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## RESPONSIBILITY FOR CONDUCT

### A. Students will:

- practice appropriate conduct at school and while participating in school activities
- act so as to make the school climate a positive and safe place to learn
- learn and follow the rules and understand the consequences when they fail to follow the rules
- report safety concerns to a staff member
- attend school regularly and be punctual
- respect other persons and school property
- be responsible for their conduct on the school premises, on the way to and from school, during out of school activities that are part of the school program; and while travelling on a school bus or in a vehicle being used as part of a school program

### B. Parent(s) and/or Legal Guardian(s) will:

- be recognized as partners with schools in promoting appropriate student conduct
- be expected to provide a good role model for their children and to encourage proper language, appropriate dress and respect for peers and authority
- send their children to school regularly and punctually
- be expected to support the school by participating in meetings with the school regarding their children

### C. Staff will:

- in partnership with administrators, assist in the design of activities to promote a positive atmosphere and pride in the school and school activities
- develop strategies to improve individual student self-esteem
- encourage student participation in extra-curricular activities
- encourage activities that promote an atmosphere of mutual respect and a safe school environment
- monitor student behaviour and be visible in the school thereby contributing to a safe school environment
- maintain appropriate parent(s)/legal guardian(s)/teacher communication and enlist the support of parents/legal guardians when dealing with inappropriate student behaviour
- reinforce socially acceptable attitudes and encourage and model proper language, appropriate dress, and respect for others
- respect student safety and discipline concerns and shall afford students fair hearings on such matters

- promote activities and programs that support the development of positive student behaviours and teach safe practices as appropriate
- act in accordance with the Public Schools Act and regulations and Division policy when suspending a student

D. Principals will:

- exercise authority over the conduct of his/her students in accordance with this document, school policy and relevant legislation and regulation
- ensure that the Division Code of Conduct and the Standard of Behaviour are the basis for promoting positive conduct and addressing misconduct in dealing with staff and student behaviour
- be responsible for enforcing the school's student conduct policy and making staff, students, parent(s)/legal guardian(s) aware of the School and Division Code of Conduct provisions on an annual basis
- together with other Division personnel, co-operate with community agencies when such agencies become involved with students
- inform staff, a receiving school, and the Superintendent/CEO or Assistant Superintendent, on a "need to know basis", of any special personal circumstances of a student which may be a consideration in the classroom
- act in accordance with the Public Schools Act, Appropriate Education Legislation, Education Administration Act and Division policy when suspending or recommending for expulsion any student deemed to be in violation of this policy
- encourage activities that promote an atmosphere of mutual respect and a safe school environment
- plan to ensure a safe, positive learning environment through following a number of steps:
  - × identify students at risk
  - × develop and implement behaviour intervention plans for emotionally behaviourally disordered (EBD) students and for students who have been suspended out of school more than two times during a school year
  - × keep records on the nature and duration of all suspensions, both in-school and out-of-school; schools to use this data as part of the school planning and reporting process
  - × offer and arrange alternative programming for students who are suspended for more than five days. Alternative programming may range from work at home, to alternative courses at a different location or distance learning, depending on the student's needs and the length of the suspension
  - × identify a re-entry process that includes timelines involving the suspended student, parent(s)/legal guardian(s) and appropriate school team members, and ensure re-entry occurs on the day following the suspension
  - × when a student of compulsory school age is expelled (under 16), appropriate education programming will be arranged for the student

E. The Superintendent/CEO will:

- administer Board policy and review it as required
- be responsible for forwarding to the Board, on a regular basis, all suspensions as reported by principals
- in the event of an appeal of a suspension, investigate and attempt to find a mutually acceptable consequence; should agreement not be forthcoming the Superintendent/CEO shall refer the appeal to the Board
- consider the recommendation of a principal, and with his/her agreement, may give approval to suspend a pupil who persists in conduct injurious to the welfare of a school for a period not to exceed six weeks
- encourage activities that promote an atmosphere of mutual respect and a safe school environment
- will offer and arrange appropriate education programming to expelled students under the age of 16

