

		<b>Commission scolaire English-Montréal</b> <b>English Montreal School Board</b>
<b>POLICY:</b>	<b>SAFE SCHOOLS AND CENTRES</b>	<b>CODE: CS-11</b>
<b>Origin:</b>	Community Services Department	
<b>Authority:</b>	Resolution #00-05-31-8.2	
<b>Reference(s):</b>	<i>Quebec Charter of Human Rights and Freedoms</i> (RSQ, Chapter 12) <i>Canadian Constitution and Charter of Rights and Freedoms</i> (1982), <i>Education Act</i> . "Expulsion of student," (1988, c. 84, s. 242)	

## BELIEF STATEMENT

The English Montreal School Board is committed to the promotion, encouragement and support of safe and peaceful environments in all its schools, adult centres and adjacent properties.

## LEGAL FRAMEWORK

The Safe Schools and Centres policy conforms to the following legal framework. It governs the Youth, Adult and Vocational Sectors of the English Montreal School Board.

1. The English Montreal School Board is also committed to the *Quebec Charter of Human Rights and Freedoms* (RSQ, Chapter 12, as amended 1985) and, in particular, Section 1 which states that , "Every human being has a right to life, and to personal security, inviolability and freedom."
2. The English Montreal School Board is committed to the *Canadian Constitution and Charter of Rights and Freedoms* (1982), and in particular, Section 7 No. 8, which states that, "Everyone has the right to be secure against unreasonable search or seizure."
3. "A school board may, at the request of the principal and for just and sufficient cause, and after giving the student and his parents an opportunity to be heard, enroll him in another school or expel him from its schools; in the latter case, it shall inform the director of youth protection." (*Education Act*. Expulsion of student, 1988, c. 84, s. 242)

"The governing board is responsible for approving the rules of conduct and the safety measures proposed by the principal."

"The rules and measures may include disciplinary sanctions other than expulsion from school or corporal punishment; the rules and measures shall be transmitted to all students at the school and their parents." (1997, Bill 180, s. 76)

## **GUIDING PRINCIPLES**

1. It is the responsibility of each EMSB school to ensure the provision of a secure and safe environment for its students and staff.
2. A safe school environment within the EMSB system includes the right of students and staff to:
  - a. be protected against foreseeable criminal activity;
  - b. be protected against crime or violence which can be prevented through adequate supervision;
  - c. be protected against identifiable dangerous individuals negligently admitted or placed into the school.
3. The EMSB shall encourage and support the acquisition of appropriate skills by all individuals assigned to provide and enhance security measures, safety, discipline and supervision in its schools.
4. The Board shall establish conflict resolution training for all its schools to address the transformation of the total school environment into a learning community on the credo of non-violence.

### **The English Montreal School Board is committed to the following programme principles affecting all its schools over time:**

1. To provide on a yearly basis the necessary training and professional development that could help schools and centers develop and implement programs to curb indiscipline and violence among youth.
2. To coordinate, in the interest of universal (system-wide) equity, the code of behaviour of all schools.
3. To encourage and support school efforts to find reasonable and effective alternatives to out-of-school suspensions, once such suspensions remain ineffective.

4. To assist schools serious about addressing the factors which tend to place adolescents at risk for violent behaviour, such as:
  - a. academic failure;
  - b. alienation from schoolmates;
  - c. high levels of psychological pathology.
5. To be further committed jointly with the school community and community agencies to:
  - a. provide and integrate family support services that affect children, including schools, daycare and health care services;
  - b. provide parental and early childhood programs for at-risk family members;
  - c. expand parent education and family support programs;
  - d. support any community-initiated efforts to reduce and reform the instances of violence purveyed to the public as entertainment, including movies, television and video games;
  - e. support any community efforts to educate families about the risks of maintaining firearms in the home;
  - f. support any community efforts or programs seeking to reduce violence in the family, as a way to curb youth violence by making homes safer for mothers, children and ultimately the entire family.
6. To review the enclosed policy and procedure following 18 months of coming into effect of the Safe Schools policy.

