

STUDENT SUSPENSION AND EXPULSION

The River East Transcona School Division believes the best learning and behaving takes place in a safe, caring, and respectful environment. The Division also believes that everyone has the right to be treated with dignity and respect. This can be achieved when there are appropriate learning and behaving expectations in such an environment. Student discipline procedures also play a critical role in achieving safe, respectful and caring schools.

When a student's conduct is deemed injurious to the welfare of the school or injurious to the school's educational purpose, suspension and/or expulsion are sometimes necessary to ensure the safety of other students in the schools.

Suspensions are applied when other disciplinary measures have been found to be ineffective or when the student's behaviour disrupts the learning of others, endangers fellow students, teachers, or school officials or damages property.

Expulsions are applied when a student's behaviour has been a serious danger to other students, teachers, school officials or school property, or when the behaviour has been shown to be habitual.

The Public Schools Act and the Education Administration Act regulate the powers of schools and school boards to suspend and expel students. Please refer to JKD-E1 – Legal Basis for Suspensions and Expulsions for the relevant sections from these acts.

(1) **Scope of Authority for Suspension**

(a) **Teacher**

A teacher may suspend from the classroom, for a period of not more than two days, a student who engages in conduct that the teacher considers detrimental to the classroom learning environment. It is recommended that in most instances a teacher consult with the principal prior to exercising the right to suspend. The school will determine where the suspension is to be served. Schools will develop a procedure to be followed when a teacher suspends a student.

(b) **Principal or Designate**

The principal or designate may suspend a student who persists in conduct deemed as injurious to the welfare of the school or injurious to the school's educational purpose for a maximum of five school days and will identify necessary re-entry procedure.

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(c) **Superintendent or Designate**

The superintendent or designate may suspend a student for a maximum of six weeks and will identify the re-entry procedure.

(d) **Board of Trustees**

The board may suspend a student for greater than six weeks or expel a student from the school or from the division.

(2) **Guidelines for Suspension**

Suspensions are applied when other disciplinary measures have been found to be ineffective, or when the student's behaviour endangers fellow students, teachers, or school officials, or damages property.

(a) Offenses for which a student may be suspended include but are not restricted to:

- (i) arson;
- (ii) bullying/harassment;
- (iii) disrespect;
- (iv) fighting;
- (v) illegal drugs (trafficking, possession);
- (vi) inappropriate computer use;
- (vii) insubordination;
- (viii) misconduct;
- (ix) physical assault (pupil, staff);
- (x) substance abuse (alcohol, drugs, tobacco);
- (xi) theft;
- (xii) verbal assault (pupil, staff);
- (xiii) weapons (possession, threat, attack);
- (xiv) other.

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- (b) In determining the duration of the suspension of a student, the following factors must be taken into consideration:
 - (i) severity of offense;
 - (ii) whether the student was responsible for or was a participant in the offense;
 - (iii) whether the student has been suspended previously for a similar offense;
 - (iv) age of the student;
 - (v) the special needs of a student.

- (3) **General Process and Procedures for Suspension**
 - (a) **Out of School Suspensions**
 - (i) The principal or designate investigates the allegations that have led to consideration of suspension of the pupil and provides the student with an opportunity to respond to the allegations.
 - (ii) The principal or designate must contact the student's parents/legal guardians immediately to inform them of the incident, the decision to suspend, and provide the parents/legal guardians the opportunity to discuss the suspension. A letter outlining the dates of the suspension and the reason for the suspension must be sent to the parents/legal guardians.
 - (iii) The student is not allowed to leave the building unless the parents/legal guardians have been notified.
 - (iv) It is the responsibility of the principal or designate to provide educational assignments for the students who are suspended. It is the responsibility of the parents/legal guardians (or student if age 18 or over) to make arrangements to pick up assignments.
 - (v) It is the responsibility of the principal or designate to record the details of the suspension in the divisional student discipline tracking system.
 - (vi) The principal or designate informs the parents/legal guardians of the procedures for student re-entry.
 - (vii) A re-entry meeting involving the principal or designate, the student, parents/legal guardians must be held for those students suspended for five or more days. The consultant for student re-entry must be involved in the re-entry process where required by policy or regulation

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and may be involved in other re-entry meetings at the discretion of the principal.

