AP 4-403 – STUDENT DISCIPLINE AND SUSPENSION PROCEDURE

BACKGROUND

In accordance with AP 4-402 Student Discipline and Suspension the following procedures will be followed.

GENERAL PROCEDURES

1. In all matters pertaining to the suspension/expulsion of students, the provisions of the Public Schools Act, Manitoba Regulations and division policy shall be rigorously followed. Principals and teachers are expected to be fully conversant with the provisions of AP 4-402 and this procedure before initiating action.

2. For the purposes of this administrative procedure:

   2.1. *Suspension* is the removal of a student from the classroom, school property, school activities, or bus.

   2.2. *Expulsion* is the Board-approved removal of a student from the classroom or bus. The length of an expulsion is normally limited to the school year in which an expulsion takes place.

   2.3. *Exceptions* – extra-curricular activities, such as team sports, club membership, and field trips outside of school hours, are considered a student privilege. A student's failure to conform to the rules related to the activity may result in the removal of the privilege. This loss of privilege is not considered a suspension under this administrative procedure. If the breach of rules is also a matter for which suspension or expulsion would otherwise be considered, these measures may also be applied.

3. The Principal has disciplinary authority over the conduct of each pupil of the school from the time the pupil arrives at school until the pupil departs for the day, except during any period that the student is absent from the school at the request of his or her parent or guardian.

4. The Principal has disciplinary authority over all pupils of the school on their way to and from school, in terms of their conduct towards one another; and while they are being conveyed to or from school, in a Western School Division bus.

5. Schools will incorporate a continuum of supports (see AP 4-402) including positive and preventative approaches and strategies, as well as consequences corresponding to the nature, severity, and frequency of the behaviour or infraction. The consequences are to be considered in conjunction with the age, grade level, exceptional learning needs, and other factors affecting the individuals to whom this process is applied.

6. The decision to suspend should consider the following:

- the information gathered from the student, reporting staff, and others who may have witnessed or been affected
- whether a process should be initiated for determining the risk of threat to self or others, and the risk of recurrence
- possible motivation or underlying reason(s) that led to the incident (e.g., setting events, antecedent)
- previous disciplinary incidents
- previously employed interventions and their effectiveness
- the student's background and support network
- alternative approaches not previously employed
- whether the suspension will be a breach of probation, if applicable

The decision to suspend may also include the following:

- a discussion with the parent(s)
- a discussion with the in-school team and/or divisional-level staff

7. A student may not be suspended as a response to absenteeism.

8. The duration of a suspension must not be incrementally based on the number of suspensions a student has previously received.

9. Parents of a pupil of compulsory school age or who is attending a school shall cooperate fully with the child's teachers and other employees of Western School Division to ensure the pupil complies with school and Western School Division student discipline and behaviour management policies.

10. A pupil is responsible for complying with the student discipline and behaviour management policies of the school.

11. Parents/guardians have a right to be informed of the discipline and behaviour management policies of the school their child attends, and Western School Division, and to be consulted before the policies are established or revised.

12. Policy on student discipline will be communicated to school division staff, parents, and students at the beginning of each school year or upon the registration or enrolment of new students during the year. This information will be available in school handbooks.

PROCEDURE TO SUSPEND

When a suspension becomes necessary the procedures outlined below will be followed.

The Principal of any school may suspend a student who persists in conduct, which is deemed to be injurious to the welfare of the school. This suspension is not to exceed a period of five days, unless specifically approved by the Superintendent of Schools. Schools will offer and arrange alternative programming for students who are suspended for more than five days.

A teacher in a school may suspend from their class, 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 or the school's code of conduct.

The Board has authorized the Superintendent of Schools to suspend, for a period up to six weeks, a student who persists in conduct which is deemed injurious to the welfare of the school.

Notification to Parents

When the suspension is a school suspension, the parents or guardian shall be notified by the Principal or designate by telephone or in person, as soon as possible, followed by written notification within 24 hours, setting out:

a) the student's name, birthdate and student MET number;

b) the nature of the suspension (in-school or out-of-school)

c) the act or conduct for which the student is being suspended and the decision in relation to the code of conduct and divisional policy;

d) The period of suspension (with beginning and end dates)

e) information regarding the re-entry process and terms of re-entry

f) the date, time and location of the re-entry meeting

g) information regarding the opportunity for parents to be provided with accommodations such as an interpreter or having a supporting person accompany them to the re-entry meeting

h) the name and contact information of the school/division staff who will serve as the parent's initial contact for the purpose of arranging appropriate educational programming and maintaining regular contact with the student

i) information regarding the parent's right to make an appeal and the appeal procedures of the school board

j) clarity of any other restrictions

Reporting Requirements

Schools will keep records on the nature and duration of all suspensions, both in-school and out of school. Written plans will be developed for students who have been suspended out of school more than two times during a school year.

