



School District 8
Kootenay Lake

Administrative Procedures 310.1

Administrative Procedures 310.1: STUDENT SUSPENSIONS

Students are expected to comply with school rules authorized by the principal, and with the code of conduct and any other relevant rules and policies of the Kootenay Lake Board of School Trustees, Policy 310.

Generally speaking, student suspensions occur only after all preventive activities have taken place in the school. It is recognized, however, that there are times when the behaviour of a student is such that a suspension will occur even though there has been no previous offense or attendant preventative counselling measures undertaken.

It is expected that the following information and procedures will exist in every school.

1. Schools will file a copy of their school's expectations or rules with the Superintendent.
2. Principals, in accordance with Policy 310 (Code of Conduct), will acquaint students with school rules in particular, inform them of misconduct that could result in suspension.
3. Principals should clarify the Pre-Suspension and Suspension Procedures with students.

4. Teachers and/or counsellors should make early contact with the parent(s) and/or legal guardian(s) outlining the student's behaviour where it is placing the student in an "at risk" position.
5. Where feasible, early counselling with the student and the parent(s) or legal guardian(s) should be undertaken and specific plans for behaviour adjustment should be written and where appropriate, educational assessment should be made and changes to the learning environment initiated.
6. All unacceptable student behaviour should be documented, together with all pertinent dates of incidents, actions taken and any written communication which has taken place with the parent(s) and/or legal guardian(s).
7. The Director of Inclusive Education is to be consulted prior to suspension of all elementary students and all over-five-day suspensions.
8. In a situation where a suspension may be necessary to protect the child and/or other children, there may have been no previous history or previous contact with the parent(s) and/or legal guardian(s). In such cases the principal shall then proceed by conferring with the Director of Inclusive Education or their designate and if it is felt that there are grounds for suspension under the School Act Section 85 (2)(c)(ii) and (d) and its Regulation 5 (6)(a) and (7)(g), then the principal shall use their authority to suspend.

A. Suspensions - 5 or Fewer School Days

1. The principal shall inform the student and the parents or legal guardians of the reasons for suspension, the duration of such a suspension and the process for appeal. This shall be carried out either in person or by telephone.
2. The principal shall document the incident and then send a letter of suspension to the parent(s) or legal guardian(s), with a copy to his/her Director of Inclusive Education.
3. The letter of suspension shall include the reason(s) for the suspension. The letter will also contain any previous behaviours that have had a bearing on the suspension, preventative or remedial action taken by the school and the condition(s) upon which the return of the student to school is predicated.

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4. The principal shall convene a meeting of the parent(s) and/or legal guardian(s), the student and, if appropriate, the school counsellor and any teacher or school district employee who has been involved.
5. The principal shall provide homework for all students during their suspension period in accordance with the School Act 85 (2)(c)(ii) and (2)(d). The student shall be expected to continue their studies at home, and shall be maintained on the school register.
6. The school administration and/or the school counsellor shall monitor the student's progress and/or behaviour upon the student's return to school.
7. If appropriate, the principal shall arrange District resources to assist in a remedial program for a student who has been suspended.
8. The principal may find it necessary to suspend a student for a period of fewer than five days on more than one occasion. An accurate record of the number of days suspended in the district shall be kept and when an excess of 15 days in one school year is reached, the case shall be referred to the District Review Committee.

B. Suspension Over 5 Days (See Guidelines for Student Suspension)

1. Consult with the Director of Inclusive Education, then the principal or vice principal will meet with the student and parents/legal guardians to inform them of the reason(s) for the suspension, and to inform them of the District Review Committee structure and process as outlined in C 1, 2, 3 and 4 below. This same information shall also be sent in a double registered letter to the parent(s) or guardian(s). A copy of the suspension letter shall be emailed to the Director of Inclusive Education, or designate, who will convene a meeting of the District Review Committee within an appropriate time period.

INFORMATION CHECKLIST - PRINCIPALS' REVIEW COMMITTEE REFERRAL

1. The principal shall prepare full documentation for the presentation to the District Review Committee.

* The following information/documentation is included in this referral:
(Please check appropriate boxes.)

Student Review packages must contain this information and must be submitted to parent and Director of Inclusive Education prior to suspension hearing.