F. The Board will:

- suspend and expel as authorized activities under the provisions of school legislation in the Province of Manitoba, and as such, authorizes the use of suspension by schools as one strategy for dealing with serious behaviour problems among students
- accept responsibility for withdrawal of the opportunity for a student to attend school in Turtle Mountain School Division, through expulsion, as the exclusive right of the Board of Trustees
- recognize the right of the principal to refuse access to school property to a person whose presence, in the opinion of the principal, could be detrimental to self or others, and authorizes the Superintendent/CEO in such incidents to withhold the right of the child to attend school until such time as the Board can consider the matter and determine appropriate action
- authorize the Superintendent/CEO, in the event of an appeal against a suspension, to attempt to resolve the problem. When resolution is not forthcoming the Board will hear any appeals and determine whether the suspension shall stand, be modified and/or expunged from the student's record.
- receive, at each regular meeting, as an information item, a summary report of any suspensions or exclusions of students imposed by the administration.
- respond to and support staff with respect to acts of violence or threat
- recognize and accept its responsibility to staff who in their attempts to protect people from violence intervene in situations involving violent activities
- promote an atmosphere of mutual respect
- encourage activities that promote an atmosphere of mutual respect and a safe school environment

### COLLECTIVE RESPONSIBILITY

This Code of Conduct is intended to ensure that any deliberate behaviour that is detrimental to the physical and/or emotional welfare of another individual will be addressed by the school, staff or responsible individuals in attendance, and where warranted, consequences are the result. All employees, students, visitors and volunteers have a responsibility to act appropriately so as to maintain an environment that is free from physical violence, verbal and emotional abuse and threat of physical assault.

The purpose of the Code of Conduct is to provide more guidance to school staff in the event of violent, aggressive or harassing behaviour. Disciplinary responses by the principals or teachers, in consultation with staff and parent(s)/legal guardian(s) when appropriate, will be consistent with the Division's Code of Conduct and the consequences chart attached.

TURTLE MOUNTAIN SCHOOL DIVISION  
CODE OF CONDUCT SUMMARY

Type of Offence	Recording and Responsibility	Probable Consequences	Probable Consequences For Repeat Offence	Appeals Process
<u>Minor Offences</u> e.g. - lack of cooperation - unacceptable dress - swearing - class disruption	Teacher or other adult observer.	Verbal reprimand by Teacher	- Parent(s)/legal guardian(s) contacted - Second reprimand – accompanied by loss of privileges as deemed necessary by teacher – after persistent (three or more) offences, notify administration.	1. Issues of classroom discipline are always directed to the teacher 2. Follow-up is directed to school administration 3. For further follow-up contact the Superintendent/CEO 4. Appeal to the Board
<u>Property Offences</u> e.g. - vandalism - theft - arson	Teacher/Administration - Refer directly to administration if acts are severe or wilful - Handled by administration - Parent(s)/legal guardian(s) contacted	- Financial restitution - May result in suspension and/or contact of the RCMP - Parent(s)/legal guardian(s) contacted. - Loss of privileges	- Financial restitution or property offences may result in suspension and/or involvement of the RCMP - Parent(s)/legal guardian(s) contacted - Loss of privileges	1. Issues of classroom discipline are always directed to the teacher 2. Follow-up is directed to school administration 3. For further follow-up contact the Superintendent/CEO 4. Appeal to the Board
<u>Lack of Respect/Academic Misconduct</u> racist/sexist remarks - defiance - lying/cheating - Internet /Electronic mail abuse	Teacher	- Teacher-reprimand - Loss of privileges, - Loss of marks - If severe, handled by Administration - Possible suspension	- Possible suspension - Counselling - Administration involved - Parent(s)/legal guardian(s) contacted	1. Issues of classroom discipline are always directed to the teacher 2. Follow-up is directed to school administration 3. For further follow-up contact the Superintendent/CEO 4. Appeal to the Board
<u>Alcohol and Drug Abuse</u> i.) Possession or use of alcohol or illegal drugs	Teacher to report directly to school administration.	i) Parent(s)/legal guardian(s) contacted - Min. 3 day suspension - RCMP contacted - Counselling	- Parent(s)/legal guardian(s) contacted - Longer suspension or expulsion - Involvement RCMP and - Counselling	1. Review discipline with administration 2. For further follow-up contact the Superintendent/CEO 3. Superintendent/CEO decisions are appealed to the Board
ii) Selling drugs		ii) Parent(s)/legal guardian(s) contacted - Min. 5 day suspension/ possible expulsion - Board Appearance - RCMP contacted - Counselling		

