

DISTRICT STUDENT CODE OF CONDUCT

Background

The District is committed to fostering safe and caring schools that promote mutual respect, cooperation and social responsibility and support optimal learning. Our procedures promote the creation and maintenance of safe, inclusive, equitable, welcoming and nurturing school environments.

District schools are inclusive environments which value all students and families regardless of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex or sexual orientation, or gender identity/expression.

Schools have clear expectations of acceptable behavior set out in their School Codes of Conduct. We subscribe to the belief that schools are places where students are free from harm and places for students to form strong relationships.

We further believe that the effective management of student discipline, congruent with our philosophy, is a necessity to establish safe and caring environments that foster learning, school connectedness and healthy living. Prevention and intervention strategies applied at the school level and supported at the District level are the foundations of a safe and caring school in which students learn to solve problems in peaceful ways, to value diversity and to defend human rights.

We promote understanding and acceptance of the interactive roles required to achieve safe and caring schools and believe that responsibility for safe and caring schools is shared among many partners including the District, schools, students, parents, community groups, social agencies, Vancouver Coastal Health, the Ministry of Children and Family Development and the Vancouver Police Department and RCMP (at UBC).

The District is committed to a District code of conduct that upholds safe, inclusive, equitable, welcoming, nurturing and healthy school environments. To this end, the District code of conduct promotes clear behavioural expectations of respectful and responsible citizenship that lead to a culture of safety, caring and respect amongst everyone in our schools and programs and at all school-events and activities.

Procedures

1. Responsibilities

1.1. District administration responsibilities include:

- 1.1.1. Supporting schools in developing preventative and responsive interventions to discipline concerns;
- 1.1.2. Ensuring that each Principal, in consultation with staff, parents and, when appropriate, students, establishes a code of conduct for their school that is consistent with the District Code of Conduct for students and which reflects provincial standards;

- 1.1.3. Ensuring that schools are not places where discrimination is practiced or tolerated. To that end, each school code of conduct shall contain the following statement:

“Students shall not discriminate against others on the basis of the race, religion, colour, ancestry, place of origin, marital status, family status, age, sex or sexual orientation, gender identity/expression, or physical or mental disability, or for any other reason set out in the Human Rights Code of British Columbia, nor shall a student publish or display anything that would indicate an intention to discriminate against another, or expose them to contempt or ridicule, on the basis of any such grounds.”
 - 1.1.4. Providing opportunities for staff to acquire the knowledge and skills necessary to develop and maintain learning and working environments that are safe, welcoming, inclusive and respectful of the diverse social and cultural needs of our community;
 - 1.1.5. Providing a variety of supports and programs for students who require proactive intervention to address behavioural needs;
 - 1.1.6. Supporting adherence to a fair and consistent range of consequences, including suspension and change in educational programming, for student misconduct;
 - 1.1.7. Implementing, overseeing, and monitoring Administrative Procedure 165 Appendix D - Violent Threat Risk Assessment;
 - 1.1.8. Encouraging involvement in parent education opportunities offered by schools or partners of the District concerning knowledge and skills parents can acquire to assist them in parenting.
- 1.2. Principal responsibilities include:
 - 1.2.1. Developing positive, safe and caring school cultures and focus on health promotion, and implementing school-wide efforts to foster respect, inclusion, fairness and equity and to increasing student connectedness to school, as well as to developing students’ social and emotional competencies and skills;
 - 1.2.2. Establishing and annually reviewing, in collaboration with staff, students, and parents, the School Code of Conduct, in compliance with Ministry of Education regulations and the District Code of Conduct. The School Code of Conduct will be communicated by displaying it in a prominent area in the school, by placing on the school’s website, and by distributing copies to the school community;
 - 1.2.3. Informing students and parents that the School Code of Conduct applies at school, during school-organized or sponsored activities, on school buses, and any behaviour even if outside of school or school hours,(including on-line behaviour), that negatively impacts the safe, caring or orderly environment of the school, and/or student learning;
 - 1.2.4. Informing students and parents about the District’s policy, procedures and programs with respect to intoxicating and controlled substances;
 - 1.2.5. Taking reasonable steps to prevent retaliation against a student who has made a complaint about a breach of the District or School Code of Conduct;
 - 1.2.6. Responding to threats and reports of threats of violence by implementing

