

# Durham District School Board (DDSB) CODE OF CONDUCT

## Our Commitments

The Durham District School Board (DDSB) recognizes that Indigenous rights are distinct. In the exercise of those rights, Indigenous staff and students shall not be subjected to actions with the aim or effect of depriving these distinct rights.

The DDSB is committed to providing learning and working environments that centre human rights and equity and are safe, welcoming, respectful, equitable, accessible, inclusive, and free from all forms of discrimination, oppression, harassment and harm.

The DDSB Code of Conduct was developed in accordance with the Education Act, the [Provincial Code of Conduct](#), and DDSB policies and operational procedures.

This DDSB Code of Conduct shall be deemed to be the Code of Conduct for each school within the DDSB and replaces any and all school-based Codes of Conduct within the DDSB. This Code of Conduct is in force immediately and applies over any inconsistent terms in any other DDSB or school-based terms or requirements.

## Purpose of the Code of Conduct

The purpose of this Code of Conduct is to support DDSB's commitments by:

- clarifying rights, standards and expectations for behaviour;
- supporting the safety and well-being of all individuals;
- identifying potential violations and breaches of the Code; and,
- setting out the roles and responsibilities for all DDSB community members.

The DDSB Code of Conduct is to be interpreted and applied in accordance with the DDSB's commitments to promoting and upholding Indigenous rights and human rights in all learning and working environments. This includes anti-colonial, anti-discriminatory and anti-racist approaches and actions consistent with the DDSB's [Indigenous Education Policy](#), [Human Rights, Anti-Discrimination and Anti-Racism Policy](#), [Safe and Respectful Workplace and Harassment Prevention Policy](#), and related procedures.

## Standards of Behaviour

The standards of behaviour outlined in the DDSB Code of Conduct applies to all DDSB community members. DDSB community members are employees, students, parents/guardians, families, permit holders, vendors, service providers, authorized visitors and any other person authorized to be present within DDSB learning and working environments or spaces.

DDSB learning and working environments include virtual and in person meetings, events and activities including those that take place outside of usual learning and working spaces, or outside of usual learning and working hours, when the activity is sufficiently connected to DDSB learning environments or workplaces. The following are examples of DDSB working and learning environments or spaces where the Code of Conduct applies:

- on school property;
- while traveling on a school bus that is owned by the DDSB or that is under contract to the DDSB;
- during in-school sports and other activities;
- during off-site, school or work-sponsored activities and excursions; or,
- in circumstances where the behaviour has, or will have, an impact on the school climate or working environment (for example, the use of social media in some instances where it may be connected to the learning or working environment).

## Respect, civility, and responsible citizenship

All members of the school community are expected to:

- respect and comply with all applicable federal, provincial, and municipal laws;
- respect and comply with all Ministry of Education, DDSB and school policies and procedures;
- demonstrate honesty and integrity;
- uphold human rights and responsibilities and treat one another with dignity and respect, both in person and online, especially when there are disagreements or differences;
- respect and treat others equitably and not engage in discrimination or harassment based upon race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, gender identity, gender expression, sexual orientation, age, marital status, family status, ability/disability and neurodiversity, and/or socioeconomic status (DDSB Human Rights Policy, section 3.5);
- show proper care and regard for school property and the property of others;
- respect the integrity and security of DDSB's computer networks. Respect the confidential nature of information on DDSB computer networks and systems and on any individual computer or other electronic device;
- demonstrate positive citizenship by taking appropriate measures to assist those in need;
- seek assistance from a member of staff, as necessary, to resolve conflict effectively and peacefully;
- refrain from using abusive, discriminatory, or hateful language (including and not limited to discriminatory slurs and epithets);
- refrain from the use of offensive language including swearing at others;
- respect the rights of others to learn and work in a safe and respectful environment; and,
- refrain from the use of personal mobile devices during instructional time except under the following circumstances:
  - for educational purposes, as directed by an educator;
  - and/or as approved by the school administrator (for example, for health and medical purposes, to support special education needs, as part of an approved accommodation plan or health and safety plan, or for other [Human Rights Code](#)-related needs or circumstances).

## Safety

To support safe and respectful learning and working environments, all members of the school community must not:

- engage in any form of discrimination or harassment under the Indigenous Education Policy, the Human Rights Policy and the Safe and Respectful Workplace Policy;
- engage in bullying behaviours, including cyberbullying;
- commit sexual assault or sexual harassment;
- traffic in weapons or illegal drugs;
- commit fraud, robbery or theft;
- be in possession of any weapon, including firearms;
- threaten or intimidate another person;
- be in possession of alcohol, cannabis, and illegal drugs;
- use, or be under the influence of alcohol, cannabis, illegal drugs or related products;
- provide others with alcohol, illegal drugs, tobacco, electronic cigarettes, cannabis and related products;
- inflict, incite or encourage others to inflict bodily harm on another person;
- engage in hate propaganda or incite hate and other forms of discrimination or bias;
- commit vandalism that causes damage to DDSB property or to the property of others; and,
- record, take or share non-consensual recordings or images of members of the DDSB community.