- Cover Page
 - Suspension letter with detailed account of incident(s), e.g. summary of all incidents, with dates that led to suspension;
 - Counsellor report(s);
 - Strategies, interventions used - counselling/education steps taken prior to suspension;
 - Updated record of grades and teachers' reports, **include** a statement of particular strengths and/or positive attributes of student;
 - Copy of P.R. card;
 - Attendance Report;
 - *Copy of I.E.P. and designation (for special education), **if applicable**; goals/steps followed through I.E.P. process; state needs based on I.E.P.
 - Copy of assessments, and/or requests for assessment;
 - *Names of resource individuals/agencies involved with student, e.g. social worker, probation officer, outreach worker, counsellor, physician(s), or community agencies;
 - * If outside agencies involved, e.g. Ministry for Children & Families, Attorney General, Ministry of Health and notification of suspension and hearing date;
 - Any other pertinent information, e.g. prior incidents, suspensions, educational and/or behavioural concerns;
 - Copy of District Review Committee packup/documentation to parent/guardian.
- * If items not checked, please give detailed explanation for omission.

Recommendations:

- Formal District Review Committee Suspension Hearing;
- Diversion.

2. The District Review Committee shall include the Director of Inclusive Education, and/or designate, e.g. the Director of Inclusive Education, Principal or vice Principal of the attending student's school, the Manager of Safe Schools, and other applicable staff members as required

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This Committee shall hear a presentation from the suspending principal and will meet with the student and their parent(s) or legal guardian(s) to review the situation.

The operation of the District Review Committee will be as follows:

- (a) All materials provided to the Committee will also be given to the parent and student prior to the suspension hearing;
 - (b) The parent(s) or legal guardian(s) will be informed that they and their child **must be** present when the principal is making the presentation to the District Review Committee;
 - (c) After hearing the principal and District Review Committee shall make a decision. The following options are available to the Committee:
 - (i) that the suspension be lifted and the student be reinstated in the school from which he/she was suspended;
 - (ii) that the suspension be lifted and the student be placed in a different school;
 - (iii) that the suspension be lifted and the student be placed in an alternate program in the district;
 - (iv) that the suspension be upheld for a specified period of time;
 - (v) that the student be expelled from schools in the Kootenay Lake School District (this option is only taken into consideration if the student is over 16 years of age).
3. In all cases the parent(s)/legal guardian(s) and the student shall be informed of the Committee's decision by the Director of Inclusive Education, or designate, who shall inform them of their right to appeal in accordance with Student/Parent Appeal Bylaw #1. Written confirmation of the above shall be made to the parent(s)/legal guardian(s).
 4. If the parent(s)/legal guardians disagree with the decision of the District Review Committee, they can exercise their right to appeal as per Bylaw #1 Student/Parent Appeal process

Procedure for District Review Committee Referrals and for Diversion; District Review Committee (Suspensions over Five (5) Days)

Referral to District Review Committee occurs when the incident is deemed to be extremely serious and/or severe such as:

- serious and/or premeditated assaults;
 - repeated offenses of aggressive, assaultive behaviour and/or substance abuse;
 - weapons offenses;
 - drug trafficking;
 - ongoing documented incidents of extreme and inappropriate behaviour(s), as well as interventions the school has attempted.
- * **The recommendation from referring school administrator may be:**
- return to home school;
 - place in another school;
 - referral to an alternative school or special education program;
 - extend suspension for balance of year or uphold the suspension;
 - expulsion.
- * **The District Review Committee members will determine and submit final recommendations.**

Diversion/Intervention

A diversion course may be determined by consultation between referring Principal and district staff, e.g. Director of Inclusive Education, Superintendent, Manager of Safe Schools. However, the referring school Principal may determine and request a District Review Committee hearing on his or her own.

Referral for Diversion/Intervention occurs when:

- the incident the student was involved in results in an over five day suspension;
- all school-based interventions have been reviewed and/or attempted;
- a return to referring school or a new secondary school placement is possible;
- placement in another program such as an alternative program or another special education program is an option;
- option/outcome is agreeable to the student, their parents/guardian(s) and the Director of Inclusive Education.

How We Divert or Intervene:

A diversion may occur when the referring school and/or parent(s)/guardian(s) and the Director of Inclusive Education all **AGREE** that the suspension may be dealt with through the intervention of district personnel, e.g. Coordinator of Mental Health and Addictions, Director of Inclusive Education, and/or designates.