<p><u>Smoking or Using Tobacco Products</u></p>	<ul style="list-style-type: none"> <li>- Teacher to report directly to school administration.</li> <li>- Parent(s)/legal guardian(s) contacted</li> </ul>	<ul style="list-style-type: none"> <li>- Handled by administration Min.1 hour school community service)</li> <li>- Suspension</li> <li>- Parent(s)/legal guardian(s) contacted</li> </ul>	<ul style="list-style-type: none"> <li>- Parent(s)/legal guardian(s) contacted</li> <li>- Longer suspension or expulsion</li> <li>- Counselling</li> </ul>	<ol style="list-style-type: none"> <li>1. Review discipline with administration</li> <li>2. For further follow-up contact the Superintendent/CEO</li> <li>3. Superintendent/CEO decisions are appealed to the Board</li> </ol>
<p><u>Offences threatening others</u></p> <ul style="list-style-type: none"> <li>- acts of violence</li> <li>- bullying/cyber-bullying</li> <li>- fighting</li> <li>- gross disrespect</li> <li>-harassment</li> <li>- weapons</li> <li>- physical injury</li> </ul>	<p>Teacher to report directly to administration</p>	<ul style="list-style-type: none"> <li>- Parent(s)/legal guardian(s) contacted</li> <li>- Possible suspension</li> <li>- Counselling</li> <li>- Refer to outside agency RCMP contacted</li> </ul>	<p>Refer to Superintendent/CEO for possible long term suspension or expulsion RCMP contacted</p>	<ol style="list-style-type: none"> <li>1. Review discipline with administration</li> <li>2. For further follow-up contact the Superintendent/CEO</li> <li>3. Superintendent/CEO decisions are appealed to the Board</li> </ol>

- NOTE: 1. In all cases, the adult observer will deal with the incident in the most appropriate fashion whether by dealing with the problem themselves or referring it up the chain of command.  
2. Illegal acts will be referred to the RCMP.

Appeals Procedure: If a parent or legal guardian disagrees with a decision made by a teacher, he/she should contact the school principal. Dissatisfaction with a principal's decision is appealed to the Superintendent/CEO or designate. The Superintendent's/CEO'S decision may be appealed by contacting the Board of Trustees.

## DISCIPLINARY PROCESS

It is understood that the approach to discipline will be based on the particular circumstances of a given case and a range of consequences may be appropriate. Depending on the nature of the Code of Conduct infraction, the disciplinary response may include:

1. Informal interview – a teacher, administrator or guidance counsellor talks with the student to reach an agreement regarding student's behaviour. The parent/legal guardian may be contacted in some circumstances.
2. Formal interview – a conference is held with the student, the teacher, an administrator and the appropriate support staff to develop a plan for changing the student's behaviour. The parent/legal guardian will be contacted unless the student is 18 years of age and has not signed a release of information form.
3. Parental involvement – the parent/legal guardian is contacted to discuss the student's specific behaviour and the steps that must be taken to change behaviour. The nature of the contact could vary from a telephone conversation to a formal conference at the school with the parent/legal guardian, student and school personnel. Withdrawal of school attendance privileges may result if the conduct is deemed sufficiently inappropriate to warrant school suspension.
4. The school team shall develop and implement behaviour intervention plans for emotionally behaviourally disturbed students (EBD) and for students who have been suspended out of school more than two times during a school year.
5. Short-term suspension - if suspension is deemed appropriate, the parent/legal guardian will be contacted and the disciplinary response will be discussed with the parent(s)/legal guardian(s) and the student. Principals have the right to suspend students for up to 5 days.
6. The principal will keep records of the nature and duration of all suspensions, both in school and out of school; schools will use this data as part of their school planning and reporting process.
7. Long-term suspension – the superintendent/CEO, after consultation with the school administration may suspend a student for a period of from 6 days to 6 weeks. In such cases, the superintendent/CEO shall report, in writing, to the Board the nature of the offence and the disciplinary response.
8. Schools will offer and arrange alternative programming for students who are suspended for more than five days. Alternative programming may range from work at home, to alternative courses at a different location or distant learning, depending on the student's needs and length of the suspension.
9. Schools will identify a re-entry process that includes timelines involving the suspended student, parent(s)/legal guardian(s) and appropriate school team members and ensure re-entry occurs on the day following the suspension.
10. Expulsion – expulsion is a very serious matter. If, however, it is believed that a student's continued presence in the school endangers the safety of other students, staff or visitors, or that the continued presence of the student would be injurious to the welfare of the school, expulsion is permitted.
11. A recommendation for expulsion shall be referred to the Superintendent/CEO. The Superintendent/CEO shall be responsible for preparing a complete report on the circumstances underlying the need for such action. A copy of the Superintendent's/CEO's report shall be sent to the parent/legal guardian, and/or student in the event that the student is an adult. The Superintendent/CEO shall ensure that appropriate arrangements are made for the Board to hear the recommendations for expulsion in an in-camera session; shall communicate the date and time to

