



## Procedure 306

### Student Suspension and Expulsion

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#### Background

To ensure a satisfactory climate for learning, school rules and regulations must be observed by students and teachers and principals must be empowered to enforce those rules and regulations. Students who do not conform to the behavior code and discipline policy may negatively affect the school's learning environment.

The suspension or expulsion of a student from school is a very serious matter and should only be taken when other measures have proven to be ineffective or when the seriousness of the offense warrants such action.

Section 12 of the *School Act* identifies expectations for student conduct and sections 24 and 25 deals with student suspensions and expulsions.

#### Procedures

1. The school discipline policy shall describe the suspension procedures to be followed in the school.
2. The principal shall review, and become familiar with, the provisions in the *School Act* that provide the legal framework governing student suspensions and expulsions.
3. The following circumstances may be considered as reasons for student suspension when all other disciplinary actions be been ineffective:
  - 3.1 Habitual neglect of duty.
  - 3.2 Chronic truancy.
  - 3.3 Open opposition to authority.
  - 3.4 Use of improper or profane language.
  - 3.5 Disruptive behavior.
  - 3.6 Deliberate and wanton destruction of property.
  - 3.7 Violation of the Local School Board Committee's smoking, alcohol and the use or possession of illegal drugs policy.



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- 3.8 Actions that are injurious to the moral tone or well being of the school or other individuals.
- 3.9 Chronic non-completion of schoolwork.
4. A teacher may suspend a student for a class period subject to the following:
  - 4.1 The teacher confers with the principal prior to making the suspension;
  - 4.2 The teacher informs the student about the suspension, its consequences and the reasons the suspension is being given;
  - 4.3 The student is provided with the opportunity to offer an explanation for his/her action;
  - 4.4 The teacher directs the student to the principal to remain under the supervision of the school until the student's normal dismissal time from that class;
  - 4.5 The teacher reports all of the circumstances surrounding the suspension to the principal in writing;
  - 4.6 The teacher informs the parents of the suspension and the circumstances surrounding it as soon as possible; and
  - 4.7 The teacher recommends follow-up designed to resolve the issue which led to the suspension.
5. A principal may suspend a student from class, from school, or from riding on a school bus subject to the following:
  - 5.1 The principal shall confer with the affected staff members or other individuals involved with the student to gather information about the student's misbehavior.
  - 5.2 The principal shall prepare a written record of all actions taken in regard to the incident.
  - 5.3 The principal will inform the student about the proposed suspension, its consequences and the reason the suspension is being considered.
  - 5.4 The student will be given an opportunity to offer an explanation for the behavior.



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- 5.5 If the principal is of the opinion that a suspension is warranted, the principal will inform the student of the reasons for the suspension and the length of the suspension.
- 5.6 The principal shall inform the parents by telephone of the suspension, including reasons and length, and shall immediately report in writing all the circumstances of the suspension to the parents with a copy to the superintendent.
- 5.7 The principal shall, if requested, provide an opportunity to meet with the parents, and the student if the student is 16 years of age or older, to discuss the reasonableness of the suspension.
- 5.8 If the student is not to be reinstated within five school days of the date of suspension, the principal shall immediately report in writing all the circumstances of the suspension and provide a recommendation, to the to the Local School Board Committee and the office of the Superintendent.
- 5.9 The Principal may recommend that the board expel the student if the student has:
  - 5.9.1 Displayed an attitude of willful, blatant and repeated refusal to comply with the provisions of the *School Act*; or
  - 5.9.2 Engaged in conduct that is injurious to the physical or mental well being of others in the school.
- 5.10 The Local School Board Committee shall within ten school days after the date of the suspension either reinstate or expel the student.

#### Expulsion of Students

1. Upon receiving the report from the principal and the principal's recommendation as noted in procedure 5.8 above, the Local School Board Committee shall within ten school days after the date of the suspension either reinstate or expel the student. If the chairperson of the Local School Board states that the committee does not wish to deal with the matter, the matter will be dealt with by the board. The Superintendent shall immediately contact the Chairperson of the Local School Board Committee to determine if the Local School Board will be proceeding with the hearing



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in accordance with the *School Act* and the procedures as outlined in sections 2, 3, and 4 below.

2. Prior to the board making a decision on the recommendation of the principal, the student's parents and the student if the student is 16 years of age or older, shall be advised of the date, time and location of the board meeting at which the decision will be made and of their right to make a representation to the board with respect to the principal's recommendation. The student and the student's parents will also be advised of their right to attend the hearing with, and be represented by legal counsel.
3. The procedure to be followed in conducting the hearing into the recommendation will be as follows:
  - 3.1 The Local School Board Committee chair or a designated member of the board will chair the meeting; outline the purpose of the meeting and the procedure to be followed.
  - 3.2 The principal will present the report documenting the details of the case and the recommendation to expel the student.
  - 3.3 The student and the student's parents will be given an opportunity to respond to the information presented and to add any additional information that they feel is relevant.
  - 3.4 The members of the Local School Board Committee will have the opportunity to ask questions of clarification from both the principal and the student and the student's parents.
  - 3.5 The Local School Board Committee will meet, without either the administration or the student and the student's parents present, to discuss the case and the recommendation.
  - 3.6 Should the Local School Board Committee require additional information, both parties will be requested to return in order to provide the requested information.
  - 3.7 The Local School Board Committee will then make a decision to either reinstate or expel the student.



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- 3.8 The Local School Board Committee's decision shall be communicated in writing to the student and the student's parents with copies being provided to the principal and the superintendent.
4. If the Local School Board Committee's decision is to expel the student; the following information must be included in the letter to the student and the student's parents:
  - 4.1 The length of the expulsion, which must be greater than 10 school days.
  - 4.2 The educational program to be provided to the student and the name of the individual to be contacted in order to make the necessary arrangements.
  - 4.3 The right of the student and the student's parents to request a review of the decision by the Minister of Learning. The Minister's telephone number and the mailing address of the Minister's office should be provided.
  - 4.4 That if the student had completed two-thirds of a course or program, the student may write the final exam(s) and receive a grade for the course or program. It is the responsibility of the student to become informed regarding the time and place where the examination will be written
5. The Local School Board Committee may re-enroll a student that has been expelled.