

Student Discipline

BACKGROUND

Fusion Education Association (FEA) is committed to the establishment and maintenance of a safe, caring environment that fosters and maintains respectful and responsible behaviors. The Board approves the use of suspension and expulsion as disciplinary actions in response to student misconduct that administration considers excessive and persistent. The primary responsibilities for this administrative regulation rest with the Superintendent/Board delegate and the Principal.

DEFINITIONS

1. Suspend means to remove a student
 - a. from school;
 - b. from one or more class periods, courses or education programs; and
 - c. may extend up to ten (10) school days, if in accordance with the provisions of the *Education Act*.
2. Expel means to remove a student
 - a. from school;
 - b. from one or more courses or education programs; and
 - c. may extend up to ten (10) school days, if in accordance with the provisions of the *Education Act*.

PROCEDURES

1. Specific grounds for suspension or a recommendation to expel include but are not limited to:
 - a. those conditions specified under the *Education Act*;
 - b. serious or repeated violations of Board policy, Student Code of Conduct or administrative procedures; or
 - c. conduct that may be injurious to the physical or mental well-being, safety, or security of others.
2. All disciplinary actions contemplated under this administrative procedure will be applied in a reasonable, fair and objective manner.
3. A decision to suspend or expel a student is normally a response to serious or repeated misconduct. All parties involved in a decision to suspend or expel must balance the needs and rights of the student with the needs and rights of the school population as a whole. A decision to suspend or expel a student shall be guided by the school's duty to accommodate but will ultimately be guided by the principle of undue hardship to the school.
4. The following guidelines apply to the suspension of a student:
 - a. A teacher may suspend a student for one class period.
 - b. As Fusion Collegiate is a member of the Calgary Charter Hub (CCH), the CCH Society reserves the right to suspend or prohibit a student from accessing the Hub facility if the student's behaviour poses a risk to the safety or well-being of others.
 - c. The Principal or designate may suspend a student if the student has failed to comply with their responsibilities as a partner in education, the Student Code of Conduct or the student's conduct is harmful to the physical or mental wellbeing of others in the school. The Principal may suspend:
 - i. From school;
 - ii. For one or more class periods, courses or education programs;
 - iii. For a period of time or the duration of an off campus or dual credit program
 - iv. For one or more school extra-curricular activities.
 - d. The Principal may take the following steps when contemplating a suspension:

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- i. meet with the student to discuss conduct that may be deserving of a suspension;
 - ii. explain to the student conduct giving rise to a possible suspension;
 - iii. allow the student the opportunity to explain their conduct to the Principal;
 - iv. weigh the duty to accommodate the student with the undue hardship to the school.
 - v. decide on what action, if any, is to be taken; and
 - vi. document a summary of the meeting.
- e. When a student is suspended, the Principal shall:
 - i. if the student is sixteen (16) years of age or older, meet with the student to discuss the reasonableness and terms of the suspension;
 - ii. immediately inform the student's parent/guardian of the suspension;
 - iii. if requested, provide an opportunity to meet with the student's parent/guardian and the student; and
 - iv. if the student is sixteen (16) years of age or older, meet with the student to discuss the reasonableness and terms of the suspension.
- f. The Principal may reinstate a suspended student.
- g. Prior to reinstating a student, the Principal shall:
 - i. discuss with the student and the student's parent/guardian expectations for future conduct;
 - ii. discuss progressive discipline if the student's conduct is not improved;
 - iii. document a summary of this meeting.
- h. If the student is not to be reinstated within five (5) instructional days of the date of suspension, the Principal shall:
 - i. immediately inform the Superintendent/Board Delegate of the suspension;
 - ii. recommend to the Superintendent /Board Delegate that the student be expelled; and
 - iii. report in writing to the Superintendent/Board Delegate and the parent/guardian all the relevant circumstances leading to the suspension and the Principal's recommendation to expel.
 - iv. The *Education Act* provides that the Principal may recommend to the Superintendent to expel the student if the student has displayed an attitude of willful, blatant, and repeated refusal to comply with the Student Code of Conduct or the student's conduct is injurious to the physical or mental wellbeing of others in the school.
 - v. The *Education Act* provides that the Principal may recommend to the Superintendent to expel the student if the student has displayed an attitude of willful, blatant, and repeated refusal to comply with the Student Code of Conduct or the student's conduct is injurious to the physical or mental wellbeing of others in the school.

