

## **STUDENT DISCIPLINARY PROCESS**

- A. Teachers and principals must ensure that interventions used are appropriate given the frequency and severity of the disciplinary violation and the student's age or state of development. In every situation, when selecting appropriate consequences, school staff should be sensitive to any student who has been the victim or target of unacceptable behaviour as well as to the student who committed this behaviour.

### **Guiding Principles**

Those in authority must comply with the provisions of the government publication: Safe and Caring Schools: A Policy Directive Enhancing Proactive Supports to Minimize the Use of Seclusion.

° In all decisions, the best interest of the child is the primary consideration. ° In promoting and guaranteeing the rights of children, as per the United Nations Convention on the Rights of the Child, any behavioural intervention must be consistent with the child's right to be free from all forms of physical or mental violence, be treated with dignity, and be free from abuse. ° In ensuring a safe, caring, and inclusive learning environment, policies and procedures must be based on a philosophy of inclusion allowing every individual in the school community to feel accepted, valued, and safe.

### **B. Process Considerations**

1. The school administrator or teacher shall talk to the student and/or other teacher(s) involved. This may result in a disciplinary action. Parent(s) may be contacted, in some circumstances. Students who are 18 years of age or older must give their consent to contact parents.
2. When students are detained as a disciplinary measure, the following provisions will be considered: no student shall be detained as to miss their noon meal; bus students may be detained only for the last half hour of the lunch break; town students may be detained after school for no longer than 30 minutes unless arrangements are made with the parent; detentions must be supervised by a teacher or education assistant; and a centralized confidential record of the detention being served shall be retained indicating the length of the detention, the reason for the detention and the student involved.
3. Where the behaviour of the student violates the school's Code of Conduct (or Policy JFC), a student may be disciplined at the discretion of the school administrator with any or a combination of the following, and may involve a school counselor or a resource teacher:
  - a) Corporal punishment is not permitted in Kelsey School Division.
  - b) restorative activities and consequences outlined in school's discipline policy.
  - c) privileges such as access to the playground, cafeteria, library, extracurricular activities, and/or bus transportation are removed under certain circumstances. Parents will be informed.

- d) student removed from the school for a period of time specified in a behaviour intervention plan i.e. alternate school placement (older/younger students), separate program, home.
  - e) student and/or parent(s) are required to compensate for damages incurred to school division property by the intentional or negligent act of a child. Such compensation may be monetary in nature, but could take alternate forms such as community service.
  - f) student suspended and suspension served in school.
  - g) student suspended and student sent home (out of school suspension).
  - h) refer the student through the Superintendent to the Board of Trustees if the principal views the student's behaviour to be significantly injurious to the school's welfare.
4. The School Division shall provide reasonable accommodation for students who have exceptional learning needs that affect their behaviour, and when disciplining the student, take into consideration the student's ability to comply and the amount of support required. When a special needs student is involved, the Superintendent may be consulted.
  5. Once a student has been suspended for five days, the principal or designate shall promptly call and chair a meeting of the school team, parent(s)/guardian(s) and student to create a behaviour intervention plan. A meeting to create a behaviour intervention plan must be called within five days of the student's most recent suspension. A behaviour intervention plan shall include the following:
    - a) purpose of the plan
    - b) programming needs including alternate placements
    - c) intervention (reactive, proactive)
    - d) supports
    - e) outcomes and evaluation.
  6. The school administrator may send the student home. If the student is sent home, the school administrator of minor students will summon parents/guardians, so that together the problem can be discussed with the student.
  7. The school administrator may suspend the student for up to five school days per year. The suspension will be reported in writing to the Superintendent within twenty four hours. A written notice shall be supplied to the parents/guardians, if required.
  8. Once the five day limit of the school administrator has been reached, the school administrator shall report any further disciplinary issues to the Superintendent with recommendation for an alternate placement, longer suspension or expulsion, if the offense warrants that immediate action.
  9. With the agreement of the Superintendent, the school administrator may suspend the student for up to an additional five days per school year. The Superintendent may suspend a student from the school for not more than six weeks.

10. Once a student has been suspended for ten days the student will be suspended from the school until a behaviour intervention plan is reviewed by the Superintendent and School Team. The student would be referred by the school administrator within twenty-four hours to the Superintendent. The Superintendent or designate shall promptly call and chair a meeting of the school team, parent(s)/guardian(s) and student which shall review the behaviour intervention plan. A meeting to review a behaviour intervention plan must be called within five days of the student's most recent suspension.
11. Where there is insufficient evidence of improvement in the student's behaviour as indicated by repeated disciplinary action such as school suspension, the school administrator may refer the student through the Superintendent to the Board of Trustees. The student will be suspended immediately from the School Division for the length of time required by the student to appeal the decision of the school and the Superintendent.

**C. Appeal Process**

1. Students and parent(s) must follow the School Board's established appeal process. For suspensions in excess of five days and expulsions, the appeal goes directly to the School Board.
2. Notification of due process will be given to
  - (a) parents/guardians for students under age of 18 years
  - (b) the student if over the age of 18 years.
3. A parent and/or student may make a request to appear before the School Board to make representations about a suspension. The School Board may, upon receiving such representation, confirm or modify the suspension or reinstate the pupil.
4. Documentation will be made available to the Board with the distribution of the in-camera portion of the Board agenda. The documentation will include recommendation from the school administrator, who may choose to be present to support the recommendations.
5. The student must be present at the interview and, if the student is under age 18, a parent or guardian.
6. Should the Board decide to reinstate the student, the school administrator and the student, parent/guardian will comply with the terms of re-admittance as established by the Board.
7. A re-entry meeting involving the school student, parents/guardians (if required), and other appropriate personnel/agencies as necessary, must be held for all students suspended through a Board process.
8. Any deviation by the student from the terms of re-admittance may result in immediate expulsion in accordance with the Public Schools Act, Section 48(4).