the Violent Threat Risk Assessment process

- 1.2.7. Advising impacted parties of serious breaches of the code of conduct, unless there are compelling reasons not to release this information (e.g. the release of the information would undermine the health, safety or welfare of a student or other person). Parties include:
 - 1.2.7.1 Parents of the student offender, in every instance
 - 1.2.7.2 Parents of the victim, in every instance
 - 1.2.7.3 Director of Instruction
 - 1.2.7.4 District staff as applicable
 - 1.2.7.5 VPD/RCMP as appropriate or as required by the Criminal Code
 - 1.2.7.6 Community Support Resources as appropriate (MCFD, VCH)
 - 1.2.7.7 Other parents and staff where disclosure is necessary to protect the health, safety or welfare of a student or students.
- 1.2.8 Ensuring that, where appropriate, a follow up process is implemented to ascertain whether certain individuals or groups within the school community will require ongoing support.
- 1.2.9 Ensuring all staff speak and act toward students with respect and dignity and deal judiciously with them, always mindful of their rights and sensibilities; and
- 1.2.10 Adhering to Board policies and administrative procedures.
- 1.3 Students are expected to learn and mature as they move through successive grades, and as such the expectations progress towards increasing personal responsibility and self-discipline, as well as increasing consequences for inappropriate conduct/unacceptable behavior.

Student responsibilities include: (please note this is not an all-inclusive list)

 - 1.3.1 Demonstrating commitment to learning by coming to school prepared to learn and by contributing to a safe, caring, positive, inclusive, and peaceful environment;
 - 1.3.2 Neither taking part in nor condoning (provoke, encourage or make a spectacle of) any form of violence, including bullying, harassment, threat-making, intimidation, verbal, sexual, physical or online abuse and harassment, or discrimination in any form including discrimination on the basis of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability or challenge, gender, sexual orientation or age;
 - 1.3.3 Seeking to prevent violence and potentially violent situations, and demonstrating their social responsibility by reporting such situations;
 - 1.3.4 Not possessing, using or displaying any weapon, replica weapon or toy weapon, on any school property or at any event that is organized or sponsored by a school;
 - 1.3.5 Demonstrating, when utilizing the Internet, social media, email or other electronic forms of communication, appropriate digital behaviour;

- 1.3.6 Not attending school or school functions while in possession of or while under the influence of any intoxicating, banned or controlled substances;
 - 1.3.7 Showing respect for the property of others by refraining from littering, theft, vandalism, graffiti and other inappropriate behaviours related to property;
 - 1.3.8 Not smoking any substance, nor use vaporizers or e-cigarettes on school and other District property;
 - 1.3.9 Using respectful language and refrain from using obscenities and derogatory language;
 - 1.3.10 Practicing academic honesty and personal integrity by not participating in or encouraging plagiarism, cheating, theft of evaluation instruments, use of unauthorized aids, or false representation of identity; and
 - 1.3.11 Attending school in appropriate dress that is not obscene and does not promote alcohol or drugs, display offensive language or images, encourage discrimination or present a health or safety problem or cause a disruption.
- 1.4 Parent responsibilities include:
- 1.4.1 Informing themselves about the approach and goals of promoting a safe and caring school community through accessing District and school level resources;
 - 1.4.2 Adhering to Board policies, administrative procedures and the School Code of Conduct when in attendance at school functions (including online and digital functions) and supporting all students by reinforcing and modeling appropriate social and digital behaviours;
 - 1.4.3 Supporting students through co-operative school and parent partnerships regarding appropriate academic, social and emotional behaviours;
 - 1.4.4 Supporting the school's and District's role in responding to behaviour that contravene District policies and procedures and reinforcing students' understanding of their behaviour and of the consequences arising;
 - 1.4.5 Ensuring that their child/children (or child/youth in their care) attend school regularly and on time; and
 - 1.4.6 Promptly reporting to the school their child/children's (or child/youth in their care) absence or late arrival.

2. Weapons

2.1 Weapons are defined as being anything used, designed to be used, or intended for use in causing injury to any person, or anything used or designed to be used for the purpose of threatening or intimidating any person. Students shall not possess or use any weapon, replica, or toy weapon on any school premises or activity organized or sponsored by a school. Only replica weapons designed for school theatrical production will be permitted for use in productions, drama classes, and rehearsals as authorized and permitted by the Principal or Vice Principal. Offences involving weapons shall result in significant consequences.