## Vaping and Smoking

The [Smoke-Free Ontario Act, 2017](#) prohibits smoking (tobacco and cannabis) and the use of electronic cigarettes (vaping) at schools, on school grounds, and all public areas within 20 metres of these grounds. Anyone smoking or vaping on school property is guilty of an offence and if convicted may result in a fine under the Smoke-Free Ontario Act, 2017.

The Smoke-Free Ontario Act, 2017 also prohibits the sale and supply of tobacco or e-cigarettes to anyone under 19 years of age. Anyone who sells or supplies tobacco or an e-cigarette to a student under 19 years of age is guilty of an offence and if convicted may result in a fine under the Smoke-Free Ontario Act, 2017.

The DDSB is required to work with Tobacco Enforcement Officers to enforce the Smoke-Free Ontario Act, 2017 and to promote healthy lifestyle choices.

Smoking includes the carrying or holding of lighted cigars, cigarettes, pipes or any other lighted or electronic device. Examples may include but are not limited to E-cigarettes (vapes), herbal cigarettes, chew, snuff and snus.

Students are prohibited from being in possession of or using tobacco products and/or e-cigarettes or nicotine products at school.

If a student is in possession of any these items, the items must be handed over to an educator. Parents/guardians for students under the age of 18 will be notified immediately.

Any student who does not hand over the items when required, will be sent to the office. A bias-aware progressive discipline approach will be used to address breaches of this section of the DDSB Code of Conduct. The Tobacco Enforcement Officer may become involved and has the authority to issue a summons that may result in fines.

## Student Personal Mobile Device Use

### Elementary Schools

Students in Kindergarten to Grade 8 must not use personal mobile devices, such as a cellphone or tablet, while at school. During the school day, devices must be:

- turned off or set to silent mode
- stored out of view

Wearables such as smart watches must be put into the equivalent of 'airplane mode' during the school day.

Students may use their personal mobile devices in school if:

- a school administrator gives permission (for example, for health and medical purposes, to support special education needs, as part of an approved accommodation plan or health and safety plan, or for other Human Rights Code-related needs or circumstances); or,
- a teacher gives permission to use them as part of learning during instructional time.

Students are responsible for their personal mobile device and how they use it.

Students may face consequences if they use their personal mobile devices inappropriately. The inappropriate use of such devices may mean that school staff:

- require a student to hand in their personal mobile device
- store the mobile device in a safe place for the rest of the day

Any student who does not hand in their device when required, will be referred to school administration. A bias-aware progressive discipline approach will be used to address breaches of this section of the DDSB Code of Conduct.

## Secondary Schools

Students in Grades 9 to 12 must not use personal mobile devices, such as a cellphone or tablet, during instructional time. During instructional time, devices must be:

- turned off or set to silent mode
- stored out of view

Wearables such as smart watches must be put into the equivalent of 'airplane mode' during instructional time.

Students may use personal mobile devices during instructional time if:

- a school administrator gives them permission (for example, for health and medical purposes, to support special education needs, as part of an approved accommodation plan or health and safety plan, or for other Human Rights Code-related needs or circumstances); or,
- a teacher gives permission to use them as part of learning.

Students can use their personal mobile devices during non-instructional times such as lunch or spares.

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Students may face consequences if they use their personal mobile devices inappropriately. The inappropriate use of such devices may mean that school staff:

- require a student to hand in their personal mobile device
- store the mobile device in a safe place for the rest of the day

Any student who does not hand in their device when required, will be referred to school administration. A bias-aware progressive discipline approach will be used to address breaches of this section of the DDSB Code of Conduct.

## Student Access to Social Media

Social media platforms can only be accessed by students at school for educational purposes, directed by an educator, and the social media activity must align with the mandate outlined in the Code of Conduct.

The IT department has implemented measures, and shall implement any further appropriate measures, to block access to prohibited social media by students in accordance with the terms of this Code of Conduct.

## Bias-Aware Progressive Discipline

Students are subject to discipline in accordance with the provisions of sections 306 and 310 of the Education Act, as amended, and related provisions. In addition to the conduct listed in the Education Act that may result in suspension or expulsion, if a student engages in conduct that violates the terms of the DDSB code of conduct but that is not expressly referenced in section 306 or section 310 of the Education Act, the student may be subject to suspension under section 306 of the Education Act, as permitted under section 306(1)(7) of the Education Act.

