Est Ontarien, Conseil scolaire de district catholique du Centre-Est de l'Ontario, and Conseil des écoles publiques de l'Est de l'Ontario
Conseil scolaire de district catholique du Nouvel-Ontario and Conseil scolaire de district du Grand Nord de l'Ontario

Appendix C: School Board Plans for Programs for Expelled Students

In its plan for the program for students who have received a full expulsion, a school board must describe what it intends to do, as follows:

1. The board must include the information on the board's program for expelled students that will be given to a student who has been expelled and/or his or her parents.
2. The board must outline the program and its implementation in detail. The board must include information on at least the following topics:
 - the initial assessment of the student
 - the involvement of the principal, guidance counsellor, attendance counsellor, teachers, the student and/or the student's parents, and any other appropriate persons in developing a plan for the student with regard to both academic and non-academic support
 - description of the means of academic support (e.g., use of distance learning through the Independent Learning Centre and e-Learning Ontario, provision of remedial help in literacy, provision of individual instruction, provision of opportunities for cooperative education)
 - description of the types of non-academic support (e.g., counselling through board personnel, counselling through an outside agency)
 - description of any planned agreements between the board and any organization or person to be contracted to provide assessment or other services
 - description of any special arrangements to ensure the safety of all involved in the program and/or to accommodate the needs of individual students
3. The board must include a description of its responsibilities in the process of determining whether a student is ready to return to school in the publicly funded school system.
4. The board must include a description of the procedures to be followed if the student meets the requirements for re-entry into the publicly funded school system, including the transition plan for the student.