Principals will:

1) **Enter the report in Powerschool within 48 hours of the suspension.** The report shall contain:
    a. The student's name
    b. The period of suspension
    c. A description of the behaviour for which the student was suspended
2) Record the appropriate category of the reasons for which a student may be suspended on the monthly report.
3) Ensure that each suspension is categorized accordingly.
4) Ensure that the total number of pupils suspended and the duration of suspensions are tabulated for each category.
5) Offer and arrange alternative programming for students who are suspended for more than five days. This may range from work at home to alternative programming at a different location or remote learning. The Principal will consider the student's needs, length of suspension and age.

The Superintendent of Schools shall be informed of the suspension by the school Principal by email, followed up with a signed copy of the letter of suspension sent to parents.

If the suspended student rides a bus, the Transportation Supervisor must also be notified so that the student in question does not continue using the bus as a personal transportation service. The Transportation Supervisor will inform the appropriate Bus Driver of the student being suspended and duration.

Suspension data shall be reported to the Board on an annual basis by the Superintendent of Schools.

Prior to a student's return to class after a suspension, the Principal shall meet with the student to discuss expectations and to establish a climate that will enhance the prospect of a successful re-entry to the program

Required Documentation

Each event of suspension must be documented.

Documentation must include:

- information about the misconduct
- disciplinary measures issued
- the actions undertaken by the school in relation to a student

A copy of the documentation is to be placed in the pupil file (Province of Manitoba, 2000, rev. 2012) and entered in Powerschool.

Documentation for suspension shall include:

- consultation with the superintendent or designate
- maintenance of accurate information
- a record of communication between staff and the student and parents
- a record of the re-entry meeting

a process to identify students with multiple/recurring suspensions a consistent manner to document attendance in Powerschool for students who are suspended

OUT-OF-SCHOOL SUSPENSION (OSS)

During an out-of-school suspension, students will not be permitted to be present at school and, at the discretion of the principal, may not be permitted to participate in school-sponsored activities, whether they occur inside or outside the school, on the school bus, or on school property.

Following a decision to suspend a student out of school, the principal will ensure that expectations are communicated with the student, parents, classroom teacher(s), in-school team, and relevant school/divisional staff with details such as the following:

- period of suspension (beginning and end dates)
- name of the school/division staff who will serve as initial contact for any questions/concerns
- arrangement of appropriate educational programming and regular contact with professional staff (e.g., virtual, telephone, in person)
- clarification of expectations noting any restrictions information regarding the time, date, and location of the re-entry meeting
- additional people or agencies and their contact information and any expectations set forth (if relevant)

School staff must develop a student-specific plan for a student who has been suspended out of school more than two times during a school year (MEECL, *Standards for AEP,* 2022).

IN-SCHOOL SUSPENSION (ISS)

An in-school suspension is to be carried out in a supervised educational environment with restricted contact to peers during the instructional day. During an in-school suspension, a student may be restricted from attending one or more classes and/or school-sponsored activities, whether they occur inside or outside the school or on the school bus.

Provided there is no safety risk to students or staff, a student observing an in-school suspension can continue to participate in school-sponsored activities with direct supervision, whether they occur inside or outside the school, in order to maintain connection, relationships, and a sense of belonging.

Sharing Expectations and Timelines

Following the Principal's decision to suspend the student, the Principal will ensure arrangements are made and communicated to the student, parents, classroom teacher(s), in-school team, and relevant school/divisional staff with details such as the following:

- date(s), including the expected date of return to classroom learning with peers
- location of alternative supervised learning environment
- expectations for contact with professional staff (who, when, purpose)
- expectations for non-structured times (e.g., lunch/breaks, extracurricular, transportation, arrival/dismissal), noting any restrictions to peers/activities
- a structured plan outlining the appropriate educational programming the student is to be engaged in during the suspension
- details of the re-entry process
- a meeting with the student prior to the date of re-entry to communicate expectations and to develop strategies to repair relationships

If a student receives two or more in-school suspensions during a school year, school teams should consider ways to support that student in an effort to decrease future suspensions.

