



AP 4-402 – STUDENT DISCIPLINE AND SUSPENSION

BACKGROUND

The Division recognizes that the goals of the student discipline administrative procedure are to support the school staff in maintaining a safe, caring and effective learning environment, and to assist students in developing self-discipline and behaviors that contribute to such an environment.

DEFINITIONS

Out-of-School Suspension (OSS): “An instance in which a student is dismissed from school for disciplinary purposes for a finite period of time when their peers are expected to be in attendance” (MEECL, *Standards for AEP*, p. 24).

In-School Suspension (ISS): “An instance in which a student is temporarily removed from their regular classroom(s) for at least half a school day for disciplinary purposes but remains under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision” (MEECL, *Standards for AEP*, p. 25).

Exclusionary Practices

Exclusionary discipline encompasses any type of school disciplinary action that removes or excludes a student from their usual educational setting (APA Services, Inc., 2019). Regardless of the name used or the intended purpose, exclusionary practices should be exercised with due diligence. Schools and school divisions must develop policy and procedures on the use of exclusionary practices.

Exclusionary discipline practices are referred to by various names and applied in varying degrees, dependent upon the purpose or intent (Valdebenito et al., 2018).

The degree of exclusion for any reason should be commensurate with the least restrictive environment and not be punitive. Although exclusionary discipline practices might typically be viewed on a continuum of severity, educators must take caution that students are not faced with undue hardship or feelings of alienation, as they may not hold the same perception.

Examples of exclusionary practices include the following:

- withdrawal from the classroom setting for less than half a school day for disciplinary purposes but under the direct supervision of school personnel
- detention
- removal of privileges
- removal from school bus ridership
- exclusion time-out



- being sent home early
- in-school suspension
- out-of-school suspension
- expulsion
- seclusion

(Manitoba Education and Training, Provincial Code of Conduct, 2017; Manitoba Education, Enhancing Proactive Supports to Minimize the Use of Seclusion, 2021).

Within this range of exclusionary practices, suspension, expulsion, and seclusion are considered to be most restrictive.

Expulsion

Expulsion is an extreme exclusionary discipline practice. Expulsion differs from suspension (Manitoba Education and Training, Provincial Code of Conduct, 2017). Although The Public Schools Act and supporting regulation (M.R. 92/2013) allow school boards to expel, the guidelines in this policy directive focus on minimizing the use of suspension due to the negative outcomes and the aim to limit, reduce, and subsequently phase out exclusionary practices. Schools and school divisions must develop policy and procedures on the use of expulsion.

Seclusion

Seclusion is a safety response. It is never used as a punishment, consequence, disciplinary action, or a way to force compliance. Schools and school divisions must develop policy and procedures on the use of seclusion (Manitoba Education, Enhancing Proactive Supports to Minimize the Use of Seclusion, 2021).

Informal Removals/Being Sent Home

The Standards for Appropriate Educational Programming (2022) affirms that “School division policy must identify a mandatory process to inform parents and ensure safety any time a student is sent home for disciplinary reasons” (MEECL, Standards for AEP: Student Discipline, p. 19).

There may be instances when a student is sent home due to behavioural disruptions for the purpose of a “reset” or “fresh start.” Although this practice may be wellintended, if a student’s day is reduced outside of the student-specific planning process, such informal removals must be documented.

According to the Standards for Appropriate Educational Programming in Manitoba (MEECL, 2022), “School divisions must provide all students with the same minimum number of hours of instruction, and document in the student-specific plan (SSP) any reduction or alternations in the school day, including a plan to return to full-time instruction” (p. 9).



When removals from the classroom and/or school form a recurring pattern, the student-specific planning process should be initiated to identify a student's learning needs and develop, implement, and evaluate appropriate educational interventions.

PROACTIVE AND PREVENTATIVE PRACTICES

What Teachers Can Do

Teachers are privileged to have the primary contact and relationship with students and their families and have a critical role in enhancing and improving student presence and engagement.

Proactive and Preventative Practices to Consider:

- Create a safe, welcoming, and culturally responsive classroom environment. Student engagement is strengthened through a strong sense of belonging and acceptance.
- Put students at the centre of all planning and responses.
- Use the classroom profile process to get to know each student's learning strengths and needs; ensure teaching and assessment practices are 'just right' for the student and are meeting the student's academic, social, emotional, and behavioural needs.
- Celebrate student diversity.
- Create a growth mindset classroom environment where mistakes are viewed as opportunities for learning.
- Document and respond to student unexcused absences immediately; notice when students are away and welcome them back warmly when they return.
- Utilize restorative practices in your classroom.
- Show students you care. Foster a classroom culture characterized by student voice and shared decision-making to help students feel connected and want to come to school.
- Seek to understand; work with students and families to identify barriers to school presence and engagement. Work collaboratively with the student, family, school, and divisional supports to respond to and support student presence and engagement.