members of the Board and the parent/legal guardian and/or student in the event that the student is an adult. Notice of the hearing for expulsion shall advise of the right of the pupil, where he/she is an adult, and otherwise of his/her parent(s)/legal guardian(s) to make representations when the recommendation is to be considered and the right to be represented by counsel. When a student of compulsory school age is expelled, appropriate education programming will be arranged for the student.

12. At the hearing, the Board sits as a tribunal and, therefore, must be impartial. Parties to the hearing are student and/or the parent/legal guardian, the principal of the school and the superintendent/CEO. However, the hearing may be held in public in some circumstances at the discretion of either the Board, the parent/legal guardian of the student or the student if the student is an adult



## DIVISIONAL RESPONSE GUIDELINES

The following guidelines are to be used to support decisions regarding consequences in incidences of serious misconduct as outlined below. In response to conduct, which includes threatening, harassing or abusive behaviour the school shall provide for the following:

- a) attention to the needs of the victim
- b) expedient notification of parent(s) or legal guardian(s) in matters involving students and their involvement and consultation in dealing with the incident or problem
- c) outcomes that are reasonable consequences to act and that are not merely punitive
- d) due process for the offender
- e) a reasonable guarantee for the future safety of others
- f) a system of progressive discipline
- g) notification of law enforcement authorities when appropriate
- h) adherence to the Public School's Act and/or the Criminal Code

### I. Weapons on School Property

- a) A weapon is defined as any object or its imitation that is designed or held in a manner capable of inflicting bodily injury or death.
- b) Possession of a weapon refers to having a weapon on one's person or in an area subject to one's control. An individual finding a weapon and bringing it directly to appropriate authorities will not be considered to have been *in possession* of the weapon.
- c) Permission must be obtained from the principal to bring onto property any weapon for purposes of demonstration or stage props.
- d) Divisional staff and volunteers have the authority to seize weapons or to cause them to be seized.
- e) A person who carries a weapon onto school property for religious or ceremonial reasons must receive the approval of the Board.
- f) In the case of possession, the principal or designate:
  - i) must take steps to ensure the immediate safety of students and staff
  - ii) may notify the police
  - iii) may suspend the student for up to 5 days
  - iv) may recommend an extension of the suspension, or expulsion, if it is judged that the behaviour constitutes an on-going threat to the welfare of others

### II. Physical Assault/Physical Abuse

- a) Physical assault/abuse is defined, as the act of deliberately touching or striking an individual without that person's permission and/or for the express purpose of causing embarrassment, hurt or harm.
- b) The use of reasonable force to restrain someone from causing harm to others and property does not constitute physical assault.
- c) In dealing with incidents of physical assault by students, the principal or designate:
  - i) may call the police
  - ii) may convene a conference involving all parties involved (including parent(s)/legal guardian(s)) where applicable
  - iii) may develop an Individual Behaviour Plan
  - iv) may provide for a suspension for a maximum of five days
  - v) may make a recommendation to extend the suspension, or request an expulsion, if the incident was deemed to be extremely violent and/or threatening
- d) In dealing with chronic offenders, Student Services should be consulted
- e) The length of suspension and/or other consequences is/are to be determined in consideration of the individual's previous history of violent acts