3 Acts of Hate

3.1 Students must never engage in acts of hate. Acts of Hate are defined as verbal, physical, written, cyber or social acts of bias, prejudice, and bigotry which incite hatred towards a person or persons based on their membership in a group protected under the provisions of the *Human Rights Code*, including race, colour, ancestry, ethnic origin, religion, socio-economic status, gender, gender identity, sexual orientation, physical or mental ability, or political beliefs. These acts may be carried out by individuals or groups and are directed against specific persons, groups or property. In some cases, acts of hate may constitute criminal offences under the *Criminal Code of Canada*. The District recognizes the serious impact of crimes of hate on individuals and the school community.

3.1.1 A student who commits an act of hate is subject to education interventions and discipline. The level of discipline will depend upon the particular circumstances of the case and may include suspension, change in educational program or if the student is over the age of 16, expulsion from the educational program.

3.1.2 In each case, the District will, in addition to determining appropriate discipline of the offender, consider what if any restorative or supportive actions are required to support the victims of acts of hate.

3.1.3 Where appropriate, acts of hate will be reported to the appropriate law enforcement authority (VPD/RCMP) for investigation.

4 Intoxicating, Banned or Controlled Substances

4.1 Persons under the suspicion of intoxicating, banned or controlled substances and persons using, marketing or distributing intoxicating, banned or controlled substances are not allowed on school premises or at any school-sponsored event.

4.1.1 A student who is under the suspicion of, or using, an intoxicating or controlled substance during school hours, field studies or at a school-sponsored event is subject to education interventions and discipline. The level of discipline will take into account the particular circumstances of each case. Support measures may be used as an alternative to discipline or may occur in conjunction with discipline at the discretion of the Principal. Support measures may include meeting with school counselors and school Youth Engagement Workers, and educational programs focused on substance use.

4.1.2 A student selling or distributing an intoxicating or controlled substance at school or at school-sponsored events will be subject to education and discipline. The level of discipline will depend upon the particular circumstances of the case and may include suspension, change in educational program or if the student is over the age of 16, expulsion from the educational program.

4.1.3 Where appropriate, the selling or distributing intoxicating or controlled substances will be reported to the appropriate law enforcement authority (VPD/RCMP) for investigation.

5 Searches

- 5.1 A Principal may conduct or authorize a search of a student, personal property, including backpacks and personal electronic devices (including computers and cell phones), or a locker if there are reasonable grounds to believe that school procedures have been or are being violated and that evidence of the violation may be found in the location or on the device or person of the student searched. The search is to be conducted in a respectful manner and be minimally intrusive.
- 5.2 The following may constitute reasonable grounds for conducting a search:
 - 5.2.1 Information received from a third party believed to be credible;
 - 5.2.2 A staff member's or Principal/Vice Principal's observation; or
 - 5.2.3 Any combination of sources of information which the Principal considers to be credible.
- 5.3 Where the Principal conducts a search of a student and the student may be subject to school-initiated consequences only, the following procedures will be observed:
 - 5.3.1 The reason and purpose of the search will be clearly stated to the student(s);
 - 5.3.2 The search will be conducted in a private area in a respectful manner; and
 - 5.3.3 The search will be conducted in the presence of a second adult.

6 Conducting Interviews and Investigations

- 6.1 The following procedures shall govern interviews and investigations:
 - 6.1.1 Where the police wish to interview a student suspect on school premises, the Principal or Vice Principal will determine the appropriateness of conducting the interview on school premises.
 - 6.1.2 When the student is of elementary school age, the parents must be notified prior to the police conducting an interview. The police are to be requested to delay any interview until the parent has been contacted and provided an opportunity to attend.
 - 6.1.3 When the student is of secondary school age, where possible, the police are to be requested to delay any interview until the parent has been contacted and provided an opportunity to attend.
 - 6.1.4 Where the police wish to conduct an interview with a student witness/potential student witness or student victim on school premises, the Principal or Vice Principal will determine the appropriateness of conducting the interview on school premises. Except in emergency circumstances, the parents will be contacted prior to the interview taking place.

