

SUSPENSION OF STUDENTS

Background

The *Education Act* authorizes a teacher or principal to suspend a student, including a student who is an independent student or diverse learner, if the student:

- fails to comply with either the school's student code of conduct or the District's student code of conduct (Administrative Procedure 351), which includes the student responsibilities under section 31 of the *Education Act*;
- demonstrates conduct that is injurious to the physical or mental well-being of others in the school; or
- distributes an intimate image.

A teacher can suspend a student for one class period. A principal must decide all other suspensions, which include in-school suspensions, out-of-school suspensions, transportation suspensions and school-related activity suspensions.

Suspensions are disciplinary in nature and are different from teaching strategies used to assist students with behavioural challenges. No suspension is "informal." All suspensions, including suspensions for one class period and in-school suspensions, require careful adherence to the prescribed procedural steps in this Administrative Procedure, written communication with parents, and detailed record keeping.

Suspensions play an important role in schools' approaches to progressive discipline. Past suspensions may be relevant when a principal decides the kind and duration of a future suspension or whether to recommend expulsion.

Under the *Education Act*, parents have the responsibility to cooperate and collaborate with school staff, take an active role in their children's educational success, and ensure that their conduct contributes to a welcoming, caring, respectful, and safe learning environment.

This Administrative Procedure includes the following sections after the Definitions:

1. Investigation before suspension
2. Suspension by a teacher
3. Suspension by a principal
4. In-school suspension
5. Out-of-school suspension
6. Transportation suspension
7. School-related activity suspension
8. Expulsion
9. Exceptional circumstances
10. Informing and reporting in writing
11. Student record

Definitions

For the purposes of this Administrative Procedure:

“District” means the Calgary Roman Catholic Separate School Division;

“diverse learner” means a student with mild, moderate, or severe disabilities, a gifted and talented student, or an English language learner, all as determined by Alberta Education’s coding criteria;

“in-school suspension” means the suspension of a student by a principal from one or more class periods or courses, in accordance with section 36 of the *Education Act*, during which time the principal allows the student to remain inside the school but outside the student’s regular classroom and separated from other students;

“intimate image” means intimate image within the meaning of the *Education Act* and the *Protecting Victims of Non-Consensual Distribution of Intimate Images Act*;

“out-of-school suspension” means the suspension of a student by a principal from school in accordance with section 36 of the *Education Act*;

“principal” includes a principal’s designate when the principal is unavailable;

“reinstatement” means the decision made by a principal to permit a suspended student to return to school, classes, courses, transportation provided by the District, or school-related activities after the end of a suspension;

“school-related activity suspension” means the suspension of a student by a principal from participating in one or more school-related activities in accordance with section 36 of the *Education Act*;

“student” means an individual who is enrolled in any of grades 1 to 12 in a District school, includes diverse learners;

“student’s parent” means: (1) the student’s parent or legal guardian if the student is not an independent student under the *Education Act*; and (2) the student *and not* the student’s parent or legal guardian if the student is an independent student under the *Education Act*; and

“transportation suspension” means the suspension of a student by a principal from transportation provided by the District in accordance with section 36 of the *Education Act*.

Procedures

1. Investigation before suspension

- 1.1. Each teacher must maintain, under the direction of the principal, order and discipline among students while they are in the school or on the school grounds and while they are attending or participating in activities sponsored or approved by the District, in accordance with section 196(1)(f) of the *Education Act*.
- 1.2. Each principal must direct the management of the school and maintain order and discipline in the school and on the school grounds and during activities sponsored

or approved by the District, in accordance with sections 197(e) and (f) of the *Education Act*.

- 1.3. Each teacher and principal must investigate each matter that could reasonably warrant a suspension by the teacher or principal, respectively.
- 1.4. Each teacher and principal who conducts an investigation under this Administrative Procedure must decide how to conduct the investigation such that the investigation is authorized under the *Education Act*, effective, and reasonable in the circumstances.

2. Suspension by a teacher

- 2.1. A teacher may suspend a student from one class period if in the opinion of the teacher any of the following has occurred:
 - 2.1.1. the student did not comply with the school's code of conduct or the District's code of conduct (AP 351), which includes the student responsibilities under section 31 of the *Education Act* (section 36(1)(a) or (b) of the *Education Act*);
 - 2.1.2. the student's conduct, whether or not the conduct occurred within the school building or during the school day, was injurious to the physical or mental well-being of others in the school (section 36(1)(c) of the *Education Act*); or
 - 2.1.3. the student distributed an intimate image of another person (section 36(1)(d) of the *Education Act*).
- 2.2. A principal must decide under what circumstances a teacher must consult with the principal before a teacher suspends a student, and the principal must communicate that decision to all teachers who report to the principal.
- 2.3. A teacher must decide whether, in the circumstances, the teacher must consult with a principal in accordance with section 2.2 of this Administrative Procedure before the teacher suspends a student.
- 2.4. If a teacher suspends a student from one class period, then the teacher must do all of the following:
 - 2.4.1. forthwith inform the principal of the suspension;
 - 2.4.2. forthwith inform the student and the student's parent of the suspension in accordance with section 10 of this Administrative Procedure;
 - 2.4.3. ensure the student receives appropriate supervision by District staff during the suspension; and

