



BOARD ADMINISTRATIVE PROCEDURE	
Administrative Procedure	Administrative Procedure Number
Mandated Alternate Educational Settings	911
Directional Policy	
900 - Safe and Accepting Schools	

Title of Administrative Procedure:

Mandated Alternate Educational Settings

Date Approved:

October 15, 2024

Projected Review Date:

2029

Directional Policy Alignment:

This Administrative Procedure aligns with the Safe and Accepting Schools Directional Policy - 900 by ensuring our schools are welcoming, safe, respectful, equitable, inclusive and accepting learning and teaching environments, rooted in the teachings of the Gospel.

Alignment with Multi-Year Strategic Plan:

The Mandated Alternate Educational Settings Administrative Procedure supports the Board's Mission to educate students in faith-filled, loving, safe, inclusive schools to develop the God-given abilities of each person. This Administrative Procedure aligns with the Board's Multi-Year Strategic Plan to Value Relationships, Nurture Mental Health and Well-Being, Ensure Equity and Maximize Resources. Moreover, this Administrative Procedure supports the development of welcoming and engaging school environments

that respect the dignity of all students and foster the conditions for members of the school community to become caring and responsible citizens.

[PVNCCDSB Board Vision, Mission and Strategic Priorities](#)

Action Required:

The Peterborough-Victoria-Northumberland and Clarington Catholic District School Board believes that effective learning environments must be safe for students, staff, parents/guardians, clergy, volunteers and visitors. In some cases the principal may need to prevent students from accessing the school or classes to ensure a safe environment for all, while maintaining appropriate programming and support for all students.

Section 265(1)(m) of the Education Act R.S.O. 1990 indicates that one of the duties of the Principal is: “subject to an appeal to the board, to refuse to admit to the school or classroom a person whose presence in the school or classroom would in the principal's judgment be detrimental to the physical or mental well-being of the pupils”.

Program and Policy Memorandum 145 stipulates that Section 265 (1) (m) of the Act, frequently referred to as the “exclusion” provision, is not to be used as a disciplinary measure but is a short term measure to ensure the safety of students, staff and parents in the school.

Exclusion under Section 265(1) (m) is subject to appeal to the Board of Trustees.

Reasons for exclusion from school could/may include medical conditions, physical or mental health conditions, behavioural or other reasons.

Medical Conditions: In the case of exclusion due to a specific medical condition, community partners and medical experts (physician, etc.) are essential when making this determination. The local Public Health Unit may exclude a student from school and notify the school principal that such an action has already been decided, for example, in the case of communicable diseases.

Physical or Mental Health Conditions: Examples of mental health conditions could be anxiety, depression or a broad set of underlying mental health difficulties that may present outwardly in school. A physician or other community partners may provide input/consultation or written notification regarding the student's conditions.

Behavioural: Extreme behavioural concerns sometimes stem from needs that require exclusion of a student until more information is collected (e.g., report from a physician or psychologist) in order to plan an educational program that meets the student's needs. Sometimes there needs to be successful intervention from healthcare professionals before the student can return to school.

Excluding students based on behavioural or mental health conditions is not to be confused with the disciplinary provisions found in Part XIII of the Education Act. PPM145 (Progressive Discipline and Promoting Positive Student Behaviour) stresses

the need to build on strategies to maintain student behaviours that are conducive to learning and that do not place anyone in the school at risk.

When considering exclusion, there must be conditions outlined in an exclusion letter ([Appendix A](#)) to parents/guardians/adult students to facilitate the student's return to school or another appropriate placement and/or programming. The conditions need to be reasonable, realistic and in the best interest of the student. In some cases, the conditions can be modified as more information, for example a report from a medical practitioner, is received. The school team, in communication with parents, is encouraged to meet frequently to review the status of the conditions. In some cases, the exclusion may overlap the end of one school year and the beginning of another school year, or may begin prior to entering school.

While the student is excluded from school, the school is still responsible to provide an educational program for that student. Schools will consult with the student (where appropriate), the parents/guardians and the Family of Schools Superintendent to explore options for alternative programming which could include out of school instruction or e-learning.

In order to appeal the decision to exclude a student, the parent/guardian or adult student must write to the Superintendent of Learning – Safe Schools, to include the specific reasons for the appeal, including why they believe that the exclusion should not have been imposed.

Appeals

- The adult-student or the student's parent/guardian/adult representative may appeal an exclusion. All exclusion appeals will be received by the Superintendent of Learning – Safe Schools.
- An appeal of an exclusion does not stay the exclusion.
- A person who intends to appeal an exclusion must give written notice of his/her intention to appeal the exclusion within ten (10) school days of the commencement of the exclusion.
- The Board of Trustees (the Board) must hear and/or determine the appeal within fifteen (15) school days of receiving the notice of intention to appeal (unless the parties agree to an extension).
- The parties in an appeal to the Board shall be the principal and the Family of Schools Superintendent (administration), and the adult student or the parent/guardian/adult representative (appellant).
- Exclusion appeals will be heard orally, in camera, by a committee of the Board of Trustees. An appellant may bring legal counsel, an advocate, or support person with them to the appeal.
 - The appellant will proceed first by making oral submissions regarding the reason for the appeal and the result desired.
 - The student will be asked to make a statement on their own behalf.

- The administration and/or legal counsel will make oral submissions on behalf of the Board, including a response to any issues raised in the appellant's submissions.

The appellant may make further submissions addressing issues raised in the administration's presentation that were not previously addressed by the appellant.

