

# STUDENT SUSPENSION AND EXPULSION

## Background

To uphold a safe, caring, respectful and safe learning environment, school rules and regulations must be observed by students. Students who do not adhere to the student code of conduct affect the school's learning environment and their behaviour may need to be addressed by invoking the measures of suspension and expulsion.

Section 31 of the Education Act identifies expectations for student conduct.

Sections 36 and 37 deal with student suspensions and expulsions.

Circumstances which suspension may be considered include failed compliance with the code of conduct in Section 31 of the Education Act and as follows:

### **A student, as a partner in education, has the responsibility to**

- a. attend school regularly and punctually,
- b. be ready to learn and actively engage in and diligently pursue the student's education,
- c. 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,
- d. respect the rights of others in the school,
- e. 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,
- f. comply with the rules of the school and the policies of the board,
- g. cooperate with everyone authorized by the board to provide education programs and other services,
- h. be accountable to the student's teachers and other school staff for the student's conduct, and
- i. positively contribute to the student's school and community.

The Division believes that a student's right to attend class, school, ride a school bus, or participate in an activity approved or sponsored by the Division may be suspended where a student's conduct:

- a. is injurious to the physical or mental well-being of others in the school, or
- b. causes a significant disruption to the learning of students, or
- c. demonstrates flagrant or continued disregard of rules, or

- d. is injurious to the moral tone of the school.

## **Definitions**

### Suspension

A student is removed 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.

### Suspension with the Recommendation for Expulsion to the Board

The Principal shall recommend to the Board (via the Superintendent) to expel a student suspended from school or transportation if the student is not to be reinstated after five school days from the date of the suspension.

### Expulsion

The exclusion, by the Board or its designate, of a student registered in the Division, from attendance in Division schools or participation in Division/school programs, in alignment with Board Policy 14 - Appeals and Hearings Regarding Student Matters.

### Re-Enrolment

The Board may re-enrol a student who has been expelled.

## **Procedures**

1. The Principal shall ensure that students, parents, and staff (including bus drivers) are informed of the Student Suspension and Expulsion administrative procedure and Section 36 and 37 of the Education Act.
2. Suspension of a student is deemed to be a serious measure to be invoked when the student offense warrants, or when other measures have proven to be ineffective.
  - 2.1. Cases shall be dealt with as quickly as possible;
  - 2.2. Responses to student behaviour include a consistently applied, school-wide approach that includes fair responses to negative behavior;
3. Class Suspension
  - 3.1. A teacher may suspend a student for one (1) class period in accordance with the following:
    - 3.1.1. The teacher notifies the principal of the suspension at the earliest possible opportunity;

- 3.1.2. The teacher informs the student about the suspension, its consequences and the reason the suspension:
  - 3.1.3. The student is given an opportunity to offer an explanation for his/her action;
  - 3.1.4. The teacher directs the student to the principal or designate to remain under the supervision of the school until the student's normal class dismissal time;
  - 3.1.5. The teacher reports all of the circumstances surrounding the suspension to the principal, in writing;
  - 3.1.6. The teacher informs the parents/guardians of the student of the suspension and the circumstances surrounding it as soon as possible;
  - 3.1.7. The teacher recommends follow-up designed to resolve the problem that led to the suspension.
  
4. When a student is suspended from one or more classes, courses or programs, school, riding on a school bus or participating in any school activity, the Principal shall:
  - 4.1. Prepare a written record of all actions taken in regard to the incident and the student's behavior;
  - 4.2. Provide the student the opportunity to offer an explanation for his/her behaviour;
  - 4.3. At the earliest possible opportunity notify the student's parent/guardian of the suspension;
  - 4.4. Report in writing to the students parent/guardian all the circumstances of the suspension;
  - 4.5. Ensure the student's teachers are informed of the suspension and work is provided to the student by the teachers for work that will be missed;
  - 4.6. Log the suspension information on PowerSchool and upload a copy of the suspension letter to PASI if it is for a full day or more in length.
  - 4.7. Attempt to resolve the problem leading to the suspension through involvement of school personnel (for example; teachers, counsellors, parent/guardian) and use of supportive programs;
  - 4.8. Provide an opportunity to meet with the student's parent, and/or the student if the student is sixteen (16) years of age or older, to discuss the reasonableness of the suspension.
  
5. Out of School Suspension
  - 5.1. The Principal shall ensure the provisions above ( 2-3) are followed, as well as:
    - 5.1.1. within five school days of the suspension:
      - 5.1.1.1. Reinstate the student, upon a return to school meeting with the parent/guardian and the student;
      - 5.1.1.2. If the principal recommends expulsion under section 37(1), the principal will report in writing to the board all the circumstances respecting the suspension and the principal's recommendation for expulsion;
      - 5.1.1.3. Where age appropriate, accept the student's withdrawal from the school;
      - 5.1.1.4. Provide access to the schoolwork during the suspension.

## 6. Expulsion

- 6.1. Expulsion is the removal of a student's right to attend a particular school, school program or activity or to ride a school bus for a period exceeding five (5) days if the student has displayed an attitude of wilful, blatant and repeated refusal to comply with Section 31 of the Education Act.
- 6.2. Expulsion will only be used when:
  - 6.2.1. 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.
  - 6.2.2. 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.
- 6.3. Notwithstanding the above, the seriousness of the misbehaviour may warrant immediate suspension or a recommendation to the Board for expulsion on the first offence.
- 6.4. Where the student is not to be reinstated within five (5) school days, the Principal will be responsible for the following:
  - 6.4.1. Shall immediately report in writing all the circumstances of the suspension to the Superintendent together with his/her recommendations.
- 6.5. Upon receiving a report from a Principal pursuant to Section 36, and Board Policy 14, the Board shall, within ten school days from the first day of suspension, reinstate or expel the student.
- 6.6. The student shall remain suspended until the Board makes a decision to reinstate or expel the student.

### Reference:

*Education Act*, SA 2012, c E-0.3, ss. 11, 31, 32, 33, 35, 35.1, 36, 37, 196, 197, 222, 257

AP 350 - Student Code of Conduct

Board Policy 14 - Appeals and Hearings Regarding Student Matters