

Student Suspension

1. Suspension is defined as the forced release of any student(s) from regular classes up to a maximum of five school days.
 - 1.1. The principal shall have procedures in place outlining codes of behaviour where suspensions may be considered as well as the range of action to be taken in such situations.
 - 1.2. A principal may suspend a student in accordance with the *Education Act* section 36(1), if in the opinion of the principal,
 - 1.2.1. The student has failed to comply with the responsibilities of the student described in the Division and the school's code of conduct
 - 1.2.2. The student's conduct, whether or not the conduct occurs within the school building or during the school day, is injurious to the physical or mental well-being of others in the school, or
 - 1.2.3. The student has distributed an intimate image of another person in the circumstances described in *Education Act* section 1(1.1).
 - 1.3. Teachers may suspend a student from their class for a whole or partial period. Principals have the authority to suspend a student for more than a single period up to a maximum of five school days. Suspension for up to ten days are permitted if the principal recommends expulsion of the student to the Board.
 - 1.3.1. The principal may choose to suspend the student "In School" or "Out of School"
 - 1.3.1.1. In School Suspensions remove the student from interaction with peers while still being supervised within the school.
 - 1.3.1.2. Out of School Suspensions remove the student from the school and campus.
 - 1.4. The principal shall advise the parent(s) or the student (if the student is the age of majority or an independent student), in writing, of the circumstances leading to the suspension of the student. **For all In School and Out of School suspensions, a copy of the letter shall be forwarded to the PHSD Division's Student Services office along with a copy of Form 5-10-A Suspension Checklist.**
 - 1.4.1. Principals are strongly advised to communicate directly with parents regarding the circumstances leading to the decision to suspend the student.
 - 1.5. If the principal feels that the infraction is of a more serious nature (than warranting a suspension), they may recommend expulsion by immediately contacting the Division's Student Services followed by a letter with their recommendations addressed to the Superintendent who shall then bring the matter before the Board. (See Student Expulsion below.)
 - 1.6. *Education Act* Section 37(1): If a student is suspended in accordance with section 36, the principal may recommend, prior to the end of the student's suspension, that the board expel the student if
 - (a) the student has displayed an attitude of willful, blatant and repeated refusal to comply with section 31,
 - (b) the student has displayed an attitude of willful, blatant and repeated refusal to comply with the code of conduct established under section 33(2),

- (c) the student's conduct, whether or not the conduct occurs within the school building or during the school day, is injurious to the physical or mental well-being of others in the school, or
 - (d) the student has distributed an intimate image of another person in the circumstances described in section 1(1.1).
2. The principal and the parent may agree that a student should not be suspended but should be allowed to be temporarily voluntarily excused from attendance of regular classes due to behavioural, emotional and/or mental health issues. While such a plan would not be considered a suspension, the Director of Student Services should be notified with details of the reason for this plan and the specific amount of time the student will be absent from school.
3. As suspensions can be a maximum of five days, removing a student from contact with their peers for more than five days would constitute a special program (please reference AP 60-12 Inclusive Practices (Student Placement and other Programming Decisions)).

Student Expulsion

1. Expulsion from school is defined as any term of absence from school above and beyond the five days suspension that a principal can dispense in accordance with the *Education Act* section 37(1). An expulsion is set by a decision of the Board and the term of absence from school can range from one day from their designated school to a complete removal from Division schools for the remainder of the school year.
 - 1.1. A recommendation to expel must be made by the principal to the Superintendent. The *Education Act* sections 37(7)(8) further stipulates that the board may establish rules or conditions for an expelled student respecting the circumstances in which the student may be enrolled in the same or a different education program. An expulsion or any rule or condition may apply to a student beyond the school year in which the student was expelled.
 - 1.2. Prior to the meeting with the Board Expulsion Committee, the principal will complete the steps in Form 5-10-B Expulsion Process Checklist and review the information with an Assistant Superintendent, assigned by the Superintendent. The Assistant Superintendent will review the recommendation with the Superintendent prior to the information being presented to the Board Expulsion Committee.
 - 1.3. The date of an expulsion hearing shall be set within ten days of the first day of suspension.
 - 1.4. Any documentation, or other recorded materials, must be provided to the Assistant Superintendent at least two days prior to the expulsion hearing.
 - 1.5. The principal and any appropriate staff members shall appear before the Board Expulsion Committee to support his/her recommendation for expulsion (parent, student, and resource person may be present). Please refer to Policy 13 Appeals and Hearings Regarding Student Matters for a detailed description of the format and sequence of the actual hearing.
 - 1.6. Parents of students, or students sixteen years of age or over, have the right to be assisted by a resource person(s) of their choosing, for the purpose of the representations referenced in Section 37(3) of the *Education Act*. The responsibility for engaging and paying for such assistance rests with the parents and/or the students.

- 1.7. The parent and/or the student (and a resource person if they chose) are invited to be present and may make representation with regard to the expulsion.
- 1.8. The Director of Student Services can be asked to provide recommendations for the student's educational programming, with and without an expulsion decision.
- 1.9. The Board Expulsion Committee will decide to reinstate or expel the student, and will determine the length and circumstances associated with the expulsion.
- 1.10. Regarding Confidentiality: Expulsion hearings are held In Camera which means there is an expectation of privacy/confidentiality. The student/parent/family information from the hearings is considered "personal information" protected by the Freedom of Information and Protection of Privacy Act (FOIP). Division staff and Trustees will not disclose the information to others not involved in the hearing.
- 1.11. The Assistant Superintendent and Director of Student Services will notify, in writing, the student's parent, and the student if the student is 16 years of age or older, of the Board Expulsion Committee's decision, and if there is to be an expulsion, the conditions of the expulsion, the recommended programming, and the right to request a review under Section 43 of the *Education Act*.

Reference

[Education Act](#)

[Protecting Victims of Non-Consensual Distribution of Intimate Images Act](#)

[Freedom of Information and Protection of Privacy Act](#)

[Policy 13 Appeals and Hearings Regarding Student Matters](#)

[AP 60-12 Inclusive Practices \(Student Placement and other Programming Decisions\)](#)

[Form 5-10-A Suspension Checklist](#)

[Form 5-10-B Expulsion Process Steps](#)