

602.12AP – Student Suspension

Purpose

The Board authorizes principals to suspend students in accordance with the provisions of the *School Act* and Regulations when it is determined that there has been a serious breach of the code of conduct.

Duties of students

School Act: Procedure 6 (1) A student must comply

- (a) with the school rules authorized by the principal of the school or provincial school attended by the student, and*
- (b) with the code of conduct and other rules and policies of the Board or the provincial school*

The school's Code of Conduct and 602.1AP Code of Conduct provides parents/guardians and students with expectations of acceptable student conduct, unacceptable conduct and potential consequences. Whenever possible, the school will utilize *educative, preventative* and *restorative* interventions and practices as the fundamental principles to intervene with unacceptable conduct.

Suspension is one strategy in a more complex problem-solving restorative process designed to support the student in changing unacceptable conduct and should be viewed as only one part of a process in a range of options. Suspension may be considered when the school's progressive interventions have failed to correct unacceptable conduct, or at the end of a series of incremental disciplinary consequences. It is recognized that sometimes immediate student suspension can be the appropriate action to take in order to make a school safe when there is a serious breach of conduct or an illegal act.

The purpose of suspension, or any other discipline strategy, should be to develop self-reliant adults. Used judiciously, suspension can have positive effects, including:

- ensuring safety for everyone in the school community
- assigning clear consequences for a range of serious breaches of code of conduct
- providing the time for planning support for behaviour change
- promoting collaboration among family, school, and other community services to solve problems and provide support

Serious Breaches of School Code of Conduct

School Act, 85 (2) Without limiting subsection (1), a board may, subject to this Act and the regulations, do(all or any of) the following:

- (c) make rules (ii) respecting suspension of students and the provision of educational programs for suspended students,*
- (d) suspend students, in accordance with the rules under paragraph (c) (ii), so long as the board continues to make available to those students an educational program*

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When student conduct warrants suspension, such suspension will be in accordance with this administrative procedure. The suspension will be employed not as an isolated event, but rather as an integral part of the larger intervention process, the component parts of which will include:

- strategies that are *educative, preventative* and *restorative*;
- ongoing and supportive communications with parents or guardians;
- community support for the student and family;
- an appropriate educational program; and
- effective follow-up and supportive action plans when the student returns to a school program.

Appropriate intervention which seeks to be consistent and equitable may in some cases vary from student to student where the misconduct appears to be similar. Intervention may vary according to the needs of the student, the needs of the school or situation and the nature of previous interventions.

Principals may suspend students for a period of up to and including five (5) school days pending an interview with the parents or guardians in an effort to resolve the problem(s). A student may be suspended up to and including twenty (20) school days in consultation with an assistant superintendent if there is more time needed to develop effective action plan for the student. The assistant superintendent may choose to consult with other resource personnel through the process of Integrated Case Management (ICM). Expulsion or a suspension of over twenty (20) days must be deliberated and authorized by the Board of Education.

Students with Special Needs / Challenging Behaviours

Students with identifiable special needs may be unable to comply with some aspects of a Code of Conduct due to having a disability of an intellectual, physical, sensory, emotional or behavioural nature. Students with special needs may require special consideration in the selection of appropriate interventions to ensure that they are not subject to disciplinary or intervention measures that are directly or indirectly related to their special need.

Students with challenging behavioural needs may act in violent ways and require intensive intervention. Careful planning for the safety of staff and students should be part of the development of these students' Individual Education Plan (IEP). Employee Safety Plans (ESP) can be developed in order to reduce the risk to employees. A Risk Assessment and a student Behaviour Support Plan (BSP) can be carried out to ensure that staff are prepared and trained for the potential of a violence incident.

Types of Student Suspensions

The Board sanctions the following types of student suspensions:

- a partial day;
- full day(s);
- partial day followed by full day(s);
- in-school suspension;
- a series of partial-day suspensions;
- supervised in-school suspensions; or
- suspension to a community-based resource.

Students who are suspended from school as per the *School Act* will have an educational program available to them while under suspension and will have the opportunity to complete work/assignments off site.

Suspension Process

- Contact will be made with parents or guardians prior to any student being sent home during the school day.
- A written notice/letter of suspension will be provided to parents or guardians at the earliest possible opportunity such notice/letter to include the following:
 - term of suspension, including commencement date and number of days;
 - specific reason(s) for suspension, with reference to breach of school code of conduct and/or relevant section(s) of the *School Act*/Regulation or NLPS Administrative Procedures;
 - reference to parental interview or alternative means of communication;
 - proposed date, conditions and plans for the student re-entry;
 - a copy of the appeal process (502 Parent Student Appeal By-Law); and
 - the educational program available to the student.
- A copy of such a notice/letter will become part of the student's cumulative file and a copy retained at the district office by the Superintendent or designate.

Where a student has been suspended previously within the same school year, principals may consult with the assistant superintendent to address plans for re-admittance, transfer or alternative placement.

Illegal Acts

A student committing an illegal act under the *Criminal Code of Canada* that threatens the safety of a person or group of persons, such as the use or possession of weapons, setting off a false fire alarm, a serious threat or assault another person(s) while under the jurisdiction of the school will be suspended for a period of up to five school days during which the Violence/Threat/Risk Assessment (VTRA) Protocol process may be initiated. The parents or guardians will be immediately notified in writing of the circumstances and the process following the VTRA Protocol. Where appropriate, the RCMP will be contacted.

Upon a second illegal act the student will immediately be suspended and an assistant superintendent will be contacted for consultation regarding the suspension. The assistant superintendent may initiate an Integrated Case Management (ICM) meeting or recommend suspension for up to 180 calendar days as authorized by the Board. Where the student is 16 years of age or older, a recommendation may be made to the Board that the student be expelled.

Fair Notice

In Nanaimo Ladysmith Public Schools, all threats will be taken seriously, investigated and a response provided.

Record Keeping

The Board expects that school and district administration will maintain accurate and reliable records that allow the monitoring and tracking of individual, school and district-wide patterns of student conduct. The Superintendent will provide the Board a summary report of student suspensions on a monthly basis.

Process of Appeal

The Board of Education recognizes and respects the fact that students and /or parents or guardians may sometimes disagree with decisions made by employees. The School Act of British Columbia gives parents or guardians and students (with parental consent) the right to express concerns or appeal certain decisions. This right of appeal applies to decisions that significantly affect the health, education or welfare of students. Information regarding the Board's appeal procedure and a copy of the formal appeal bylaw can be accessed at www.sd68.bc.ca/document/502-appeal-bylaw.pdf. Prior to an appeal, it is expected that school administration, students and parents or guardians will work to try to resolve concerns at the school level.

Legal References:	<i>The School Act</i> <i>Criminal Code of Canada</i> <i>FOCUS ON SUSPENSION: A Resource for Schools, 1999</i> <i>602.1AP Code of Conduct</i> <i>502 Parent Student Appeal By-Law, 502.2AP Formal Appeals</i> <i>602.11AP Fair Notice VTRA</i>
Monitoring Method:	<i>Board of Education / Superintendent</i>
Monitoring Frequency:	<i>Annual</i>
Previous Policy Number:	<i>AP345</i>
Adopted:	<i>1976.07.21</i>
Amended:	<i>1990.06.13; 1997.09.10; 2005.02.08; 2016.02.19; 2016.04.19; 2017.10.10</i>