A suspension from class by a teacher is to be considered an in-school suspension. A teacher who suspends a student from class must promptly document and report the suspension to the principal (M.R. 92/2013).

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

- notify the principal, who will inform the parents of the reason and duration of the suspension, which may not exceed two days
- provide the principal with a written report outlining the antecedent event(s) and reason for suspension from class, and action(s) taken by the teacher
- arrange for a supervised learning environment and ensure appropriate educational programming continues
- discuss with the principal the re-entry process, as well as who will communicate this to parents
- meet with the student, principal, and parents prior to re-entry to communicate expectations and to develop strategies to repair the relationship

RE-ENTRY PROCESS

The process should involve the student, parents, and appropriate school team members, include timelines, and ensure re-entry occurs on the day following completion of the suspension (MEECL, *Standards for AEP:* Student Discipline, 2022).

The purpose of a re-entry process is to:

- provide an opportunity to debrief
- review the reason for the suspension
- reflect upon the incident and circumstances
- clarify expectations
- work towards addressing relational problems, if applicable
- plan for the student to rejoin the classroom/school community
- restore a sense of safety and belonging for all

Schools are expected to use a restorative approach, which places focus on accountability, empathy, and healing.

Re-Entry Meeting

Re-entry meetings are an opportunity to bridge and repair relationships. A meeting prior to the student's return to school is especially important to the re-entry process. The student, parents, and appropriate school/division team members should be in attendance.

If a parent is unable or refuses to attend the re-entry meeting, schools must document the reasons for refusal and/or actions undertaken by the school to obtain consent and/or resolve concerns.

The discussion at the re-entry meeting should:

- review the school's code of conduct
- restore a sense of safety and belonging (i.e., establish a connection with an adult in the building who provides daily check-ins for positive feedback and problem-solving)
- structure transitions, resources, and environmental considerations to be in place for a safe return
- determine programming needs (e.g., academic support, increased opportunities to attend to social-emotional learning and regulation)
- review planning needs if a student-specific plan is already in place
- develop a student-specific plan for a student who has been suspended out of school more than two times during a school year (MEECL, *Standards for AEP*, 2022)
- determine whether individual counselling and/or divisional supports are needed (i.e., determine and support student's protective factors)
- refer to community-based/agency supports, as appropriate
- reaffirm goals for personal and/or school success, respecting the student's right to be heard, and participate in decisions that affect them

- designate staff to case manage (i.e., ensure planning needs are met and follow-up is embedded for ongoing support)
- review recommendations and update plans as necessary
- encourage the repair of relationships with those who may have been harmed or affected and who also should be treated with courtesy, compassion, and respect for their dignity and privacy (YCJA)

The completion of schoolwork must not be used as a condition of re-entry.

Suspension must not be prolonged due to the parent's inability to be present at the re-entry meeting.

EXPULSION OF STUDENTS

Expulsion is defined as an exclusion from school by Board motion for a period of longer than six weeks.

In accordance with section 48 (4) of the PSA, the Board has the authority to expel any student from schools in Western School Division on the grounds that his or her conduct is deemed injurious to the welfare of the school. When expulsion is being considered, the following process must occur:

a) the expulsion has been recommended by the Principal and supported by the Superintendent of Schools;

b) the student and parent or guardian (or student if aged 18 or over) have been notified in writing of:
   i) the recommendation of the Principal and Superintendent of Schools; and
   ii) the right of the student and parent or guardian (or student if aged 18 or over) to make a presentation at a hearing to be conducted by the Board;

c) the Principal of the student has been notified and requested to appear at the hearing to be conducted by the Board;

d) such a hearing has been conducted.

Schools will offer and arrange alternative programming for students under the age of 18 who are expelled.

An expelled student may, on written appeal from the parent or guardian (or student if aged 18 or over) be considered for re-entry to a Western School Division school at a future date.

If the expelled student rides a bus, the Transportation Supervisor must also be notified so that the student in question does not continue using the bus as a personal transportation service. The Transportation Supervisor will inform the appropriate Bus Driver of the student being expelled.

APPEAL PROCESS

Appeals shall be handled in accordance with AP 1-201 and recorded on the form provided in AP 1-202.

Students and parents must follow the established appeal process.

In the case of a student who has been suspended more than five days, the school board must permit the student and their parent(s) to make representations to the school board about the suspension. The school board may confirm the suspension, modify it, or reinstate the student (M.R. 92/2013; Manitoba Education and Training, *Provincial Code of Conduct*, 2017).

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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