- The Board may ask any party, or the student, where appropriate, questions of clarification.
- The Board may make such orders or give such directions at an appeal, as it considers necessary for the maintenance of order at the appeal.
- Where any party who has received proper notice of the location, date and time of the appeal fails to attend the appeal or comply with the necessary time lines, the appeal may proceed in the absence of the party and the party is not entitled to any further notice of the proceedings.
- The Board will consider, based on the submissions of both parties, whether the decision to exclude was reasonable in the circumstances, and shall either:
 - Confirm the exclusion and its conditions; or
 - Confirm the exclusion and modify its conditions, as necessary; or
 - Quash the exclusion; or
 - Make an alternate appropriate order.
- The decision of the Board is final. The decision shall be communicated to the appellant in writing.

Responsibilities:

The Board of Trustees is responsible for:

- Ensuring the alignment of the Mandated Alternate Educational Settings Administrative Procedure with the Safe and Accepting Schools Directional Policy;
- Ensuring trustees who are in direct conflict of interest, or who have had any personal involvement in the matter prior to the appeal, excuse themselves from the Appeal Committee;
- Reviewing the Mandated Alternate Educational Settings Administrative Procedure as part of its regular policy and procedure review cycle.

The Director of Education is responsible for:

- Providing leadership and designating resources to ensure the implementation of and compliance with this administrative procedure.

Superintendent of Learning - Safe Schools is responsible for:

- Receiving exclusion appeals;
- Upon receipt of written notice of the intention to appeal the exclusion:
 - advising the school principal of the appeal;
 - advising the adult student or the parent/guardian that a review of the exclusion will take place, and invite the adult student or parent/guardian to discuss any matter respecting the incident and/or appeal of the exclusion;
 - reviewing the exclusion (reason, duration, and any mitigating or other factors), in consultation with the principal and Family of Schools Superintendent;
 - will initiate communication with the parent/guardian or adult student and the principal to narrow the issues and try to effect a settlement;
 - where a settlement is not reached, will communicate with the parent/guardian or adult student to provide notice of the review decision;
 - arranging a date for the appeal before the Board;
 - coordinating the preparation of a written report for the Board. This report will contain at least the following components:
 - A report of the rationale for exclusion and the program currently in place for the student, as prepared by the principal;
 - A copy of the original exclusion letter;
 - A copy of the letter requesting the exclusion appeal; and
 - A copy of the correspondence with respect to the exclusion review;
 - informing the parent/guardian or adult student of the date of the exclusion appeal, providing a copy of this administrative procedure, a copy of the documentation that will go to the Board, and ensuring that the item is placed on the Board agenda.

Superintendent of Learning - Family of Schools are responsible for:

- Assisting principals in the discernment process around the need to exclude;
- Assuring that principals have followed the Mandated Alternate Educational Settings Administrative Procedure;
- Upon receiving written notice of the intention to appeal, reviewing the exclusion (reason, duration, and any mitigating or other factors), in consultation with the principal and Superintendent of Safe Schools;
- Attending appeal hearings with the school principal.

Principals and Vice-Principals are responsible for:

- Implementing this administrative procedure in accordance with the parameters outlined;
- Providing leadership and support for staff in their knowledge, understanding, and implementation of this administrative procedure;

- Considering the school based and community based resources available, prior to determining that an exclusion is necessary. While the decision is ultimately the principal's, the input of information from the school team is vital;
- Consulting with their Family of Schools Superintendent and other Superintendents as required;
- Communicating with the parents/guardians to discuss the process including reasons, conditions of return, the education plan, and review date of the exclusion;
- Writing the exclusion letter and copying it to recipients as outlined in the template letter;
- Providing for instruction. Students who are being excluded may require instruction in an alternate location. Transportation, if necessary, is the parent/guardian's responsibility.
- Regularly monitoring the status of the conditions as set out in the exclusion letter, keeping the lines of communication open with the parents/guardians, providing follow-up documentation to parents/guardians, if necessary;
- When conditions are met, planning to have the student return to the school with an appropriate transition plan as determined in consultation with the members of the school team and the Superintendent;
- Sharing the transition plan with the student, where appropriate, and the parents/guardians;
- Maintaining ongoing communication with all parties involved throughout the process.

Staff are responsible for:

- Ensuring they are knowledgeable about the requirements and parameters outlined in this administrative procedure;
- Supporting the implementation of this administrative procedure, including collaborating with other staff in fostering a safe, welcoming, inclusive, accepting learning environment;
- Providing timely and tiered intervention and program to support all PVNC students;
- Ensuring that the school principal is aware of all interventions to support students, to allow for the most effective decisions to be made for the student and for the school community.

Students are responsible for:

- Fulfilling their responsibilities as outlined in the conditions for re-entry to the school;
- Being an active participant in collaborating with parents/guardians and the school administration on a school transition plan.

Parents are responsible for:

- Fulfilling their responsibilities as outlined in the conditions for their child's re-entry to the school;
- Keeping the school's administration apprised of any changes which would affect the student's re-entry plan to the school.

Progress Indicators:

- Members of the school community are aware of their rights and responsibilities in the Mandated Alternate Educational Settings Administrative Procedure;
- Use of the right to exclude under the Education Act is appropriate, consistent and transparent across all PVNC schools.

Definitions:

Adult Student means a pupil of the Board who is 18 years old or older or a pupil who is 16 or 17 and has withdraw from parental control.

Appellant means an individual who has been refused admission to a school or classroom in a school pursuant to section 265(1)(m) of the Education Act and who has filed an appeal or that individual's parent/guardian or adult representative where the individual who has been refused admission is a pupil of the Board, but not an adult pupil.

In camera means not in public; private.

References:

[Education Act: Section 265\(1\) \(m\)](#)

[PPM 145 Progressive Discipline and Promoting Positive Student Behaviour Regulation 472/07: Behaviour, Discipline and Safety of Pupils](#)

[APPENDIX A – Template – Exclusion Letter](#)