

POLICY IGD – Student Suspension/Expulsion

The Board recognizes that a satisfactory climate for learning is dependent upon students' adherence to rules and regulations as set out in Section 31 of the *Education Act*. The Board recognizes the principle that teachers stand "in loco parentis" and must be empowered to enforce rules and regulations established by the Board and the school staff.

The suspension or expulsion of a student is to be invoked when other measures have proven to be ineffective or when the seriousness of the offense warrants such actions.

The Board delegates to its Student Matters Appeals Committee the responsibility for acting on its behalf in relation to a hearing relating to suspension or expulsion of students. This delegation is effected pursuant to Section 52 (1) (b) of the *Education Act* and the Student Matters Appeals Committee will carry out the responsibilities that would otherwise be required to be carried out by the full Board, pursuant to Section 37, Subsections (1) through (10) inclusive of the *Education Act*.

DEFINITIONS

For this policy, 'Committee' means the Student Matters Appeals Committee of the Board.

GUIDELINES & PROCEDURES

1. The following shall be considered as adequate grounds for suspension:
 - a) open opposition to authority;
 - b) willful disobedience;
 - c) willful damage to property;
 - d) willful injury to others;
 - e) habitual neglect of duty;
 - f) contravention of bus regulations;
 - g) consumption, possession or trafficking of alcoholic beverages, cannabis or illegal drugs while under the supervision of the school; appearing at school or school-sponsored activities while giving evidence of having recently consumed alcoholic beverages, cannabis or illegal drugs.
 - h) for any other reason the teacher, the principal or the board, as the case may be, considers appropriate.

In addition, as per section 36 (1) of the *Education Act* a teacher or principal may suspend a student if:

- i) the student has failed to comply with section 31 of the *Education Act*
- ii) the student has failed to comply with Policy IFC – Student Code of Conduct and Policy IGH-Anti-Bullying;

- iii) 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.
 - iv) the student has distributed an intimate image of another person in the circumstances described in section 1(1.1) of the *Education Act*.
2. Any suspension of a student from an entire class period shall be reported to the Principal, along with the reason for the suspension.
3. In all cases of suspension of five (5) or less full days, the Principal shall inform the Superintendent or designate in writing of the details of the suspension. In cases where students are demonstrating escalating behaviour issues that may lead to an expulsion, parent/guardian should be notified of the possibility of an expulsion and this notification should be documented by the school.
 - a) The principal may recommend that the board expel a student if:
 - i) the student has displayed an attitude of willful, blatant and repeated refusal to comply with the Student Code of Conduct (Policy IFC) and/or the Anti-Bullying Policy (Policy IGH);
 - ii) 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.
4. In all cases of recommended suspension of more than five (5) days, the Principal shall notify the Superintendent or designate in writing. The Superintendent will in turn provide the information received from the principal to the Committee forthwith.
5. For suspensions exceeding five (5) days these regulations shall ensure that:
 - a) such cases are dealt with as quickly as possible;
 - b) the student and the student's parent(s)/guardian(s) are protected against arbitrary decisions at any level;
 - c) the student and the student's parent(s)/guardian(s) are informed of their right to attend a hearing with the Committee of the Board; and
 - d) the student and the student's parent(s)/guardian(s) are informed that they may request the Minister of Education to review the decision of the Committee
6. The Director of Transportation shall be advised of the suspension of students who are bus riders.
7. To assure that any appeal or review procedure does not result in any unnecessary delays, the Committee of the Board shall consider cases referred to it within the time frame established under the *Education Act* which requires that a student either be reinstated or expelled within ten (10) school days from the first date of the student's suspension.
8. The Committee shall consist of the three (3) trustees appointed by the Board. In the event that any one trustee is unable to attend on the date of the suspension hearing, the Superintendent shall appoint a replacement.

9. Where a student meets the definition of independent student as cited in the *Education Act*, all correspondence normally directed to the parent or guardian shall be directed to the student.
The Principal may suspend a student from school or from traveling on a school bus or both, using the following procedures:
10. Contact with the parent(s)/guardian(s) shall take place at the time of the suspension decision or as quickly as possible thereafter.
11. When a Principal suspends a student, he/she shall report in writing in a timely manner such a suspension to the student's parent(s)/guardian(s), unless the student is an independent student, the student and the Superintendent or designate specifying the following:
 - a) the date of the commencement of the suspension;
 - b) the reason(s) for the suspension;
 - c) the time of reinstatement of the student if the duration is five (5) school days or less;
 - d) For suspensions exceeding 5 days advise parents/guardians regarding alternatives they may pursue.
12. When the student is not to be reinstated within five (5) school days, the Principal shall provide the Superintendent or designate with a detailed report on all circumstances of the suspension along with a written recommendation regarding the expulsion of the student.
The Superintendent or designate shall inform the parent(s)/guardian(s) of the date, time and place set for a hearing and request information from them as to whether or not they intend to appear and make representation.
13. The Committee shall adhere to the following procedure:
 - a) Attending the Committee meeting will be the Committee, the Superintendent or designate, the School Principal and the parent(s)/guardian(s) and the student, should they wish to make representation. The parent(s)/guardian(s) may choose to bring an additional representative.
 - b) All documentation made available to the Committee shall also be made available to the parent(s)/guardian(s).
 - c) The Chairperson or designated Trustee of the Board shall chair the meeting.
 - d) The cause of suspension and related communication will be reviewed with the parent(s)/guardian(s) and the student who shall have an opportunity to speak to the circumstances of the suspension.
 - e) The Committee, the Superintendent or designate, the student the parent(s)/guardian(s) and the Principal may ask questions and discuss the matter with the parties at the meeting.
 - f) A recorder will take minutes of the procedure, noting the order in which representatives speak.
14. Immediately following the meeting, all parties in attendance will be dismissed. The Committee shall adjourn and hold a closed session meeting in order to reach its decision.

15. The Committee may:
- a) Expel a student from any or all schools of the Board and:
 - i) indicate to the student if and when the student will be allowed to apply for readmission to Board schools;
 - ii) offer another appropriate education program. Parents/guardians and students should be aware that students may have fewer program options and increased expectations.
 - b) Reinstate the student and impose conditions respecting the reinstatement.
16. The Superintendent or designate shall convey the decision and rationale of the Committee by telephone, where possible, and in writing to the parents(s)/guardian(s), except for an independent student, and the School Principal.
17. The Superintendent or designate shall advise the parent(s)/guardian(s) and/or student of their right of appeal to the Minister.

REFERENCES

Cross References:

Policy BCE – Exhibit 1 – Board Committees
Policy IFA – Appeals Concerning Student Matters
Policy IE - Student Attendance
Policy IFCG – Tobacco and Tobacco-like Products
Policy IFCI - Drug and Alcohol Use by Student
Policy IFC - Student Code of Conduct

Legal Reference: [Education Act](#) - Section 1, 11, 31, 36, 37, 52

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