III. Bullying/Cyber-Bullying, Emotional and/or Verbal Abuse

- a) Bullying, cyber-bullying\* emotional and verbal abuse are comprised of direct behaviours such as teasing, taunting, threatening, hitting, and stealing that are initiated by one or more students against a victim. In addition to direct attacks, bullying may also be more indirect by causing a student to be socially isolated through intentional exclusion. Bullying, cyber-bullying\*, emotional and/or verbal abuse includes but are not restricted to the following:
- i) verbal and written insults, obscene gestures, and malicious allegations
  - ii) physical attacks, including hitting, kicking, throwing objects, etc
  - iii) harassment including discrimination and/or overt prejudice, which are premised upon race, religion, personal characteristics, ethnicity, gender and/or lifestyle
  - iv) a threat or threats of physical violence against others, their family/families or their property
- b) In cases of bullying, cyber-bullying\*, emotional or verbal abuse by students, the following actions may be taken by the principal or designate:
- i) convene a conference involving the parent(s)/legal guardian(s) and students and the victim
  - ii) develop an BIP for the student
  - iii) suspend the student for up to five days from school
  - iv) make a recommendation to the superintendent/CEO that the suspension be extended beyond the five days or that the student be expelled
  - v) require an educational component and/or counselling to lessen the likelihood of a repeat occurrence
- \* Cyber-bullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory email message, instant messages, text messages, digital pictures or images, or website posting (including blogs) which has the effect of:
- 1. Physically, emotionally or mentally harming a student;
  - 2. Placing a student in reasonable fear of physical, emotional or mental harm;
  - 3. Placing a student in reasonable fear of damage to or loss of personal property; or
  - 4. Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities.

IV. Substance Abuse

Using, possessing or being under the influence of alcohol or illicit drugs at school or during school-sponsored activities is unacceptable. This includes smoking or using tobacco products on school property or during school activities.

a) Smoking

- i) Smoking or using tobacco products on school property or during school activities will result in the student being required to provide 1 hour of school community service, in addition to any other consequences, as deemed reasonable by the school administration. Repeat offences will result in longer suspensions and/or additional consequences.

b) Drugs & Alcohol

- i) Any student possessing, using or under the influence of alcohol or illegal drugs at school or during a school sponsored activity will be suspended for a minimum of three days. Longer suspensions may be imposed depending upon the circumstances.

- ii) Any student who sells drugs or alcohol on school property or at school sponsored activities shall be suspended by the Principal for a minimum of five days. The Superintendent/CEO may suspend for a maximum of six weeks or may recommend expulsion. The Board may order a longer suspension or expel a student. Students selling drugs or alcohol on school property or at school sponsored activities will be required to appear before the Board to explain why they should be allowed to return to school.

V. Gang Involvement

A gang is defined as a group of youths who share common beliefs, attitudes and attire and exhibit unlawful and antisocial behaviour and who associate with each other for their mutual protection or profit. Gang involvement or gang related activities are unacceptable activities on school property or during school functions. Consequences for gang involvement may vary but will involve discussions between administrators and the superintendent/CEO.

VI. Use of Electronic Mail and the Internet

Inappropriate use of electronic mail or the internet available at or through our schools is unacceptable. Students and staff are expected to follow the provisions of Policy H-5 (Internet Access) in all instances. Consequences for internet or electronic mail abuse will depend on the nature of the infraction and may lead to suspension and/or expulsion.

VII. Reporting Abuse

Any situation of alleged or suspected child abuse shall be reported immediately to Child and Family Services and/or the RCMP. Staff should refer to Policy I – 1 (Child Protection) for more information on reporting and responding to child protection or child abuse disclosure.

VIII. Harassment/Sexual Harassment

The Turtle Mountain School Division affirms the commitment to maintain a learning and working environment that is free from harassment. The principle of fair treatment is a fundamental one. The Division does not and will not condone any improper behaviour which would jeopardize the dignity and well-being of its students or employees; or undermine learning, work relationships or productivity.

Harassment is unacceptable and such behaviour toward any person constitutes a serious infraction, which warrants disciplinary action, and may be considered grounds for dismissal of staff or expulsion of students.