7 Student Suspensions

- 7.1 The District believes that: "appropriate [student] behaviour is essential to the development of responsible and self-disciplined citizens and essential to the operation of effective schools"; therefore, in accordance with the School Act,

Sec. 85(2)(ii) and (d), the District authorizes the Principal of any school in the District to suspend a student from attendance at school and to remove a suspension that they have imposed, provided that the Principal observes the conditions outlined in this Administrative Procedure.

7.2 During a suspension the student shall not attend the school, school property or any school related functions and/or extracurricular activity, unless invited at the explicit request of the Principal. For the purposes of this Administrative Procedure, “school function” includes any assembly, meeting or gathering of students, or student field trips for school purposes under the supervision or direction of the District, representatives of the District, or the teaching or supervisory staff in the course of their duties.

7.3 Suspensions may be for the following reasons:

7.3.1 Because a student is willfully and repeatedly disrespectful to a teacher or to any other employee of the District carrying out responsibilities approved by the District.

7.3.2 Because the behaviour of the student breaches the District Code of Conduct and/or has a harmful effect on others or the learning environment of the school.

7.3.3 Because the student has failed to comply with the School Code of Conduct.

7.4 In School Suspension

In some cases, as determined by the Principal, an in-school suspension may be issued. An in-school suspension refers to the in-school removal from classes and activities. During an in-school suspension the student would continue to attend school and would be provided with an educational program however, would do so under the direction of the Principal. In-school suspensions are informal and are not subject to the same requirements as a formal suspension served out of school.

7.5 Restorative Practice

It is also recognized that in many instances a restorative response may have greater impact on improving behaviour, increase a young person’s empathy, help to rebuild community and a sense of safety, and may prevent further incidents. When considering implementing a restorative justice process the Principal must exercise discretion based on all relevant facts and must consult with appropriate District staff and the impacted party/ies. Appropriate members of the school community may also be involved in the decision-making process as warranted as per Administrative Procedure 350 Appendix A Restorative Process.

7.6 Special Considerations

7.6.1 Elementary Age Students

Formal suspensions of students in primary or intermediate grades in elementary schools is only to be done in exceptional cases. In the case of primary or intermediate students whose behavior warrants a removal from the classroom, administrators must work with parents and District staff to resolve the situation, which may include in-school suspensions or asking for the cooperation and agreement of the parents to keep the child at home for a determined period of time.

7.6.2 Special Needs/Diverse Needs Students

Special considerations may apply to students with special/diverse needs if these students are unable to comply with a code of conduct due to having a disability/challenge of an intellectual, physical, sensory, emotional or behavioural nature. When the actions or behaviours of students with special needs may result in suspension, the specific needs of the student such as the age, special education designation and maturity of the student must be taken into account prior to a formal suspension being issued. Further, consultation with the Director of Instruction must occur prior to the formal suspension of any student with special needs.

7.7 Provision of an Educational Program

Students who are suspended from school, must be given an educational program. It is the responsibility of the Principal, to ensure that appropriate arrangements are made to provide that program.

8 Levels of Suspension

There are three levels of suspensions. Before a suspension is imposed, the Principal will assess all relevant circumstances including the seriousness of the infraction, the prior disciplinary record of the student, the impact of the conduct on the school community, and any expression of remorse demonstrated by the student. The Principal will determine the level at which a student is suspended, with consultation with the Director of Instruction where applicable. The level at which a student is suspended will depend upon all circumstances. Serious breaches of conduct that threaten the safety and welfare of others will be referred directly to Level Three for resolution by the Student Suspension Review Committee.

8.1 Suspension Process

Consistent with the provisions of the *School Act*, *School Act* regulations, Board policy and administrative procedures, the District process for handling the suspension of students is outlined below.