- consideration for diversion will be discussed between the referring School's Administrator and the Director of Inclusive Education or their designate;
- options for resolution will be discussed with referring School Administrator(s) and/or parent(s)/guardian(s).

Possible Outcomes of Diversion/Intervention:

- return to home school with counselling and/or other recommendations/conditions, e.g. designation, I.E.P. development, Safety Plan, developing and implementing support(s);
- transfer to another secondary school (full or part-time) with specified conditions;
- referral to an alternative program;
- placement in special education program in consultation with Director of Inclusive Education;
- referral to a community program through cooperation with provincial ministries and/or local agencies for a specified period time.

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A letter summarizing the recommendations/decisions is forwarded to the assistant superintendent, school administrator, parent(s)/guardian(s), students and/or agencies involved with youth.

NOTE: In either case, whether referral is made for Diversion or District Review Committee, a student package of information as per the checklist contained herein must be prepared and submitted.

Front Page Submission/Cover Letter:

- use school stationery/letterhead;

- heading as follows:

The enclosed is (*name of school*) referral/packup to District Review Committee.

TO: The Director of Inclusive Education

FROM: Name of School
Name of School Principal
Regarding the suspension
of:

D.O.B. Student Name
Address
Parent/Guardian Name
Phone #

School

FORMAT COVER LETTER

Letterhead

CONFIDENTIAL

To: Dr./Ms./ Mr. _____
Director of Inclusive Education

From: Dr./Mr./Ms./
Name of Secondary School Principal/Vice-Principal

**Re: Referral to District Review Committee
Suspension over Five (5) Days**

Student Name: _____

D.O.B.: _____

Address: _____

Parent/Guardian: _____

Phone: _____

Date: _____

Recommendation, please
check:

Request Formal District Review Committee Suspension
Hearing

Diversion

DISTRICT REVIEW COMMITTEE REPORT Outline for Suspension Report (Revised July, 2020)

Confidential

Report to the District Review Committee on a student suspended over five days under Section 85 of the School Act.

Student:

Address:

Phone:

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Birth Date:

School:

Provide a brief history of the student's scholastic achievement and attendance over the last two or three years.

Where possible, provide an estimate of the student's scholastic aptitude. Also, outline any positive aspects of the student's achievements during the current year.

Summarize, if applicable, the series of incidents, together with all dates and subsequent parental contracts that may have occurred prior to this suspension.

Outline the steps that have been taken to determine the existence of any learning problem that have contributed to the student's behaviour. Detail any remedial action that has been taken to assist the student prior to suspension.

Summarize the involvement of school staff and/or community worker with the student and/or the family.

Discuss the merits of a transfer or reinstatement. Suggest what is seen to be the course of action which would best serve the needs of the student.

Date: _____

Principal: _____

School: _____

MODEL SUSPENSION LETTER TO BE USED FOR SUSPENSION OVER FIVE DAYS
(Revised July, 2020)

Mr. & Mrs. Parent/Guardian Address
Victoria, B. C.
Postal Code

Dear Mr. & Mrs. Parent/Guardian:

RE: Student Name: _____
Birthdate: _____

Paragraph 1

This is to inform you that under authority of the School Act, Section 85, I am suspending your son/daughter (name) for a period exceeding five school days, and reporting the circumstances of the suspension to the Superintendent of Schools.

Section 85 of the School Act states that:

"A Board may, subject to this Act and the regulations, do all or any of the following:

- (c) make rules*
 - (i) establishing a code of conduct for students attending educational programs operated by or on behalf of the Board.*
 - (ii) respecting suspension of students and the provision of educational programs for suspended students.*

- (ci) 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.*

Paragraph 2

Relate the incident that caused the suspension, and the reason(s) and the date of the incident.

Paragraph 3

Give a historical picture, if applicable, of the student's behaviour, achievements, attendance, attitude, phone calls to the home, parent conferences, counselling contracts, and suspension of five days or fewer, together with dates.

Paragraph 4

"I regret that this type of action has become necessary, but it is my opinion that the behaviour of (name) has left me no other alternative."

Paragraph 5

"The Director of Inclusive Education or designate will contact you as soon as possible to outline further meeting dates and times to review this suspension. Please address further correspondence inquiries to:

Director of Inclusive Education
School Board Office
811 Stanley
Box 700
Nelson, B.C.
V1L 1N8
352-6681

Kootenay Lake School District

Approved: August 2020

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