## **SAFE SCHOOLS POLICY STATEMENT**

It is the policy of the English Montreal School Board that:

1. Every reasonable effort will be made to establish and maintain a safe school environment within each school community, such as its buildings – owned, leased or rented – and at school bus stops and school zones. (A school zone is any place where the school/center is assembled in part or whole, e.g., ski trip, field trip, and tour in Europe.)
2. Every student subject to compulsory school attendance may be relocated if, while under the supervision of the Board or while on Board property or any adjacent property, he/she:

- a. is found in possession of a firearm, prohibited weapon or replica thereof;
- b. commits an act of violence with a weapon of any kind;
- c. is found in possession of narcotics and/or alcohol for the purpose of selling or using.

Notwithstanding this section, where the student is an elementary student and is subject to compulsory school attendance, a principal may exercise his/her discretion not to recommend to the Board an expulsion.

3. Disciplinary action shall be taken against any student who violates the EMSB Safe School policy while under the Board's supervision. Expulsion may result from the following:
  - a. aggravated assault, rape or sexual harassment;
  - b. the possession of a knife with the intent to harm or maim another person;
  - c. extortion and/or taxing;
  - d. repeated acts of bullying and/or intimidation;
  - e. acts of violence motivated by race, sexual orientation, religious and/or language issues;
  - f. any act endangering the lives of others.

Notwithstanding this section, where the student is an elementary student and is subject to compulsory school attendance, a principal may exercise his/her discretion not to recommend to the Board an expulsion.

Following suspension for any of the above acts, the principal shall ensure that a guidance counselor or other appropriate person assists the student and the student's parents or guardian with all available support services from the Board or the community that may help the student.

4. A student who is expelled by the Board may apply to the Director General for readmission at the end of that year. If the duration is in excess of that period of time, then the request may be made following an additional full year of expulsion. The Director General shall bring the requests to the Council of Commissioners for approval.

5. The Youth Protection Department shall be notified of any student expelled under this policy.
6. It is the responsibility of administrators to call the police so as to request that they act in cases where crimes have been committed.

A reference guide is provided to help administrators set up disciplinary action to assist in resolving various types of infractions.

		<b>Commission scolaire English-Montréal</b> <b>English Montreal School Board</b>
<b>PROCEDURE:</b>	<b>SAFE SCHOOLS AND CENTRES</b>	<b>CODE: CS-11.P</b>
<b>Origin:</b>	Community Services Department	
<b>Reference(s):</b>	<i>Quebec Charter of Human Rights and Freedoms (RSQ, Chapter 12)</i> <i>Canadian Constitution and Charter of Rights and Freedoms (1982),</i> <i>Education Act. "Expulsion of student," (1988, c. 84, s. 242)</i>	

**It is proposed that:**

1. It be the responsibility of appropriate personnel at each regional administrative level to:
  - 1.1 provide a minimum of one school semester to familiarize all school personnel with this policy before its coming into effect;
  - 1.2 provide the Board with a periodic security and safety evaluation of the physical plant of each EMSB building;
  - 1.3 ensure effective communication within the school and Board communities: teachers, parents, students and all Board personnel regarding EMSB policies and procedures concerning safe schools, weapons and discipline at the beginning of each school year.
2. Through appropriate resource personnel, measures be taken to enhance physical plant facilities when necessary or where vulnerability of student and staff safety has been identified through evaluation. To improve security, any of the following security systems, devices or measures may be used, singly or in combination:
  - a. perimeter fences;
  - b. card entry systems;
  - c. closed buildings – controlled entry;
  - d. student supervisors;
  - e. school team for quick but collaborative police response;
  - f. intercom systems (to call for help from the classroom);
  - g. necessary building repairs which compromise security and/or safety to be expedited through Buildings & Grounds.

