

## STUDENT SUSPENSION AND EXPULSION

### Background

The Division believes that the maintenance of an atmosphere conducive to learning and to harmonious interpersonal relationships is essential to the achievement of the purposes of its schools. Accordingly, certain behaviour, which is deemed seriously detrimental to such an atmosphere, may be cause for the removal of a student from a school bus, a class, a school function/activity or from school.

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 this behaviour cannot be accepted.

The suspension and expulsion of a student is a very serious matter and should only be taken when other measures have proven to be ineffective or when the seriousness of the offence warrants such action.

Section 31 of the Education Act identifies expectations for student conduct and Sections 36 and 37 deal with student suspensions and expulsions.

### Definitions

**Suspension** means to remove a student for a specified period of time from one or more of the following:

- from school,
- from one or more class periods or courses,
- from transportation provided under section 59 of the Education Act, or
- from any school-related activity

**Expulsion** means to recommend to the Board, for any suspension longer than 5 days, that a student be removed from current programming.

### 1. The following are student responsibilities according to the Education Act:

The student will:

- 1.1 attend school regularly and punctually,
- 1.2 be ready to learn and actively engage in and diligently pursue the student's education,
- 1.3 ensure that conduct contributes to a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging,
- 1.4 respect the rights of others in the school,
- 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,
- 1.6 comply with the rules of the school and the policies of the board,
  - 1.7 co-operate with everyone authorized by the board to provide education programs and other services,
  - 1.8 be accountable to teachers and other school staff for the student's conduct, and
  - 1.9 positively contribute to the student's school and community.

### **Suspension of Students**

2. The principal and the teachers of a school shall ensure that they are familiar with Section 36 of the Education Act that provides the legislated framework governing student suspensions.
3. A teacher or a principal may suspend a student in accordance with subsection (2) or (3) of the Education Act if in the opinion of the teacher or principal:
  - 3.1 the student has failed to comply with section 31 of the Education Act,
  - 3.2 the student has failed to comply with the code of conduct established under section 33(2) of the Education Act,
  - 3.3 the student's conduct, whether or not the conduct occurs within the school building or during the school day, is injurious to the physical or mental well-being of others in the school, or
  - 3.4 the student has distributed an intimate image of another person in the circumstances described in section 1(1.1) Education Act.
4. A teacher may suspend a student for one (1) class period in accordance with the following:
  - 4.1 The teacher immediately notifies the principal of the suspension;
  - 4.2 The teacher informs the student about the suspension, its consequences and the reason the suspension is being considered;
  - 4.3 The student is given an opportunity to offer an explanation for his/her action;
  - 4.4 The teacher directs the student to the principal to remain under the supervision of the school until the student's normal class dismissal time;
  - 4.5 The teacher reports all of the circumstances surrounding the suspension to the principal, in writing;
  - 4.6 The teacher informs the parents/guardians of the student by telephone of the suspension and the circumstances surrounding it as soon as possible;
  - 4.7 The teacher recommends follow-up designed to resolve the problem that led to the suspension.
5. A principal may suspend a student from class, school, riding on a school bus or participating in any school activity.

6. The principal will confer with affected staff members to gather information about the student's misbehaviour.
  - 6.1 The principal shall prepare a written record of all actions taken in regard to the incident and the student's behaviour;
  - 6.2 The principal will inform the student about the proposed suspension, its consequences and the reason the suspension is being considered;
  - 6.3 The student will be given an opportunity to offer an explanation for his/her behaviour;
  - 6.4 If a suspension is warranted, the principal will inform the student of the reason for the suspension and the length of the suspension;
  - 6.5 The principal or teacher shall inform the student's parents/guardians, of suspensions for one period and up to a half a day, including reasons for and length of suspension.
    - 6.5.1 If a child has a Behavior Plan, where working outside the classroom is an intervention, each instance may or may not be communicated to the parents/guardian.
  - 6.6 The principal shall immediately inform the parents/guardians of the student by telephone and in writing, of the suspensions for a half day or longer all the circumstances of the suspension to the parents/guardians with a copy to the Superintendent or designate, including reasons for and length of suspension.
  - 6.7 The principal shall, if requested, provide an opportunity to meet with the parents/guardians, and the student if the student is 16 years of age or older, to discuss the reasonableness of the suspension;
  - 6.8 If the student is not to be reinstated within five (5) school days after the date of the suspension, the principal shall immediately report in writing all the circumstances of the suspension and provide a recommendation to the Board for expulsion through the office of the Superintendent.

### **Expulsion**

7. When a student is suspended and the principal intends to recommend expulsion, the principal may recommend in consultation with the Superintendent or Designate, prior to the end of the student's 5 day suspension, that the board expel the student if:
  - 7.1 the student has displayed an attitude of willful, blatant and repeated refusal to comply with section 31 of the Education Act,
  - 7.2 the student has displayed an attitude of willful, blatant and repeated refusal to comply with the code of conduct established under section 33(2) of the Education Act,
  - 7.3 the student's conduct, whether or not the conduct occurs within the school building or during the school day, is injurious to the physical or mental well-being of others in the school, or
  - 7.4 the student has distributed an intimate image of another person in the

circumstances described in section 1(1.1) of the Education Act.

8. If the principal recommends expulsion as per section 11, the principal shall
  - 8.1 immediately inform the board of the recommendation for expulsion, and
  - 8.2 report in writing to the board all the circumstances respecting the suspension and the principal's recommendation for expulsion,
  - 8.3 the student will remain suspended until the board has made a decision.

Reference: Section 8,11,31,32,33,36,37,41,42,43,44,52,53,196,197,222 Education Act  
Review by The Minister – Information Bulletin 3.5.1  
Policy 13 – Appeals and Hearings Regarding Student Matters