

Administrative Procedure 355

SUSPENSION AND EXPULSION OF STUDENTS

Background

To ensure a satisfactory climate for learning, school rules and regulations must be observed by students, and teachers must be empowered to enforce those rules and regulations. Students who do not conform to the student code of conduct may negatively affect the school's learning environment and their behaviour may need to be addressed by invoking the measures of suspension and expulsion. Section 12 of the School Act identifies expectations for student conduct and sections 24 and 25 deal with student suspensions and expulsions.

This Administrative Procedure is intended to support the school staff in maintaining a safe, caring and effective learning environment, and to assist students in developing self-discipline and behaviours that contribute to such an environment. The suspension or expulsion of a student from school is a very serious matter and should only be taken when other measures have proven to be ineffective or when the seriousness of the misbehaviour warrants such action.

Definitions

For the purposes of this Administrative Procedure:

Suspension is the removal of a student from the classroom, school property, school activities, or bus for a period of up to five (5) school days.

Expulsion is the Board-approved removal of a student from the classroom or bus for a period of time longer than five (5) school days.

Exceptions: extra-curricular activities, such as team sports, club membership, and field trips outside of school hours, are considered a student privilege. A student's failure to conform to the rules related to the activity may result in the removal of the privilege. This loss of privilege is not considered a suspension or an expulsion under these procedures. If the breach of rules is also a matter for which suspension or expulsion would otherwise be considered, these measures may also be applied.

Procedures

1. Principals shall identify in writing the expectations for behaviour and the discipline procedures established for use within the school.
2. The following items may be considered as reasons for student suspension, but this listing shall not be considered either complete or so prescriptive as to require that suspension follow automatically when the misbehaviour occurs:
 - 2.1 Open opposition to the authority of the Principal or school staff.

- 2.2 Willful disobedience over a prolonged period or in a single instance where the disobedience endangers the students, teachers, building, or general climate of orderly behaviour.
 - 2.3 Habitual neglect to do work that is assigned to the student and which is within his/her competence to complete.
 - 2.4 Use of profane or indecent language in the presence of other students or staff.
 - 2.5 Threats or acts of physical violence against a teacher or student.
 - 2.6 Any act of indecency.
 - 2.7 Failure to observe and to obey any reasonable rule, regulation, or procedure established by the teacher or by the Principal for maintaining a climate of behaviour conducive to learning.
 - 2.8 Exhibiting behaviour that interferes with school-approved activities.
 - 2.9 Willful damage to school property or equipment.
 - 2.10 Violation of rules pertaining to tobacco, alcohol or drugs.
 - 2.11 Exhibiting behaviour that detracts from the ability of other students to experience an safe and caring learning environment.
 - 2.12 Exhibiting behaviour inconsistent with Section 12 of the School Act or the Criminal Code of Canada.
3. The Principal and teachers shall ensure that they are familiar with Sections 24 and 25 of the School Act that provide the legislated framework for student suspensions.
 4. A teacher may suspend a student from a class period subject to the following:
 - 4.1 The Principal is notified of the suspension.
 - 4.2 The student is directed to an area where the student is under the supervision of a staff member until the student's normal class dismissal time.
 - 4.3 All the circumstances surrounding the suspension is reported to the Principal in writing.
 - 4.4 The parent(s)/guardian(s) of the student are informed by telephone of the suspension and the circumstances surrounding it as soon as possible.
 - 4.5 The teacher and student work to resolve the problem that led to the suspension.
 5. A Principal may suspend a student from class, from school, or from riding on a school bus subject to the following:
 - 5.1 The Principal shall confer with affected staff members or other individuals to gather information about the student's misbehaviour.
 - 5.2 The Principal shall prepare a written record of the actions taken in regard to the incident.
 - 5.3 The Principal shall inform the student about the proposed suspension, its consequences and the reason suspension is being considered.
 - 5.4 The student shall be given an opportunity to offer an explanation of his/her behaviour.

- 5.5 If the Principal is of the opinion that a suspension is warranted, the Principal shall inform the student of the reason for the suspension and the length of the suspension.
 - 5.6 The Principal shall inform the parent(s)/guardian(s) by telephone of the suspension and immediately report in writing to the parent all the circumstances surrounding the suspension, reasons for and the length of the suspension with a copy being provided to the Superintendent.
 - 5.7 The Principal shall, if requested, provide an opportunity to meet with the parent(s)/guardian(s), and the student if the student is sixteen (16) years of age or older, to discuss the reasonableness of the suspension;
6. Principal may reinstate a student that has been suspended.
7. Expulsion
 - 7.1 If the student is not to be reinstated within five (5) school days of the date of the suspension, the Principal shall immediately inform the Superintendent of the suspension and report in writing all the circumstances respecting the suspension and provide a recommendation to expel the student.
 - 7.2 The Board will convene an in-camera session upon the call of the Superintendent, but in no event shall the meeting occur later than ten (10) school days from the first day of the suspension.
 - 7.3 Parent(s)/guardian(s) of students, or students sixteen (16) years of age or over, have the right to be assisted by a resource person(s) of their choosing. The responsibility for engaging and paying for such assistance rests with the parent(s)/guardian(s) or students.
 - 7.4 The Board may have legal counsel in attendance.
 - 7.5 Notes of the proceedings will be recorded for the purpose of the Board's records.
 - 7.6 The expulsion hearing will be conducted in accordance with the guidelines outlined in Board Policy 13 - Appeals and Hearings Regarding Student Matters.
8. Reinstatement of a Student
 - 8.1 The Board shall determine the circumstances under which an expelled student may be re-enrolled.
 - 8.2 Where an expelled student is to be re-enrolled, the Superintendent shall set such conditions as are deemed reasonable respecting the re-enrollment of the student. For example, the student may be directed to counseling programs, risk assessment, etc. If additional information on the student is required for that student to be re-enrolled in a Division program, such condition(s) will be stated in the letter to the parent(s) and the student (if 16 years of age or older), and a required date for completion of such conditions will be included in that correspondence.
 - 8.3 Any other action the Board consider appropriate.

Reference: Section 11, 31, 32, 33, 35, 35.1, 36, 37, 196, 197, 222, 257 Education Act