- 2.1 a. Each school shall establish a minimum safety plan, which is reviewed and/or revised annually, and among other things, should include the following:
  - i. daily entrance, lunch-time and dismissal procedures
  - ii. door, hall and lavatory security measures
  - iii. emergency measures and assistance procedures
  - iv. after-school program safety measures
- b. Each school shall establish and communicate to its school community annually, its code of behavior and school regulations, along with appropriate board policies, recommendations and procedures pertinent to student discipline, suspension and expulsion.
- 2.2 The EMSB prohibits the storage and/or possession of weapons or replicas thereof by anyone within its safe school environments.
- 2.3 Board personnel, students or visitors are encouraged to notify the school authority immediately of the presence of a weapon or dangerous drugs on EMSB property.
- 2.4 The Board shall seek to collaborate with community groups and groups such as “Neighborhood Watch” in implementing programs with the view of promoting safety for its students.
- 2.5 Through workshops, seminars and information sessions, the Board shall seek to update data on strategies dealing with safe schools for the purpose of preventing violence within the school environment.
- 2.6 **Administrative Discretions**
  - a. An individual who finds a weapon within an EMSB safe school environment and takes the weapon immediately to the principal's office shall not be considered to be in possession of a weapon.
  - b. Replicas of weapons forming part of a cultural attire or costume, when used for such purposes, shall not be considered to be in violation of the EMSB policies.
  - c. A suspended student under the Safe School Policy shall be excluded from all school-related extracurricular activities for the duration of the suspension.

## 2.7 Authorized Equipment and Tools: Instructional and Work-Related

The EMSB's "no tolerance" of weapons is not intended to interfere with classroom instruction where tools or other equipment may be used as weapons.

In the case where an authorized instructional piece of work equipment, e.g. chisel, hammer or tool is used dangerously – as a weapon - then appropriate EMSB policy procedures must take effect.

## 2.8 It is also proposed that:

- a. All disciplinary interventions, violations with regards to weapons, be adopted by all EMSB schools, and be reflected as such within the codes of behaviour of each school.
- b. All schools utilize the reporting form and process (Appendix B) to facilitate the coordination of equity, system-wide, as well as to improve revisions of these policies in the future.
- c. All schools be aware that disciplinary action for violations against an individual as recommended, while at the discretion of school administration, will involve record keeping. In every situation where discipline is sanctioned, the appropriate professional help should be offered to rehabilitate the victim, the perpetrator and the witness (circle of healing).
- d. In those situations involving student violations of the Safe School Policy which the principal believes cannot be successfully addressed by the school's code of behavior, supportive psycho-social interventions, etc., and/or the possible expulsion of the student from the school/center or Board, the principal shall discuss the case with his/her Regional Director. The latter will then determine if the case should be referred to the EMSB Safe Schools Discipline Committee<sup>1</sup> for deliberation and subsequent recommendations.

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<sup>1</sup> The EMSB Safe Schools Discipline Committee is established on an annual basis by the Director General, who will determine the composition and functions of this committee.

## **DISCIPLINARY INTERVENTION**

In order to assist school personnel in making decisions regarding safe school intervention, the following guidelines should be noted:

1. Extremely violent crimes such as homicide, attempted suicide, grand theft, etc., must be referred to the police immediately. However, misconduct, harassment, bullying, fighting, health and morality issues should be incorporated within administrative guidelines or within individual school or centre codes of behavior.
  2. The disciplinary actions listed relative to weapons and narcotics (Appendix A) indicate the penalty and procedures which are mandatory and must be imposed by all EMSB schools for the particular violation.
  3. With the exception of weapons violations, each individual school administrator shall determine the most effective action to be taken for each violation, after an investigation of facts and circumstances.
  4. Penalties suggested are intended for:
    - a. elementary schools - Grades 4 - 6 only;
    - b. secondary schools - Grades 7 – 11;
    - c. all adult centers;
    - d. other adults (including staff).
  5. Definitions are for the purposes of these policies and may be subject to revision.
- N.B.** Notwithstanding the above, school administrators may, in the case of category 1 violations involving Pre-K to Grade 3 students, apply disciplinary actions considered to be appropriate.

