



Rationale

Students who do not conform to the student code of conduct may negatively affect the school's learning environment. The Board of Directors grants Local School Councils and the School Principal the authority to withdraw a student's privilege of attending a class, school or riding the bus for failure to comply with the rules established by the Local School Council.

Definitions

Day - refers to the day schools are in session.

A decision that is deemed to significantly affect the education, health or safety of a student is:

- a) disciplinary suspension from school for a period in excess of five (5) consecutive days;
- b) suspension from school for a health condition;
- c) grade promotion or graduation;
- d) any other decision that significantly impacts the present or future educational program of the student.

Expulsion means to remove a student indefinitely from:

- one or more courses or education programs
- one or more schools
- riding a school bus
- participating in an activity sponsored or approved by a school or the district.

Indefinite Suspension means to remove a student for an indefinite period of time and may lead to an expulsion.

Hearing - refers to an in-camera meeting to address an appeal or request for reinstatement.

Natural justice - includes the principles of procedural fairness and ensuring a fair decision is reached by an objective decision maker.

Procedural fairness refers to fair and proper procedures being used when making a decision (right to be heard and unbiased decision maker).



Suspension means to remove a student for a specified period of time, from one or more of the following:

- one or more class periods, courses or education programs;
- school
- riding in the school bus
- participating in an activity sponsored or approved by a school or the district

Witness means a person with first-hand knowledge of the event leading to a suspension, indefinite suspension and/or recommendation for expulsion.

Policy

The Board of Directors accepts the use of student suspensions as a disciplinary measure designed to encourage students to demonstrate self-discipline and appropriate behaviour.

The Board of Directors accepts the use of expulsion where the continued presence of a student in a school will affect the safety of staff or students or the quality of the learning environment.

Regulation

1. The Superintendent shall ensure that regulations are in place for the reporting, investigation and disposition of all cases of suspension and expulsion of a student from class or from school. These procedures shall ensure that:
 - 1.1 Appropriate deadlines are followed; that is, such cases must be dealt within a 7-day time frame.
 - 1.2 The student and his parents or guardian are informed of their right of appeal (see policy 315A) when the suspension, indefinite suspensions and/or expulsion significantly affects the education or health or safety of the student. The following decisions shall be deemed to significantly affect the student:
 - Disciplinary suspensions from school for a period in excess of 5 consecutive days, including indefinite suspensions
 - Expulsion
 - 1.3 School officials shall follow the principles of procedural fairness and natural justice.



2. Expulsion may be used when:
 - 2.1 It is deemed that other means of corrective action including consultation with parents, counseling, and suspensions have failed to achieve orderly and appropriate student behaviour; or
 - 2.2 The student's continued presence in the school is deemed to threaten or disrupt the orderly functioning of the school or the student's presence is deemed to be a danger to persons or property.
 - 2.3 Notwithstanding the above, the seriousness of the misbehavior may warrant immediate indefinite suspension and recommendation to the Local School Council for expulsion on the first offense.
 - 2.4 Expulsion procedures must ensure that the principles of procedural fairness and natural justice and due process are followed including a right to appeal the Local School Council's decision to the Board of Directors and if still unresolved to the Ombudsperson for Catholic Independent Schools of the Diocese of Victoria.

A. In-school Suspension initiated by a teacher:

1. A teacher may suspend a student from a class subject to the following procedures:
 - 1.1 The teacher immediately notifies the Principal of the suspension.
 - 1.2 The teacher informs the student about the suspension, its consequences and the reason the suspension.
 - 1.3 The student is given an opportunity to offer an explanation for his/her action.
 - 1.4 The teacher directs the student to the Principal to remain under the supervision of the school until the student's normal class dismissal time.
 - 1.5 The teacher reports all of the circumstances surrounding the suspension to the Principal, in writing.
 - 1.6 The teacher informs the parents of the student by telephone of the suspension and the circumstances surrounding it as soon as possible.
2. The Principal, in consultation with relevant teachers and parents/guardians, may follow one of the following courses of action:
 - 2.1 Reinstatement the student;



- 2.2 Conditionally reinstate the student;
 - 2.3 Suspend the student from one or more classes for a certain term
 - 2.4 Suspend the student from school for a certain term; or
 - 2.5 Recommend to the Local School Council the expulsion of the student.
- B. Suspension initiated by the Principal**
1. The Principal may suspend a student from:
 - 1.1 One or more class periods;
 - 1.2 One or more courses or school programs;
 - 1.3 School;
 - 1.4 Riding on a school bus; or
 - 1.5 Participating in an activity sponsored or approved by the school.
 2. The following procedures apply:
 - 2.1 The Principal will confer with affected staff to gather information about the student's misbehavior.
 - 2.2. The Principal will inform the student about the proposed suspension, its consequences and the reason the suspension is being considered.
 - 2.3 The student will be given an opportunity to offer an explanation for his/her behavior.
 - 2.4 If a suspension is warranted, the Principal will inform the student of the reason for the suspension and length of the suspension.
 - 2.5 In the case of suspensions as noted in 1.2-1.5 above, the Principal shall inform the parents/ guardians of the student by telephone and in writing, of the reasons and length of the suspension. The Board of Directors supports and recognizes the right of the parents or guardians to appeal a decision of Administration and/or Local School Council if it significantly affects the education, health or safety of the student (see policy 315A). The following decisions shall be deemed to significantly affect the student:
 - Disciplinary suspensions from school for a period of five consecutive days
 - Expulsion.



2.6 For repeat offenses, or in a situation when a student has been suspended on two or more occasions, for the same or unrelated actions in the same school year, the Principal will review the student's record and, in consultation with the teacher(s), other resources persons (e.g. counsellor), the parents or legal guardians, determine a course of action which could include, but not be limited to:

- behavior management contract
- counselling program
- outline of future consequences of behavior
- suspension and/or recommendation of expulsion.

C. Indefinite Suspension and/or Recommendation for Expulsion

1. When the student's misbehavior or history of misbehavior is serious, the Principal may suspend the student indefinitely and/or recommend expulsion of the student.
2. When a principal indefinitely suspends and/or recommends expulsion of the student, the following procedures will be adhered to:
 - 2.1 The Principal shall inform the parents/guardians and the Superintendent. The Principal shall immediately report in writing all the circumstances of the indefinite suspension and/or recommendation for expulsion to the parents with a copy to the Superintendent.
 - 2.2 Pending a request for reinstatement from the student's parents/guardians, the Local School Council, within seven (7) days from the first day of the indefinite suspension/recommendation for expulsion will form a sub-committee of the LSC (called LSC Committee) to conduct a "hearing" into the case and render a decision to either reinstate and/or expel the student from school.

From here refer to *Policy 315A (Step 3) on Major Complaints and Appeals from Students and Their Parents* to request reinstatement by completing an Application for Reinstatement (315A Form).

NOTE: International students and their families do not have the right to appeal an indefinite suspension or expulsion.



Island Catholic Schools

STUDENT PERSONNEL

STUDENT SUSPENSION AND/OR EXPULSION

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Reference: Procedural Farness, Best Practice Guidelines for Independent Schools	Approved
	Date Approved: March 1995
Cross-reference: School Conduct/Bullying Policy 502 Smoking, Drugs, Alcohol Policy 507 Complaints Policy 315	Date(s) Revised: Sept 2007 January 28, 2020