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- vi. If a recommendation of expulsion is made, the student shall remain suspended until the Superintendent or Board Delegate has made a decision as provided under section 5 below.
- 5. Discipline Committee Hearing
 - a. Upon notification from the Principal that a student has been suspended for a period in excess of five (5) instructional days, the Superintendent/Board Delegate shall convene a discipline hearing, and
 - i. advise the parent/guardian of the student and the Principal of the date, time, and location of the hearing; and
 - ii. provide all parties with the documentation relevant to the suspension in advance of the date of the hearing.
 - b. At the request of the Superintendent, the Principal shall provide a report to the Superintendent/Board Delegate containing the following information:
 - i. reports of any incident(s) leading to the suspension;
 - ii. other relevant referrals to school administration and reports on academic progress, attendance and general deportment
 - iii. other information deemed pertinent by the Principal, Superintendent or Board-designated person;
 - c. At the discipline hearing the Superintendent or Board Delegate shall:
 - i. provide introductory comments as to the cause for the hearing;
 - ii. make reference to relevant sections of the *Education Act* and Board policy;
 - iii. review the school's documentation; and
 - iv. provide the parent/guardian and student with the opportunity to present information relative to the suspension.
 - d. The following guidelines apply to the hearing:
 - i. attendance may include the Superintendent/Board Delegate(s), legal counsel for the Board, the Principal, the parent/guardian, the students and any representative of the parent/guardian or student;
 - ii. the Superintendent/Board Delegate will chair the hearing;
 - iii. documents and comments may be provided by the Principal;
 - iv. the student, parent/guardian or their representative shall have the opportunity to speak to the circumstances around the suspension;
 - v. the chair shall adhere to the school's duty to accommodate;
 - vi. the chair shall consider the needs and rights of all affected members of the Fusion community but will ultimately be guided by the principle of undue hardship to the school;
 - vii. all participants may ask questions and discuss the matter with the parties in attendance;
 - viii. after all parties are heard, the Superintendent/Board Delegate will confer with relevant parties to reach a decision within ten (10) instructional days from the date of suspension;

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- ix. The Superintendent/Board Delegate shall immediately communicate the decision and the rationale in writing to the student, parent/guardian and the Principal;
 - x. the Superintendent/Board-Delegate has the authority or make any one, or a combination of the following decisions:
 - reinstated
 - reinstated subject to reasonable conditions, restrictions, or accommodations aimed at rectifying their misconduct;
 - expelled for a specific period of time which may extend beyond the end of the current school year, and then reinstated.
 - xi. If the decision of the Superintendent or Board delegate is to expel the student, then the parent/guardian and student, if 16 years of age or older, shall be advised of their right to request a review of the decision by the Minister of Education and Childcare.
 - xii. as an alternative to expulsion the student and parent/guardian may agree to a voluntary withdrawal from the school.
6. The following guidelines apply to expulsion of a student:
- a. The Principal must have made a recommendation to expel the student.
 - b. The student may be offered another education program by the Board. Alternative education programs that may be offered include a home study and/or online program under the supervision of the Board.
 - c. An expelled student may be reinstated only if and when the Board has the necessary space and resources to provide a suitable education program for them, while at the same time providing a welcoming, caring, respectful and safe learning environment for the larger school population.

LEGAL REFERENCES: *Education Act, Protection of Privacy Act, Charter of Rights and Freedoms*