DDSB will use a [bias-aware progressive discipline](#) framework and approach to resolve the situation.

Bias-aware progressive discipline is a whole-school approach that:

- shifts the focus from one that is punitive to one that is focused on learning, correcting and preventing inappropriate behaviour;
- utilizes a continuum of interventions, supports, and consequences to address inappropriate student behaviour and to build on strategies that promote positive

behaviours;

- takes into account circumstances and considerations (including and not limited to the individual identity, strengths, cultural and other needs and circumstances of the student) in a manner that is consistent with Ministry of Education directives and DDSB policies and procedures, including the Indigenous Education Policy, the Human Rights Policy and the Safe and Respectful Workplace Policy); and,
- considers the severity of the behaviour leading to the discipline, the previous disciplinary history of the student and all other relevant factors when making decisions about an appropriate consequence/next step.

When implementing bias-aware progressive discipline, those who are making decisions about the appropriate corrective/disciplinary resolution must:

- pause and reflect on what factors may be influencing or informing their decisions, (including and not limited to reflecting on their own identity, privilege, power, and positionality, and challenging how they interpret behaviours based upon their own biases); and,
- use anti-discrimination and anti-oppression principles and approaches to guide their decision.

The DDSB uses a range of interventions, supports and consequences that include learning opportunities for reinforcing positive behaviour while helping students to make good choices, including (in no particular order, and where appropriate given the circumstances):

- Discussion with a teacher, member of the support staff, vice-principal or principal;
- Attendance/engagement strategies;
- Time out;
- Reflection sheet, learning package;
- Parental contact and involvement in applying an appropriate next step;
- Written or oral apology;
- Peer Mentoring;
- Detention;
- Restitution for damage or stolen property;
- Community service;
- Peer mediation;
- Restorative practice;
- Culturally relevant and responsive practice;
- Suspension;
- Expulsion;
- Referral to, or engagement with, relevant community partners/service providers for appropriate support and resources;
- Mental Health and Well-Being support.

## Considerations

Disciplinary processes, decisions and outcomes, including suspensions and expulsions will carefully and thoughtfully consider:

- rights and responsibilities under the Indigenous Education Policy, the Human Rights Policy, the Safe and Respectful Workplace Policy, related procedures and other mitigating factors;
- the disproportionate harm and impacts of suspension and expulsion on students based on Prohibited Ground(s) (for example, racialized students and students with disabilities) and intersectionality;

- the nature and severity of the behavior;
- the impact on the school climate, including the impact on students or other individuals in the school community;
- alternatives to suspension and expulsion;
- restorative practices; and,
- any other relevant contextual factors.

Where appropriate, the DDSB will review and may adjust school and classroom management practices that may have been a contributing factor in an incident.

### **Mitigating Factors**

The following mitigating factors shall be taken into account:

1. the student does not have the ability to control their behaviour;
2. the student does not have the ability to understand the foreseeable consequences of their behaviour;
3. the student's continuing presence in the school does not create an unacceptable risk to the safety of any person.

### **Other Factors**

The following other factors shall be taken into account if they would mitigate the seriousness of the activity for which the student may be, or is being, suspended or expelled:

1. the student's history of prior incidents;
2. whether a progressive discipline approach has been used with the student;
3. whether the activity for which the student may be or is being suspended or expelled was related to any discrimination against or harassment of the student because of a prohibited ground of discrimination or to any other form of harassment or bullying;
4. how the suspension or expulsion would affect the student's ongoing education;
5. the age of the student; or
6. in the case of a student for whom an individual education plan has been developed:
  - i. whether the behaviour was a manifestation of a disability, ability or neurodivergence as identified in the student's individual education plan;
  - ii. whether appropriate individualized accommodation has been provided and/or may need to be reviewed and updated; and,
  - iii. whether the suspension or expulsion is likely to result in an escalation in negative behaviour or conduct.

## **Roles and Responsibilities**

Every member of the school community has a role to play, responsibilities to uphold, and expectations to follow in order to meet the requirements of the Code of Conduct. This includes upholding rights, responsibilities and requirements under the Indigenous Education Policy, the Human Rights Policy and the Safe and Respectful Workplace Policy, and related procedures (including and not limited to duty bearer responsibilities and other requirements set out in the Human Rights, Anti-Discrimination and Anti-Racism Procedure and the Human Rights Roles, Responsibilities and Accountability Framework). The Code of Conduct should be read together with these policies and procedures to support and enhance the implementation of the Code of Conduct.