- 8.1.1 The Principal has the authority to suspend a student up to and including a referral directly to Level Three for resolution by the Student Suspension Review Committee.
- 8.1.2 Following a behavior incident or breach of the Code of Conduct, the Principal must contact the parent before sending the student home and arrange an interview at the earliest convenient time. A student will not be sent home during the school day unless the Principal has made contact with the student's parents or emergency contact and informed them of the action being taken and the general reasons for those actions.
- 8.1.3 The Principal may send the student home without issuing a formal suspension for the purposes of supporting and overseeing a proper and thorough investigation of an incident. The Principal will determine either the appropriateness of a suspension and/or the length of the suspension based on the results of the investigation. This time period is considered a short-term absence and is not to exceed two days before either the student returns to school or a suspension is issued.
- 8.1.4 If a suspension is issued, the days already absent from school will be counted towards the length of the formal suspension.

- 8.1.5 The Principal may determine that an immediate suspension without investigation is appropriate given the nature of an offence. The Principal will determine the Level of suspension in consultation with appropriate District staff as applicable or required.
- 8.1.6 The Principal shall report the suspension to parents in writing, including a brief statement of the reason for the suspension and the level at which the student has been suspended. A copy of this letter will be sent to the office of the Associate Superintendent responsible for student suspensions, and the school's Director of Instruction.
- 8.1.7 At all levels of the suspension process, parents or students may seek assistance from an adult advocate.
- 8.1.8 An educational program will be provided to the student during the student's suspension.
- 8.1.9 These procedures do not apply to in-school removal from classes and activities, or to informal arrangements made with parents for a full or partial day home educational program.

8.2 Level 1 Suspension: 5 Days or Fewer

When a Principal suspends a student, they must, in addition to complying with the School Act, Sec. 85 and Administrative Procedure 350 - District Code of Conduct, follow these procedures.

- 8.2.1 A Level 1 suspension must not be greater than 5 days in total. The day the suspension is issued is "day one" with up to the next 4 days constituting a Level 1 period of formal suspension.
- 8.2.2 The Principal will contact the student's parents or emergency contact, informing them of the actions being taken and the reasons for those actions.
 - 8.2.2.1 If a suspension is issued immediately, the Principal must contact the parent prior to releasing the student from school. If contact is not made with the parents by the end of the school day, a suspended student can be released from the school's care if in the judgment of the Principal, the student's safety and well-being are not at increased risk; and the Principal continues to attempt to make contact.
- 8.2.3 A suspension letter outlining the circumstances of the suspension will be sent to the parents by the Principal. A copy of the suspension letter will also be placed in the student file at the school.
- 8.2.4 The Principal must continue to maintain student access to an appropriate educational program.
- 8.2.5 Where appropriate, prior to a student's return to school, a meeting will be held with the parent, student and appropriate school staff to plan for the student's successful return to the school.
- 8.2.6 Where appropriate, in-school suspensions are encouraged relative to appropriate resources.

8.3 Level 2 Suspension: Over 5 Days

- 8.3.1 Level 2 Suspensions are made in consultation with the appropriate Director of Instruction, who will work closely with the schools to effectively resolve over five-day suspensions. The Director of Instruction may also call upon the District Principal of Alternate Programs to assist in effecting a resolution.
- 8.3.2 A suspension which begins as five days or fewer and then becomes, as a result of ongoing investigation, an over five-day suspension is subject to the procedures as outlined for Level 2 suspensions.
- 8.3.3 Where a Principal, deems that a matter is sufficiently serious to warrant a suspension greater than 5 days, the Principal must:
 - 8.3.3.1 Advise the parent that the student is suspended for an initial period of five (5) days in accordance with the above.
 - 8.3.3.2 Advise the parent that the District is considering the imposition of a suspension of greater than five (5) days, and that a final determination will be made on the length of the suspension after the parent and student (where appropriate) have had the opportunity to meet and review the matter with the Principal and the Director of Instruction.
 - 8.3.3.2.1 The Director of Instruction will chair the meeting and will be responsible for making the final determination, in collaboration with the Principal, and the District Principal for Alternate Programs on whether a suspension of over five days will be issued. If a suspension of over five days is issued the Director of Instruction will determine the length of the suspension and the resolution of the suspension.
 - 8.3.3.3 If the decision is made to issue a suspension of over five days, the Principal will advise the parents of the suspension in writing and will inform the parent of their ability to appeal under Board Policy 13 - Appeals Procedure/ VSB Bylaw 2.
 - 8.3.3.4 When a student is not attending school as a result of a suspension their educational program shall continue, the Principal, in consultation with the appropriate teacher(s), must provide an educational program by assigning homework to be completed during the time of suspension.

