

<b><u>DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD</u></b> <b><u>POLICY</u></b>	
<b>POLICY NUMBER:</b>	P-2015
<b>SUBJECT:</b>	Fresh Start
<b>REFERENCE:</b>	General Administrative Procedure (GAP) <a href="#">GAP2017</a> Fresh Start Education Act ss. 32; 169(1); 265(1)(m) Program/Policy Memorandum 145
<b>EFFECTIVE DATE:</b>	February 23, 2022
<b>AMENDED DATE:</b>	January 28, 2025

*“So if anyone is in Christ, there is a new creation: everything old has passed away; see, everything has become new!”*

*2 Corinthians 5:17*

**A. PURPOSE:**

1. The Dufferin-Peel Catholic District School Board (DPCDSB) is committed to the implementation in every school of its [P-0002 Catholic Code of Conduct](#) that clearly reflects the need to provide and sustain a safe, caring, inclusive, and healthy Catholic school community in which every student can thrive and excel.
2. A Fresh Start is a non-disciplinary administrative transfer of a student to a new school to preserve student and staff safety while at school or school-related events (Fresh Start). A Fresh Start shall not be imposed as a form of discipline.
3. DPCDSB believes in the dignity of all people and affirms the need for students and staff to feel safe at school and to provide successful transitions for those students subject to a FreshStart.

**B. SCOPE AND RESPONSIBILITY:**

1. All Fresh Starts will be implemented in a way that endeavours to balance fairness, equity, safety, and well-being. Fresh Start transitions will foster safe, positive learning environments to promote student achievement and well-being.
2. A Fresh Start can only be imposed in the following circumstances and in accordance with *General Administrative Procedure* [GAP2017](#) *Fresh Start* (GAP2017):
  - a) in response to the DPCDSB’s [P-2014 Victim’s Rights](#);
  - b) to assist the student with an undertaking or conditions agreed to by the student and/or student’s parent/legal guardian; or
  - c) in other circumstances to preserve student and/or school safety and well-being as approved by the Superintendent of the subject student’s (Fresh Start Student) current school.

3. The *Education Act* provides that a student has the right to attend a DPCDSB school, but not the right to attend a particular DPCDSB school. When deciding on the new school for the Fresh Start Student, the following criteria shall be considered by the Superintendent of the Fresh Start Student's current school:
  - a) availability of appropriate academic and social-emotional supports at the newschool;
  - b) distance from student's home to the new school;
  - c) any undertaking or conditions agreed to by the student and/or student's parent/legal guardian;
  - d) fair and equitable distribution of students issued a Fresh Start among DPCDSBschoools;
  - e) previous school transfers of the Fresh Start student;
  - f) presence of student(s) or staff who were previously the victim of, or in conflict with, the Fresh Start student.
4. A parent/guardian (or an adult student/student who is 16 or 17 years old and has withdrawn from parental control) shall have the right to file an appeal of the Fresh Start decision as outlined in [GAP2017](#). The Fresh Start appeal must be filed in writing, within three school days of receiving written notice of the Fresh Start, using the Notice of Intention to Appeal a Fresh Start form and by sending this form to the Superintendent Responsible for Safe Schools, or their designate.
5. If a student begins a Fresh Start placement in a new school due to "undertaking and conditions" (see 3c above), and the terms of that undertaking/conditions are amended thereafter so as to remove any placement or association restrictions previously in place, then an adult student/student who has withdrawn from parental control or their parent/guardian who wishes to return to the original school may apply for superintendent consideration to do so via the appeal process. The parent/guardian (or adult student/student who has withdrawn from parental control) shall be required to file an appeal of the Fresh Start using the Notice of Intention to Appeal a Fresh Start form and by sending this form to Superintendent Responsible for Safe Schools, or their designate.
6. [GAP2017](#) addresses the following areas:
  - a) Elementary Fresh Start process, procedures, and checklist
  - b) Secondary Fresh Start process, procedures, and checklist
  - c) Fresh Start Appeal process and procedures
  - d) Notice of Fresh Start & Acknowledgment Letter
  - e) Notice of Intention to Appeal a Fresh Start Form

**C. REFERENCES:**

1. Section 169.1 of the *Education Act* requires a school board to "develop and maintain policies and organizational structures" that promote, among other things, student achievement and well-being.
2. Section 265(1)(m) of the *Education Act* prescribes the following duty of a principal:

**265** (1) It is the duty of a principal of a school, in addition to the principal's duties as a teacher, (m) "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."

3. The Ministry of Education's Policy/Program Memorandum No. 145 (PPM 145) states the following:

"In Part X of the *Education Act*, clause 265(1)(m) permits a principal to "refuse to admit" to the school or to a class someone whose presence in the school would be "detrimental to the physical or mental well-being of the pupils". This provision is frequently referred to as the "exclusion provision". Exclusion is not to be used as a form of discipline. If a principal does decide that it is necessary to exclude a student from the school, the principal is expected to notify the student's parents of the exclusion as soon as possible in the circumstances, and to inform them of their right to appeal under clause 265(1)(m)."

4. PPM 145 contemplates non-disciplinary school transfers for the purpose of safety:

"In cases where students are being transferred to another school in order to preserve school safety, boards are required to coordinate a "transfer meeting" between the school from which the student is being transferred and the receiving school. In cases where the transfer is necessary to protect a student, it is preferable that the student who has been harmed not be moved."

5. Section 32 of the *Education Act* provides that every person has the right to attend a school in a school section, separate school zone, or secondary school district, as the case may be, in which the person is qualified to be a resident pupil.