The individual and shared responsibilities outlined below align with both the Provincial Code of Conduct and the DDSB Indigenous Rights, Human Rights, and Safe and Respectful Workplace policies:

## **DDSB**

The DDSB provides direction to schools to promote student achievement and well-being and to ensure equitable opportunities, access, experiences and outcomes in DDSB learning and working environments. It is the responsibility of the DDSB to:

- develop any appropriate further procedures and protocols that may set out further particulars on how schools will implement and enforce the DDSB Code of Conduct and any other rules that may be developed consistent with the provincial standards that promote and support respect, civility, responsible citizenship, and safety;
- establish a process that clearly communicates the Provincial Code of Conduct and the DDSB Code of Conduct to all students, parents/guardians, employees, and members of the school community in order to obtain their commitment and support;
- develop proactive strategies to prevent potential breaches of the DDSB Code of Conduct, develop effective intervention strategies, and respond to all infractions related to the standards for respect, civility, responsible citizenship, and safety;
- provide opportunities for all staff to acquire the knowledge, skills, and attitudes necessary to promote student achievement and well-being in a safe, inclusive, and accepting learning environment.
- Manage suspension and expulsion appeals in accordance with the provisions of the Education Act

## **Principals and Vice-principals**

Principals and vice principals, under the direction of the DDSB, take a leadership role in the daily operation of a school. They provide leadership by:

- working with teachers and other school staff to create and sustain an inclusive, welcoming and positive learning environment, and by holding everyone to the highest standard of respectful and responsible behaviour;
- addressing breaches of the DDSB Code of Conduct and/or breaches of section 306 or 310 of the Education Act, including compliance with any and all requirements around notice, timelines and other procedural requirements;
- demonstrating care for the school community and a commitment to academic excellence in a safe and inclusive teaching, learning and working environment;
- modelling the standards of respect, civility and responsible citizenship;
- communicating regularly and meaningfully with all members of their school community;
- holding everyone under their authority accountable for their own behaviour and actions; and,
- empowering students to be positive leaders in their school and community.

## **Educators and Other School Staff**

Under the leadership of their principals, educators and other school staff are to create and sustain an inclusive, welcoming and positive learning environment and are expected to hold everyone to the highest standard of respectful and responsible behaviour. As role models, educators and other school staff uphold these high standards when they:

- help students work to their full potential and develop their sense of self-worth;
- empower students to be positive leaders in their classroom, school, and community;
- communicate regularly and meaningfully with parents/guardians;

- maintain consistent and fair standards of behaviour for all students;
- demonstrate respect for one another, all students, parents/guardians, volunteers, and other members of the school community; and,
- prepare students for the full responsibilities of citizenship.

## **Students**

Students are to be treated with respect and dignity. In return, they must demonstrate respect for themselves, for others, and for the responsibilities of citizenship through acceptable behaviour. Respect and responsibility are demonstrated when a student:

- comes to school prepared, on time, and ready to learn;
- shows respect for themselves, and for others, and for those in positions of authority;
- refrains from bringing anything to school that may compromise the safety of others; and,
- adheres to the Code of Conduct, follows the established rules and takes responsibility for their own actions.

## **Parents and Guardians**

Parents and guardians play an important role in the education of their children, and can support the efforts of school staff in maintaining a safe, inclusive, accepting, and respectful learning environment for all students. Parents and guardians are to comply with all applicable provisions of the Code of Conduct. In addition, parents and guardians can support student compliance as follows:

- being engaged in their child's schoolwork and progress;
- communicating regularly with the school;
- supporting their child in adhering to the [DDSB Student Dress Code](#), and being prepared for school;
- ensuring that their child attends school regularly and on time;
- encouraging and assisting their child in following the rules of behaviour; and,
- assisting school staff in dealing with behavioural expectations and/or disciplinary issues involving their child.

## **Community Partners**

Through outreach, existing partnerships may be enhanced and new partnerships with community-based service providers and members of the community (e.g., Elders, Knowledge Keepers) may also be created. Community-based service providers are resources that the DDSB can access to deliver prevention or intervention programs or provide additional resources and supports. Protocols are effective ways of establishing linkages between the DDSB and community-based service providers and of formalizing the relationship between them. These partnerships must respect all applicable DDSB policies, procedures and collective agreements.

The police also play an essential role in supporting safer schools and communities. The police investigate incidents in accordance with the [protocol](#) developed with the DDSB (refer to [Procedure: Police/School Board Protocol](#).) This protocol is based on the [Provincial Model for a Local Police/School Board Protocol, 2015](#), developed by the Ministry of the Solicitor General and the Ministry of Education.