- 2.4.4. report in writing to the student's parent all the circumstances respecting the suspension, which the teacher can do by writing a note to the student's parent in the student's agenda or sending an email or other similar electronic message to the parent.
- 2.5. Only a principal may reinstate a student suspended by a teacher from one class period, and the principal must do so immediately after the end of the suspension.
- 2.6. A decision by a teacher to suspend a student from one class period is final, and no appeal lies from the teacher's decision.
- 3. Suspension by a principal, generally
 - 3.1. A principal may consult with the Learning Services superintendent or area director before the principal suspends a student.
 - 3.2. A principal may suspend a student from school, one or more class periods or courses, transportation provided by the District, or a school-related activity if any of the following has occurred:
 - 3.2.1. the student did not comply with the school's code of conduct or the District's code of conduct (AP 351), which includes the student responsibilities under section 31 of the *Education Act* (section 36(1)(a) or (b) of the *Education Act*);
 - 3.2.2. the student's conduct, whether or not the conduct occurred within the school building or during the school day, was injurious to the physical or mental well-being of others in the school (section 36(1)(c) of the *Education Act*); or
 - 3.2.3. the student distributed an intimate image (section 36(1)(d) of the *Education Act*).
 - 3.3. If a principal decides that a 1, 2, 3, 4, or 5-day suspension is warranted in the circumstances, then the principal must do all of the following:
 - 3.3.1. immediately inform the student and the student's parent of the suspension in accordance with section 10 of this Administrative Procedure;
 - 3.3.2. report in writing to the student's parent all the circumstances respecting the suspension in accordance with section 10 of this Administrative Procedure;
 - 3.3.3. provide an opportunity to meet with the student's parent, and the student if the student is 16 years of age or older, to discuss the suspension;
 - 3.3.4. reinstate the student after the end of the suspension; and

- 3.3.5. organize a reinstatement meeting, during which time those present will collaborate to develop a plan to support the reinstated student to reintegrate into the school community.
- 3.4. If, during a suspension, a principal receives additional information that reasonably warrants a suspension of a longer duration than the initial suspension, then the principal may extend the duration of the suspension, but the duration of the initial suspension plus the extended suspension must not exceed 5 days.
- 3.5. If a principal extends a suspension under section 3.4 of this Administrative Procedure, then the principal must do all of the following:
 - 3.5.1. immediately inform the student and the student's parent of the extended suspension in accordance with section 10 of this Administrative Procedure;
 - 3.5.2. report in writing to the student's parent all the circumstances respecting the extended suspension in accordance with section 10 of this Administrative Procedure;
 - 3.5.3. provide an opportunity to meet with the student's parent, and the student if the student is 16 years of age or older, to discuss the extended suspension;
 - 3.5.4. reinstate the student after the end of the extended suspension; and
 - 3.5.5. organize a reinstatement meeting, during which time those present will collaborate to develop a plan to support the reinstated student to reintegrate into the school community.
- 3.6. If a suspended student's parent directs or encourages the student not to comply with any term of the suspension, then the principal may, if it is reasonable to do so in the circumstances, take the position that the parent has acted contrary to section 32 of the *Education Act*, in which case, the principal must inform the parent of that position in a letter addressed to the parent in accordance with section 10 of this Administrative Procedure.
- 3.7. A decision by a principal to suspend a student from school, one or more class periods or courses, transportation provided by the District, or a school-related activity is final, and no appeal lies from the principal's decision.
- 4. In-school suspension
 - 4.1. If a principal decides that a suspension will be, either in part or in whole, an in-school suspension, then in addition to section 3 of this Administrative Procedure, the principal must:
 - 4.1.1. ensure the student receives appropriate supervision by District staff during the in-school suspension; and

- 4.1.2. ensure the student continues to receive an education program during the in-school suspension.

5. Out-of-school suspension

- 5.1. If a principal decides that a suspension will be, either in part or in whole, an out-of-school suspension, then in addition to section 3 of this Administrative Procedure, the principal must:
 - 5.1.1. immediately inform the student and the student's parent that the student cannot attend school or school activities or be present on any District property during the out-of-school suspension;
 - 5.1.2. ensure the student and the student's parent receives an education program that the student can complete out-of-school, including reasonable access to instruction and assistance, educational resources, and feedback; and notify the Learning Services superintendent or area director and the Learning Services supervisor about the out-of-school suspension.

6. Transportation suspension

- 6.1. If a principal decides that a suspension will be, either in part or in whole, a transportation suspension, then in addition to section 3 of this Administrative Procedure, the principal must:
 - 6.1.1. immediately inform the student and the student's parent that the student cannot use transportation provided by the District during the transportation suspension; and
 - 6.1.2. notify the Learning Services superintendent or area director, the Learning Services supervisor, and the Transportation Services manager about the transportation suspension.