**WEAPONS VIOLATION: MANDATORY ADMINISTRATIVE DISCIPLINARY ACTION**

<p><b>VIOLATION BY STUDENT</b></p>	
<ul style="list-style-type: none"> <li>• Possession</li> <li>• Sale</li> <li>• Purchase</li>   <li>• Stored</li> <li>• Threat</li> <li>• Use</li> </ul>	<ul style="list-style-type: none"> <li>• Immediate 5-day suspension (written)</li> <li>• Recommendation for Expulsion</li> <li>• Recommendation for Expulsion</li> </ul> <p><b>Administrative Detail/Procedure</b></p> <ol style="list-style-type: none"> <li>1. Confiscation of the weapon (if it can be done safely) or call to 911 for assistance.</li> <li>2. Notification of Regional Director by phone - written details to follow</li> <li>3. Immediate convening of a hearing of student(s) and witness(es) to:               <ol style="list-style-type: none"> <li>a. Inform the perpetrator of the policy provision that has been violated.</li> <li>b. Confront the said perpetrator with evidence.</li> <li>c. Provide an opportunity for the perpetrator to respond to the allegations.</li> </ol> </li> <li>4. Notification to parent/guardian (where applicable) of perpetrator's possible expulsion.</li> <li>5. Issuance of written personal letter of suspension for five (5) days with copy to parent (where applicable) to be sent by registered mail.</li> <li>6. Notification of appropriate police law enforcement agency. (A recommendation to charge may be necessary.)</li> <li>7. Preparation by School personnel (witnesses and victims) of a detailed incident report to be sent to the Regional Director. The documentation shall be attached to Appendix B.</li> </ol>

VIOLATION BY STUDENT	
	<p>8. Filing of a recommendation with the Regional Director for expulsion. Copy to parents (where applicable).</p> <p>9. Regional Directors to ensure that all information/ correspondence regarding such violation is immediately forwarded to all appropriate EMSB personnel for action and information purposes.</p> <p>10. The appropriate senior administrator to ensure that the student/perpetrator received due process, prior to a Board's decision (No. 3 above), after which the appropriate steps shall be taken to ensure that all agencies identified for involvement are notified, subsequent to a Board decision to expel.</p>

**NARCOTICS VIOLATION: MANDATORY ADMINISTRATIVE DISCIPLINARY ACTION**

VIOLATION BY STUDENT	
<p><b>Narcotics (Drugs)</b></p> <ul style="list-style-type: none"> <li>• Possession</li> <li>• Sale</li> <li>• Purchase</li> <li>• Stored</li> <li>• Use</li> </ul>	<p>1. Immediate police notification for assistance – 911 - and a recommendation to charge.</p>
<p><b>Violation by other individuals and adults (including employees)</b></p>	<p>1. An employee shall immediately be subjected to an investigation by the Regional Director, and school administration, following which the application of relevant Board procedures/measures pertaining to personnel shall follow.</p>

**VIOLATIONS AGAINST AN INDIVIDUAL/PROPERTY  
DISCIPLINARY ACTION**

VIOLATION	FIRST OFFENCE	SECOND OFFENCE	SUBSEQUENT OFFENCES
<p><b>ASSAULT*</b> (including rape and sexual assault)</p> <ul style="list-style-type: none"> <li>• Threat</li> </ul> <p>An intentional threat of bodily harm to another individual by force, under circumstances which cause well-founded fear of immediate harm, coupled with the apparent ability to carry out the threat.</p>			
<p><b>BATTERY*</b></p> <p>An unlawful beating or other wrongful physical violence inflicted upon another individual</p>			
<p><b>BULLYING*</b></p> <p>The verbal and/or physical oppression, harassment or intimidation of another individual. Petty tyranny.</p>			

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\* A single asterisk, in the same table, indicates that the violation may have implications for the policy on racial incidents as well.