8.4 Level 3 Suspension: Indeterminate

- 8.4.1 A Level 3 suspension may be imposed where the conduct of a student is serious, or when the prior disciplinary record of the student indicates that a suspension at Level 1 or Level 2 is inappropriate. A Level 3 suspension is an indeterminate suspension until the Student Suspension Review Committee (SSRC) has determined the educational program to be offered to the student and the conditions to be imposed upon the ending of a student suspension.

- 8.4.2 Serious breaches of conduct include, but are not limited to:
 - 8.4.2.1 Physical assault
 - 8.4.2.2 Sexual assault
 - 8.4.2.3 Possessing or using weapons or threatening to use weapons
 - 8.4.2.4 Threats to a student or staff member
 - 8.4.2.5 Gang activity
 - 8.4.2.6 Acts of Hate
 - 8.4.2.7 Retaliation against a student
 - 8.4.2.8 Failure to respond to Level 1 or Level 2 interventions
- 8.4.3 The SSRC will be comprised of the Associate Superintendent responsible for student suspension, the Director of Instruction, the District Principal of Alternate Programs (where appropriate), the District Vice Principal, Educational Services, and the school-based Principal.
- 8.4.4 The Chair of the SSRC will be the Associate Superintendent.
- 8.4.5 The Chair of the SSRC shall convene a meeting of the SSRC within ten school days of being notified that a student has been suspended to Level 3 by the Principal. The suspended student and their parents will be notified in writing of the meeting. The parents, the student, and the school administration will be given the opportunity to be heard at this meeting.
- 8.4.6 The SSRC will consider all the information and make its determination as to the educational program to be offered to the student and the conditions to be imposed upon the ending of the suspension.
- 8.4.7 The Chair of the SSRC will communicate that determination in writing to the parents of the suspended student.
- 8.4.8 A District initiated transfer (administrative transfer) may result from a Level 3 suspension and be imposed by the SSRC. If the SSRC determines that a District initiated transfer is appropriate, the SSRC will determine the location of the receiving school in consultation with other school and/or District resource staff, and the Principal will coordinate the transfer process. The decision to impose a suspension at Level 3, and the determination of the SSRC may be appealed under Board Policy 13 - Appeals Procedure/ VSB Bylaw 2.

8.5 Change of Educational Program: Students 16 And Over

- 8.5.1 If a student 16 years of age or older fails to apply themselves to their studies or fails to comply with the District and/or School Code of Conduct or the procedures or policies of the District, the Principal may counsel the student about how to best pursue their educational program at either an alternate program, Adult Education Centre or Vancouver Learning Network.
- 8.5.2 Prior to facilitating a change in program, the Principal must ensure that a meeting has occurred with the student and the parent.

8.5.3 It is the responsibility of the Principal to facilitate change of educational program transitions and to ensure the appropriate arrangements for the student to attend are in place.

9 Dispute Resolution

Parents and students are encouraged to use the District's informal dispute resolution processes at the school or District level. The District's dispute resolution process is available at <http://www.vsb.bc.ca/sites/default/files/conflict-resolution.pdf>.

10 Appeals

10.1 Section 11 of the School Act gives parents the right to appeal certain decisions made by District employees. The right of appeal applies to decisions which significantly affect the health, education, or welfare of a student. While the determination of whether a decision or failure to make a decision 'significantly' affects a student's education, health or safety is made on a case-by-case basis, the following decisions are always appealable under the formal appeal process:

10.1.1 Disciplinary suspension of more than five (5) consecutive instructional days;

10.1.2 The transfer of a student from one school to another for disciplinary reasons;

10.1.3 The exclusion of a student from school for a health condition;

10.1.4 Significant decisions regarding placement in an educational program (classroom or teacher preference issues would be included in this Level only in exceptional circumstances);

10.1.5 Grade promotion or graduation; and

10.1.6 Refusal to offer an education program to a non-graduated student sixteen (16) years of age or older

10.2 The procedures for filing a Section 11 Appeal are outlined in Board Policy 13 and available at <http://www.vsb.bc.ca/sites/default/files/appeal-guide.pdf>.

Reference: Sections 6, 7, 11, 17, 20, 22, 65, 79, 85 School Act

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