

SUSPENSION AND EXPULSION OF STUDENTS

Background

The Division believes that Catholic/Christian values provide the foundation for promoting a safe, secure and caring school environment. Students who do not comply with Section 31 of the *Education Act* or whose conduct is injurious to the physical or mental well being of others in the school may negatively affect the school's learning environment. The *Education Act* grants Boards and designated Board employees the authority of withdrawing a student's privilege of attending a class, school, school activity or riding the bus for failure to comply with the rules established by the Board or school.

The Division accepts the use of student suspensions as a disciplinary measure designed to encourage students to demonstrate self-discipline and appropriate behavior.

The Division accepts the use of expulsion where the continued presence of a student in a school will seriously affect the safety of staff or students or the quality of the learning environment.

Guidelines

Suspensions

1. Suspension is the temporary removal of a student's right to attend one or more class periods, courses, education programs, school activities, school or to ride the bus for a period not exceeding five days for failure to comply with Section 31 of the *Education Act* or if the student's conduct is injurious to the physical or mental well being of others in the school.
2. Suspensions should be used only after less severe forms of action have been taken. Immediate suspension may occur on a first misbehavior if circumstances warrant this action.
3. Circumstances under which suspension may be considered include:
 - 3.1 If, in the opinion of the teacher for his/her classroom or the opinion of the Principal for the school, the student has not reasonably complied with the code of conduct outlined for students in Section 31 of the *Education Act* as follows:
 - 3.1.1 Attend school regularly and punctually.
 - 3.1.2 Be ready to learn and actively engage in and diligently pursue the student's education.

- 3.1.3 Ensure that the student's conduct contributes to a welcoming, caring, respectful and safe learning environment, that respects diversity and fosters a sense of belonging.
 - 3.1.4 Respect the rights of others in the school.
 - 3.1.5 Refrain from, report and not tolerate bullying or bullying behaviour directed toward others in the school, whether or not it occurs within the school building, during the school day or by electronic means.
 - 3.1.6 Comply with the rules of the school and the policies of the board.
 - 3.1.7 Co-operate with everyone authorized by the board to provide education programs and other services.
 - 3.1.8 Be accountable to the student's teachers and other school staff for the student's conduct.
 - 3.1.9 Positively contribute to the student's school and community.
 - 3.2 The student's conduct or continued presence is injurious to the physical or mental well being of others in the school.
 - 3.3 The student's conduct or continued presence is deemed to seriously threaten or disrupt the Board's ability to provide a safe, secure and caring environment.
 - 3.4 Open opposition to authority.
 - 3.5 Use of improper or profane language.
 - 3.6 Deliberate and wanton destruction of property.
 - 3.7 Violation of the jurisdiction's smoking and use of illegal drugs policy.
 - 3.8 Assault, threats, intimidation, or fighting.
 - 3.9 Possession of weapons.
 - 3.10 Other conduct, misconduct, or actions, or the results of these, regardless of the place of their occurrence, which are injurious to the moral tone of the school or the physical or mental well-being of others in the school.
4. Students under suspension from school will normally be given the opportunity to write tests and hand in assignments. The school Principal in consultation with the student, teacher and parents or guardian will determine any alternative course of action.
 5. Notwithstanding guideline number 1, in those circumstances where the Principal makes a recommendation to the Board, that the student be expelled, the student shall remain suspended until such time as the Board has made a decision to either expel or reinstate the student, in accordance with the provisions of the *Education Act*.

Expulsions

1. Expulsion is the removal of a student's right to attend a particular school, one or more courses or education programs, a school activity or to ride a school bus for a period of more than ten (10) days if the student has displayed an attitude of wilful, blatant and repeated refusal to comply with Section 31 of the *Education Act* or if the student's conduct is injurious to the physical or mental well being of others in the school.
2. Expulsion will only be used when:
 - 2.1 It is deemed that other means of corrective action including consultation with parents, counselling and suspensions have failed to achieve orderly and appropriate student behavior.
 - 2.2 The student's conduct or continued presence in the school or course is deemed to seriously threaten or disrupt the orderly functioning of the school or is deemed to be a danger to persons or property.
3. Expulsion procedures must ensure compliance with the rules of natural justice.
4. Notwithstanding the above, the seriousness of the misbehaviour may warrant immediate suspension or a recommendation to the Board for expulsion on the first offence.
5. In certain circumstances the Principal may determine that an independent objective assessment is required to determine the nature of the impact that a student's conduct or continued presence has in a school or on others in a school. In such circumstances the Principal may refer the matter to an outside agency or professional for an independent objective assessment.
6. Recommendations from a school Principal for expulsion will be referred to the Board and copied to the Superintendent.

Procedures

Suspension From a Class

1. A teacher may suspend a student from a class period.
 - 1.1 The teacher informs the student about the suspension, its length, the reason for the suspension and its consequences, and gives the student an opportunity to offer an explanation for his/her actions.
 - 1.2 The teacher ensures the Principal that the parents of the student are informed of the suspension and the circumstances surrounding it as soon as possible.

The Following Guidelines Should be Considered.

1. The teacher documents and keeps available in his/her own files relevant information on the circumstances surrounding the suspension.
2. The teacher recommends follow up designed to resolve the problem which led to the suspension; where appropriate. (Counselling is an example)

Suspension From School and School-Related Activities

1. The Principal may suspend a student from:
 - 1.1 One or more class periods.
 - 1.2 One or more courses or education programs.
 - 1.3 School.
 - 1.4 Riding on a school bus.
 - 1.5 Participating in an activity sponsored or approved by the Board.
2. When a student is suspended the following procedures will apply:
 - 2.1 The student will be given an opportunity to offer an explanation for his/her behavior.
 - 2.2 The Principal will inform the student about the suspension, its length, the reason the suspension, and its consequences.
 - 2.3 The Principal shall inform the parents/guardians of the student, by telephone or in person, of the suspension including reasons and length and shall immediately report in writing all the circumstances of the suspension to the parents with a copy to the Superintendent.
 - 2.4 The Principal shall inform students under suspension from school that they are expected to keep up with notes and assignments and will be expected to write tests unless specifically excluded as determined by the Principal under Guideline 4.
 - 2.5 The Principal, if requested, shall provide an opportunity to meet with the student's parents, and the student if the student is sixteen years of age or older, to discuss the reasonableness of the suspension.
 - 2.6 Where a student is not to be reinstated within five school days of the date of his/her suspension, the Principal shall immediately report in writing all the circumstances of the suspension to the Board together with his/her recommendations.
 - 2.7 Upon receiving a report from a Principal pursuant to Section 36 the Board shall, within ten school days from the first day of suspension, reinstate or expel the student.
 - 2.8 The student shall remain suspended until the Board makes a decision to reinstate or expel the student.

Reference: Section 11, 31, 36, 37, 53, *Education Act*
Policy 13 – Appeals and Hearings Regarding Student Matters