VIOLATION	FIRST OFFENCE	SECOND OFFENCE	SUBSEQUENT OFFENCES
<p><b>FIGHTING*</b> Mutual combat in which both/all parties have contributed to the situation through verbal aggravation and/or physical action.</p>			
<p><b>"GROUP GROPING"</b> The intentional and inappropriate touching of an individual by a person(s) on the genitalia.</p>			
<p><b>HAZING</b> Participating in or conspiring to engage in or conspiring for others to engage in harassing acts which injure, degrade, or disgrace another individual.</p>			
<p><b>INTERFERENCE/ OBSTRUCTION</b> Any action taken to attempt to prevent a staff person from exercising his/her professional duties.</p>			
<p><b>VERBAL ABUSE*</b> The use of disrespectful language to another individual.</p>			
<p><b>RIOT*</b> A disturbance of the peace by three or more individuals acting together to disrupt or do damage.</p>			

Other violations which impact on the safe school environment and should be considered within the school's disciplinary code of behaviour are:

1. racial harassment
2. tardiness
3. unexcused absence
4. disorderly conduct
5. dress code
6. smoking or other substance use/abuse
7. gang activity
8. cult activity

## APPENDIX A

### WEAPONS

1. All firearms, whether loaded or unloaded:
  - a. Pellet guns
  - b. B.B. guns
  - c. Stun guns
  - d. Look-alike guns
  - e. Non-functioning guns (usually used for threatening purposes)
  
2. Knives, of all types especially:
  - a. Switchblades
  - b. Butterfly knives
  - c. Daggers
  - d. Swords
  - e. Machetes
  - f. Razors
  
3.
  - a. Numchucks
  - b. Bow and arrows
  - c. Slingshots
  
4. Explosive devices

## **OTHER WEAPONS**

1. Artificial knuckles, or other metal objects designed to be worn over the fist or knuckles
2. Blackjacks, clubs, throwing stars
3. Pocket knives
4. Fireworks, firecrackers, and smoke bombs
5. Throwing darts
6. Mace (considered a weapon for purposes of EMSB Policies)
7. Unauthorized tools
8. Chains (including bicycle chains)
9. Lead pipes, wires, whips
10. Pool balls, shot putt balls

**APPENDIX B**

**REPORT ON VIOLATIONS WITH THE POLICY ON SAFE SCHOOLS AND CENTRES**

A copy of completed report(s) must be sent to the Regional Director

**Name of School/Centre:** \_\_\_\_\_

**Offences occurring during this Incident (Check all that apply):**

- |   |  |
|---|--|
| <input type="checkbox"/> Assault                  | <input type="checkbox"/> Robbery                               |
| <input type="checkbox"/> Arson                    | <input type="checkbox"/> Riot                                  |
| <input type="checkbox"/> Battery                  | <input type="checkbox"/> Sex Offence (Forcible) (Non forcible) |
| <input type="checkbox"/> Bullying                 | <input type="checkbox"/> Theft Offences                        |
| <input type="checkbox"/> Extortion/"Taxing"       | <input type="checkbox"/> Vandalism                             |
| <input type="checkbox"/> Fighting                 | <input type="checkbox"/> Verbal Abuse                          |
| <input type="checkbox"/> "Group Groping"          | <input type="checkbox"/> Weapon Offence                        |
| <input type="checkbox"/> Homicide                 | <input type="checkbox"/> Category 1 _____                      |
| <input type="checkbox"/> Interference/Obstruction | (Specify) _____  |
| <input type="checkbox"/> Prostitution             | <input type="checkbox"/> Category 2 _____                      |
| <input type="checkbox"/> Racial Harassment        | (Specify) _____  |

**Other offences:**

(Specify) \_\_\_\_\_

Date Incident Occurred: \_\_\_\_\_

Time Incident Occurred: \_\_\_\_\_

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> During School Day        | <input type="checkbox"/> After School (3 - 6 pm) | <input type="checkbox"/> Weekend          |
| <input type="checkbox"/> Before School (6 - 9 am) | <input type="checkbox"/>                         | <input type="checkbox"/> Vacation/Holiday |

Where Incident Occurred (Check all that apply):

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Athletic Field or Playground | <input type="checkbox"/> Hallway or Stairs | <input type="checkbox"/> School Parking Lot |
| <input type="checkbox"/> Cafeteria                    | <input type="checkbox"/> Storage Area      | <input type="checkbox"/> School Yard        |
| <input type="checkbox"/> Classroom                    | <input type="checkbox"/> On School Bus     | <input type="checkbox"/> Other (Specify)    |
| <input type="checkbox"/> Gym or Locker Room           | <input type="checkbox"/> Restroom          | _____                                       |

**Perpetrator(s)/Offender(s) Descriptive Information**

If the perpetrator(s) is (are) unknown, check here\_\_\_\_; otherwise, enter the number of perpetrators in each category. (Be sure to supply an age for each perpetrator even if the age is the same for more than one perpetrator.)