7. School-related activity suspension

- 7.1. If a principal decides that a suspension will be, either in part or in whole, a school-related activity suspension, then in addition to section 3 of this Administrative Procedure, the principal must:
 - 7.1.1. immediately inform the student and the student's parent in which school-related activity or activities the student cannot participate during the school-related activity suspension; and
 - 7.1.2. notify the Learning Services superintendent or area director, the Learning Services supervisor, and any other relevant District employee about the school-related activity suspension.

8. Expulsion

- 8.1. If a principal decides that an expulsion may be warranted in the circumstances, either as the initial response to an incident or during a suspension after obtaining additional information after the start of a suspension, then the principal must consider whether to recommend to expel the student in accordance with Administrative Procedure 356.1 (Expulsion of Students).

9. Exceptional circumstances

- 9.1. A principal may make a decision that is outside the limitations of this Administrative Procedure if all of the following apply:
 - 9.1.1. exceptional circumstances exist to warrant the decision;
 - 9.1.2. the decision is reasonable in the exceptional circumstances;
 - 9.1.3. the decision complies with the *Education Act*;
 - 9.1.4. a Learning Services superintendent or area director approves the decision; and
 - 9.1.5. the principal notifies, in writing, the student's parent, and the student if the student is 16 years of age or older, of the decision and the exceptional circumstances that warrant the decision, in accordance with section 10 of this Administrative Procedure.

10. Informing and reporting in writing

- 10.1. Whenever this Administrative Procedure requires a teacher or principal to inform a student and a student's parent of a suspension, the teacher or principal must do all of the following:
 - 10.1.1. inform the student and the student's parent, together or separately, in person or over the phone as soon as is reasonably possible in the circumstances;
 - 10.1.2. identify the incident that led to the suspension;
 - 10.1.3. identify the provisions of the school's student code of conduct or the District's student code of conduct (Administrative Procedure 351) with which the student failed to comply;
 - 10.1.4. identify the dates during which the student is suspended;
 - 10.1.5. identify the suspension as an in-school suspension, an out-of-school suspension, a transportation suspension, a school-related activity suspension, or a combination of two or more of those; and
 - 10.1.6. explain what the student can and cannot do while suspended respecting the student's school community and education program.

- 10.2. Whenever this Administrative Procedure requires a principal to report in writing to a student's parent all the circumstances respecting a suspension, the principal must address a letter to the student's parent on the school's letterhead that includes all of the following:
 - 10.2.1. the date of the letter;
 - 10.2.2. the date of the incident that led to the suspension;
 - 10.2.3. the specific details about the incident that led to the suspension;
 - 10.2.4. the specific provisions of the school's student code of conduct or the District's student code of conduct (Administrative Procedure 351) with which the student failed to comply;
 - 10.2.5. the date the teacher or the principal informed the student's parent of the suspension;
 - 10.2.6. the way in which the teacher or the principal informed the student's parent of the suspension;
 - 10.2.7. the nature of the suspension as an in-school suspension, an out-of-school suspension, a transportation suspension, a school-related activity suspension, or a combination of two or more of those;
 - 10.2.8. the dates during which the student is suspended;
 - 10.2.9. the teacher or the principal's signature and contact information; and
 - 10.2.10. all other relevant circumstances respecting the suspension.
- 10.3. Whenever a principal addresses a letter to a student, a student's parent, or both under this Administrative Procedure, the principal must do all of the following:
 - 10.3.1. address separate copies of the letter to both of the student's parents if the student's parents live separately but each is a guardian of the student;
 - 10.3.2. address a separate copy of the letter to the student if applicable;
 - 10.3.3. decide whether, in the circumstances, the designated employee must:
 - (1) email an electronic copy of the letter to the recipients and ensure the employee receives a reply email that confirms that each recipient successfully received the electronic copy of the letter;
 - (2) deliver the original letter to the recipients by hand or courier; or both (1) and (2);and
 - 10.3.4. obtain and keep records of successful delivery of the letter to the recipients.

11. Student record

- 11.1. A principal must record and retain information about each suspension.
- 11.2. In addition to section 11.1 of this Administrative Procedure, a principal must:
 - 11.2.1. retain, as a regulated student record within the meaning of Administrative Procedure 320 Student Records, the suspension letter sent to the parent if the suspension was more than one day; and
 - 11.2.2. retain, as a supplemental student record within the meaning of Administrative Procedure 320 Student Records, the suspension letter sent to the parent if the suspension was one day or less.
- 11.3 If a suspension letter is a regulated student record, then three years after the date of the letter, the letter converts to a supplemental student record, all within the meaning of Administrative Procedure 320 Student Records.

Approval date: August 31, 2023

Reference: *Education Act*, SA 2012, c E-0.3, ss 31, 32, 36