- (viii) A behaviour intervention plan must be written for a student who has received more than two suspensions in a school year.
- (ix) Requests for suspension from school of students for a period longer than five days shall be forwarded in writing to the superintendent or designate for consideration, outlining the reasons for the request and actions taken by the school to address the situation. No action on the request shall be taken until approval from the superintendent or designate has been received. Once approved, the principal shall inform the parents/legal guardians in writing of the approval of the extension and the date when the student can return.

(b) In School Suspensions

- (i) The primary purpose of an in school suspension is to offer a structured, supervised program to suspended students in lieu of an out of school suspension. Students who are assigned to in school suspensions will be in an educational environment with restricted contact with their peers.
- (ii) The principal or designate investigates the allegations that have led to consideration of suspension of the pupil and provides the student with an opportunity to respond to the allegations.
- (iii) The principal or designate must contact the student's parents/legal guardians immediately to inform them of the incident, the decision to suspend, and provide the parents/legal guardians the opportunity to discuss the suspension.
- (iv) It is the responsibility of the school to record the details of the suspension in the divisional student discipline tracking system.
- (v) In school suspensions of one day or more must be recorded in the student discipline tracking system.
- (vi) Each school is required to develop an in school suspension protocol including seclusion as part of the school's behaviour management plan.

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(c) **Suspension from Class by a Teacher**

Following the teacher's decision to suspend a student from the class, the teacher will:

- (i) notify the principal, who will notify the parents/legal guardians as to the reasons for suspension and the duration of the suspension, which may not exceed two days;
- (ii) provide the principal with a written report outlining the activities that resulted in the suspension from class and the action taken by the teacher;
- (iii) inform the administration and the parents/legal guardians of the re-entry procedure; that a meeting with the teacher and, in some instances, with the principal is required prior to re-entry to clarify expectations for re-entry;
- (iv) if the student is eighteen years of age or over, meet with the student to clarify expectations for re-entry.

(4) **General Process and Procedures for Expulsion**

- (a) When the principal recommends expulsion of a student, he/she shall notify the superintendent or designate in writing and shall provide documented evidence and pertinent background information to support the recommendation.
- (b) The superintendent or designate will review the case.
- (c) If expulsion is being considered, parents/legal guardians shall be notified of their right to accompany and/or assist the student to make representation to the board prior to a decision regarding expulsion.
- (d) The superintendent or designate shall report to the board of trustees and make a recommendation in writing.
- (e) The board must ensure the special needs of a student are considered prior to a decision.
- (f) The expulsion shall be at the discretion of the board.
- (g) The superintendent or designate shall notify the parents/legal guardians of a student who has been expelled from school within 24 hours by telephone and by letter indicating the reason for the expulsion. Parents/legal guardians shall also be informed of their right to appeal an expulsion and the process for appeal.

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- (h) Educational programming must be available for students under the age of 18 who have been expelled.
- (5) **Right of Appeal and Appeal Procedures Regarding Suspension and Expulsion**
- Students or parents/legal guardians of students suspended or expelled from school may appeal as follows:
- (a) The decision of a teacher may be appealed to the principal.
 - (b) The decision of the principal may be appealed to the Assistant Superintendent, Student Services.
 - (c) The decision of the Assistant Superintendent, Student Services may be appealed to the superintendent.
 - (d) The decision of the superintendent may be appealed to the board of trustees.
 - (e) The decision of the board may be appealed by a petition to the board. The rules and procedures for bringing a petition before the board are stated in Policy BEDH – Public Participation at Board Meetings, Section (3).

Please Note: For policy regarding suspensions or expulsions for alcohol or drug use by students, please refer to Policy JICH - Alcohol and Other Drug Use by Students.

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Legal/Cross Reference:	Policy JICH - Alcohol and Other Drug Use by Students; JKD-E1 Legal Basis for Suspensions and Expulsions; BEDH – Public Participation at Board Meetings	