Gender: Male\_\_\_\_ Female\_\_\_\_

Age(s) of the Perpetrator(s)\_\_\_\_\_

The perpetrator(s) is (are): (Indicate the number in each category)

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> A student at this school                       | <input type="checkbox"/> Parent/Guardian  | <input type="checkbox"/> A student on suspension or expulsion from school at the time of the incident |
| <input type="checkbox"/> A student at another school                    | <input type="checkbox"/> A student on suspension or expulsion from another school at the time of the incident | <input type="checkbox"/> Other (Specify)  |
| <input type="checkbox"/> An employee at this school (Specify job title) | _____   | _____   |

**Victim(s) Descriptive Information**

If there is no victim, check here\_\_\_\_; otherwise, enter the number of victims in each category. (Be sure to supply an age for each victim even if the age is the same for more than one victim.)

Gender: Male\_\_\_\_ Female\_\_\_\_

Age(s) of the victim(s)\_\_\_\_\_

The victim(s) is (are): (Indicate the number in each category)

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> A student at this school                             | <input type="checkbox"/> Parent/Guardian  | <input type="checkbox"/> A student on suspension or expulsion from school at the time of the incident |
| <input type="checkbox"/> A student at another school                          | <input type="checkbox"/> A student on suspension or expulsion from another school at the time of the incident | <input type="checkbox"/> Other (Specify) _____  |
| <input type="checkbox"/> An employee at this school (Specify job title) _____ |   |   |

**Relationship/Circumstance**

If no victim was involved in this incident, check here \_\_\_\_\_

Were the victim(s) and perpetrator(s) known to each other? Yes \_\_\_\_\_ No \_\_\_\_\_ Don't Know \_\_\_\_\_

If yes, indicate the primary relationship.

- |  |   |
|--|---|
| <input type="checkbox"/> Victim/Perpetrator live in same neighborhood                        | <input type="checkbox"/> Victim/Perpetrator are relatives               |
| <input type="checkbox"/> Victim/Perpetrator involved together in a business/illegal activity | <input type="checkbox"/> Victim Perpetrator romantically involved       |
| <input type="checkbox"/> Victim/Perpetrator involved in same gang                            | <input type="checkbox"/> Victim Perpetrator involved in different gangs |
| <input type="checkbox"/> Other (Specify) _____   |   |

**Weapon**

What, if any, weapon(s) was (were) involved in the incident? (Check all that apply.)

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> No weapon involved | <input type="checkbox"/> Other firearm               | <input type="checkbox"/> Rope/chain, etc.    |
| <input type="checkbox"/> Blunt Object       | <input type="checkbox"/> Hands/feet, etc.            | <input type="checkbox"/> Other Specify _____ |
| <input type="checkbox"/> Explosive          | <input type="checkbox"/> Knife or other sharp object | _____  |
| <input type="checkbox"/> Handgun            | <input type="checkbox"/> Metal knuckles              | _____  |

Action taken by the School Administration as a result of this incident (Check all that apply.)

- |  |   |
|--|---|
| <input type="checkbox"/> Notified local law enforcement agency   | <input type="checkbox"/> Improved school security procedures                    |
| <input type="checkbox"/> Notified region security personnel      | <input type="checkbox"/> Made available counseling at school                    |
| <input type="checkbox"/> Notified local fire department          | <input type="checkbox"/> Recommended professional counselling (hospital/clinic) |
| <input type="checkbox"/> Began suspension or expulsion procedure | <input type="checkbox"/> Made use of hospital facilities for injuries           |
| <input type="checkbox"/> Other (Specify)                         |   |
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**Certification**

I certify that the information contained in this incident report is true and correct to the best of my knowledge.

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Signature of the Principal or Designee

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Date