

Discipline and Safety Rules for the Expelled Pupil's Program

Legislation and Court Decisions

1. *Education Act*, s. 265 (1) (a):
It is the duty of a principal of a school to maintain proper order and discipline in the school.
2. *Myers v. Peel County (Board of Education)* (1981), 123 D.L.R. (3d) 1 (Supreme Court of Canada):
The standard of care to be exercised by school authorities in providing for the supervision and protection of students for whom they are responsible is that of the careful and prudent parent.
3. *Occupational Health and Safety Act*, s. 1 and s. 27 (2) (c):
A supervisor, which would include a school principal, shall take every precaution reasonable in the circumstances for the protection of a worker.
4. *Ontario Human Rights Code*, s. 1:
A person has a right to equal treatment with respect to services without discrimination because of disability.
5. Ontario Human Rights Commission, *Guidelines on Accessible Education* (p. 34):
Under the *Code*, every student with a disability is entitled to accommodation up to the point of undue hardship. The *Code* sets out only three elements that may be considered in assessing whether an accommodation would cause undue hardship:
 - cost,
 - outside sources of funding, if any, and
 - health and safety requirements, if any.

Unacceptable Behaviour and Consequences

The following activities are unacceptable behaviour and will be grounds for considering whether to allow the Pupil to remain in a School Board Program for Expelled Students:

1. activities which disrupt the Program and seriously affect the ability of the Program staff to deliver the Program;
2. activities which disrupt the Program and seriously affect the ability of the other pupils in the Program to learn and benefit from the Program;
3. activities which place at risk of injury pupils in the Program, Program staff, or other persons on the premises where the Program is being delivered;
4. serious breaches of the Board Code of Conduct which affect the delivery of the Program;
5. serious breaches of the Board Code of Conduct which affect the health or safety of pupils in the Program, Program staff, or other persons on the premises where the Program is being delivered;