

SD 42 POLICY: 9500

SUSPENSION AND EXCLUSION OF STUDENTS FROM SCHOOL

SUSPENSION OF STUDENTS FROM SCHOOL

The goals of all interactions with students should be focused on learning. Therefore, disciplinary action, whenever possible, will be preventative, restorative, and educational rather than solely corrective or punitive in nature. The school's responses to Code of Conduct violations will be rational, consistent, and fair. The administration will take into account factors such as the severity and frequency of the offence(s), as well as the age, maturity, and ability of the student(s) in question. Consequences for inappropriate behavior such as written warnings, detention, in-school suspension, written learning packages, and out of school suspension may be appropriate and necessary. However, the focus of intervention should include strategies that also focus on increasing positive/pro-social behavior such as: functional behavior assessment, the development of a positive behavior support plan, teaching of lagging skills/calming techniques, teaching replacement behaviors, restitution, mediation, restorative actions, community service, reflective journaling, etc.

Contraventions of the Criminal Code (such as involvement with drugs and alcohol, violence, threats of violence, possession of a weapon or replica, vandalism, theft, causing a false emergency alarm etc.), as well as violations of the B.C. Human Rights Code, may involve suspension, and, if applicable, a Re-Entry Plan paired with a focus on increasing positive/pro-social behavior as referred to above, a referral to appropriate community agencies and support from school based personnel e.g. child/youth care workers. In addition, illegal activities require the involvement of the police.

Sections 26 and 85 (2) of the School Act give the Board, the principal, the vice-principal, the director of instruction, or the Superintendent of Schools authority to suspend a student from attendance at a school in certain circumstances. For example, the School Act authorizes the principal or vice-principal of any school to suspend a student whose conduct has been judged to be in serious conflict with a safe and caring learning environment, the school's Code of Conduct and / or district policies, or when the school's progressive interventions have failed to -change inappropriate behaviour.

School District 42 Policy: 9410 Safe, Caring and Healthy Schools should be considered and referenced as part of the Suspension process.

Parents should be actively included in all interventions and the School District appeal process will be shared with parents.

Guidelines for Suspensions

- A student is subject to the disciplinary authority of a principal throughout the school day, while at the school, on the way to and from school, and at school-sponsored activities both at the school or elsewhere, or in any other circumstances where engaging in an activity negatively affects the teaching and learning environment or reputation of the school, or the learning or welfare of one or more students and staff.

- A principal or vice-principal may suspend a student for a period not to exceed five (5) days without prior consultation with the Superintendent or designate.
- When such suspension occurs, the principal or vice-principal, in accordance with due process, shall:
 - Report the circumstances in a timely manner, in person or by telephone, to the parent or guardian
 - Confirm the telephone or personal contact in writing and retain a copy of the written correspondence on file in the school.
 - Consult with the student, appropriate district or outside agency personnel as necessary, and review the matter with the parent or guardian with the purpose of resolving the problem and preventing future infractions.
 - Ensure that parents are aware of the appeal process.
 - Provide an educational program for the students while on suspension.
 - Advise the student and parent of the expectations that the school has for the student upon re- admission to the school. These expectations may take the form of a Re-Entry Plan.
 - Implement at least one of the corrective strategies focused on teaching appropriate pro/social behavior.
 - In some instances, a transfer to another school or program may be considered. This should be done in consultation with the Superintendent or designate.

Note: If a Violent Threat Risk Assessment (VTRA) has been implemented as part of the process to address the concerning behaviour, refer to the Procedure for Developing Student's Education Plan during a VTRA.

EXCLUSION OF STUDENTS FROM SCHOOL

Under Section 85 of the *School Act*, the Board may refuse to offer an educational program to a student 16 years or older if that student has refused to comply with the code of conduct and / or other rules and policies of the Board or school, or has failed to apply themselves to their studies.

Exclusion of a student under Sections 85 of the *School Act* is considered a final step in a series of consultations and progressive interventions with a student and their parents.

The Board may exclude a student from attendance at any school district school under the provisions of Section 85 (3) of the *School Act* provided that:

- the student is at least 16 years of age;
- the parent or guardian is informed as soon as possible of the circumstances leading to the exclusion and of the avenues for review of the decision to exclude;
- an attempt is made to contact the parent by telephone or by personal interview and telephone or personal contact is later confirmed by letter, or if contact is not possible, by registered letter.

Section 91 of the *School Act* also gives a principal, vice-principal, director of instruction or the Superintendent of Schools the authority to exclude a student because of health issues, physical or mental, that would endanger students or staff at school. The student may be excluded from school until a certificate is obtained from the school medical officer permitting the student to return to the school. If a student is removed or excluded from school the Board must continue to make available an educational program for that student. If a principal or vice principal is considering using Section 91 of the School Act consultation must occur with the Superintendent or designate.

APPEALS PROCESS

Appeal procedures for suspensions or exclusions of students are cited in the Board Bylaw- Appeals Policy and Procedures Bylaw (Approved – 2008).

APPROVED: February 8, 2017