What School Leaders Can Do

School leadership is integral in leading, enhancing, and supporting school cultures that are safe, welcoming, and culturally responsive to students, staff, families, and community. School leaders have a critical role in supporting and enhancing student presence and engagement and leading responsive planning to identify and respond to barriers that impact student presence and engagement in school.

Proactive and Preventive Practices to Consider:

- Create a safe, welcoming, and culturally responsive school environment. Student, staff and family engagement is strengthened through a strong sense of belonging and acceptance.



- Seek to understand; work collaboratively with students, families, and staff to identify barriers to school presence and engagement. Create collaborative partnerships with the family, community, and external agencies to respond to and support student presence and engagement.
- Ensure teachers maintain accurate attendance records.
- Monitor and review student attendance data and oversee the student-specific planning process, including the assignment of a case manager for students experiencing chronic absenteeism.
- Establish a tiered intervention model to support and enhance student presence and engagement.
- Include student voice in school planning and include student engagement as a component of the plan.
- Improve student connection to the school through extracurricular activities that meet a broad spectrum of interests.
- Utilize restorative practices in your school.
- Report chronic/severe chronic absenteeism to your school division.
- Invite community agencies, organizations and associations, other education authorities, and regional health and children's services authorities to plan collaboratively in support of appropriate educational programming and planning for students.
- Lead school-based attendance initiatives.

CONSIDERATIONS PRIOR TO DISCIPLINE

To maximize a student's opportunity to acquire the education necessary to function successfully in today's complex world, it is imperative that each student attend school on a regular basis. Any interruption in student attendance interferes with this ideal.

When a problem occurs with a student, every reasonable effort should be made by teachers and Principals to resolve the problem without requiring the student's absence from school. While the use of suspension is authorized in the Manitoba Public Schools Act, schools and school divisions must consider alternative approaches before suspension. Examples of alternative approaches include, but are not limited to:

- In-school community service
- Restorative practice such as a peace/community circle
- Behaviour contract
- Group brainstorming among student, school staff and parent(s) and/or extended family
- Referral to counsellor, social worker, occupational therapist, or other clinical supports
- Referral to school or community-based service
- Mentoring
- Flexible daily schedule as documented in a student specific plan
- In-school suspension



- Continued learning at a designated off-campus location

The provision of the use of a sensory/regulation space to proactively meet a student’s sensory needs and promote self-regulation must follow school division policy, procedures.

Disciplinary responses should be viewed as an opportunity to problem-solve. Before a course of action is taken, all circumstances that may lead to suspension as a disciplinary consequence require an assessment of the situation, context, and mitigating factors.

The Appropriate Disciplinary Consequences in Schools Regulation 92/2013 under The Education Administration Act confirms and restates the authority of principals, schools, and school divisions and requires principals of Manitoba schools to ensure that appropriate interventions and disciplinary consequences are included in their school codes of conduct” (p. 18).

- Schools must provide reasonable accommodation when disciplining a student and must take into consideration the student’s state of development, ability to comply, and the amount of support required.
- Student discipline must incorporate a continuum of supports, including positive and preventative approaches and strategies, as well as consequences corresponding to the nature, severity, and frequency of the behaviour or infraction).

This means that, for some students, the approach to student discipline will need to consider the student’s special learning needs and abilities including whether

- the student is able to access the information
- the student understands the policy or rules
- the disciplinary actions used for the majority of students are appropriate for the student

As affirmed in the Provincial Code of Conduct: Appropriate Interventions and Disciplinary Consequences (Manitoba Education and Training, 2017), interventions and consequences may be applied appropriate to the context and that, in every situation, when selecting appropriate consequences, staff should be sensitive to any student who has been the target of unacceptable conduct, as well as to the student who engaged in the misconduct. These factors encourage those with the authority to suspend to avoid disciplining students who did not act deliberately.

MONITORING AND REVIEW

Schools shall record the nature and duration of all ISS (In-School-Suspensions) and OSS (Out-Of-School-Suspensions) on the month-end form provided to schools. Schools will ensure these records are recorded using the categories on the form.

Each school shall designate a group, such as the school’s safe school advisory committee to annually review suspension data.



The division shall review this data yearly with the Administrative Council.

System suspension data shall be shared with the Board of Trustees each year by the Superintendent.

Reference:

The Public Schools Act, Sections 47.1(1), 47.1(2), 48(4), 58.6, 58.10, 96(c)(f)
Manitoba Regulation 468/88R, Sections 28, 32, 33, 39, 40.3-40.8, 40.10, 40.12
Manitoba Regulation 465/88R, Section 13
Manitoba Regulation 77/05, Section 6
The Education Administration Act, Section 4(1)(d)
School Administration Handbook Topics C2, C5, D1, E2 and S12

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