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TITLE: REGULATION CONCERNING CASES OF SUSPENSION AND EXPULSION

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Section A - Introduction

1. Objectives

This regulation specifies the orientations of the Centre de services scolaire du Littoral in relation to the measures to be adopted to ensure the school attendance of students and the completion of their education in a perspective of educational success. It aims to maintain a work environment that facilitates learning and a quality of life that allows for the development of the individual. It also aims to define the preventive and disciplinary measures, the values and principles governing these exceptional measures, as well as the roles and responsibilities of each stakeholder. This regulation also serves to provide a framework for the use of these measures in order to preserve the rights of all students as well as those of the student who is the subject of the measure, and to ensure that the latter benefits from all the assistance measures to which they are entitled under the Education Act.

2. Legal Provisions

This regulation is based on:

- The Education Act (EA; s. 1, 14, 15, 17, 76, 96.27, 208, and 242);
- The Youth Protection Act (YPA; s. 38 and 39);
- The Charter of Human Rights and Freedoms (s. 4, 5, 10, and 10.1);
- The Special Education Policy of the Centre de services scolaire du Littoral (2018);
- The Safe School and Centers Policy of the Centre de services scolaire du Littoral (2008).

Disciplinary measures must therefore be consistent with the following rights:

- Right to school attendance and quality education;
- Right to the safeguard of their reputation;
- Right to be heard and listened to;
- Right of the students receive educational services.

3. Orientation and Values

Since the mission of the Quebec school is to educate, socialize and qualify, the Centre de services scolaire, its schools and its centers ensure that educational and preventive measures are put in place to minimize the use of this regulation. This educational concern constitutes the basis of interventions with students, even in a disciplinary context, and is underpinned by the following values

3.1. Justice

- Impartiality and non-discrimination on the part of school stakeholders in handling preventive and disciplinary measures.

3.2. Equality

- Realistic rules of conduct applicable to all students.
- Knowledge of the rights and responsibilities of each stakeholder.
- Respect of legal provisions when applying disciplinary measures.

3.3. Equity

- Balance between respect for collective and individual rights.
- Use of disciplinary measures in a supportive, not punitive, manner.

3.4. Transparency

- Distribution of the written rules to the various people involved.
- Knowledge by the student and their parents of all relevant information related to the intervention carried out.

3.5. Coherence

- Respect for the levels of responsibility and intervention of each person.
- Shared understanding of and adherence to fundamental principles, rules and laws governing preventive and disciplinary action.

3.6. Rigour

- Compliance with the proposed process through the application of preventive and disciplinary measures.
- Sufficient, valid and relevant information demonstrating the assistance process filed in the student's file.

3.7. Protection and Safety

- Preservation of the integrity and safety of all persons and implementation of all measures to avoid as much as possible any danger or incident.
- Physical force restricted to self-defence and child protection situations. In an emergency situation, the school principal has the authority to take concrete and immediate action for the safety and protection of persons and property under their jurisdiction.

4. Scope of the Regulation

This regulation applies at all times and to all students. It also applies when students benefit from a service organized by the Centre de services scolaire, notably in the context of school transportation, daycare services, a field trip, an extracurricular activity, or any other service. This regulation applies considering any other regulation or policy of the Centre de services scolaire du Littoral that has an impact on school attendance.

Section B - Roles and Responsibilities

5. Responsibilities of Stakeholders

5.1. Rights and Responsibilities of the Student

- The student is entitled to the protection, safety and attention of his educators, in an atmosphere of respect and understanding;
- The student is responsible for their academic progress;
- The student knows and respects the rules of conduct of their school;
- The student respects the right of others to receive quality instruction and education;
- The student adopts an attitude of respect towards all persons in the school;
- The student collaborates according to their abilities in the development and implementation of an intervention plan or measures to help solve their difficulties;
- The student uses the *Procedure of Examination of Complaints from Students and Parents* to address dissatisfaction with a decision.

5.2. Rights and Responsibilities of Parents

- Parents have the primary responsibility for their child;
- Parents have the responsibility to be involved in the problem-solving process, to ensure that their child attends school, and to take the necessary steps to ensure that their child behaves in a responsible and respectful manner;
- Parents collaborate in the development and implementation of an intervention plan, when required;
- Parents have the right to be informed of preventive and disciplinary measures imposed on their child;
- Parents use the *Procedure of Examination of Complaints from Students and Parents* if they are dissatisfied with a decision.

5.3. Responsibilities of Teachers and School Personnel

- Teachers and school staff shall cooperate in the implementation of measures likely to promote school attendance and the adoption by students of responsible behaviour that respects the rules of conduct of the school;
- Teachers implement effective classroom management;
- Teachers and school personnel must record and share with the people working with the student information or observations that are relevant and essential to the understanding of the student's problem, including those related to the interventions they have carried out;
- When a teacher perceives that a student is experiencing persistent difficulties despite the interventions and support services provided, the teacher must report the situation to the school principal using the established procedure;
- Teachers develop a work plan for the student for the duration of the suspension;

- Teachers may not refuse to reinstate a student following a suspension, nor may they refuse to implement recommendations identified in the student's IEP by the principal or others involved with the student.

5.4. Responsibilities of the School Principal

- The school principal, through the updating of the educational project, provides the school with a set of measures to ensure comprehensive and continuous support for the student's development (supervision);
- The school principal, together with their staff and governing board, must develop a code of conduct and an anti-violence and anti-bullying plan. These documents stipulate the rules of conduct and acceptable behaviours, the tolerance thresholds of the school environment, and the educational and disciplinary sanctions related to student misconduct.

Parents and students are provided with a copy of the school's code of conduct and anti-bullying plan. The documents may be reviewed annually with the assistance of Educational Services;

- The school principal ensures that educational and preventive measures are in place and that they are applied by all;
- The school principal, with the help of the staff, identifies the means and strategies of intervention adapted to the problems presented by the student, which allow the student to develop a sense of responsibility;
- The school principal ensures that the school's attendance procedures are followed;
- The school principal promotes the values of this regulation and ensures that its principles and processes are followed;
- The school principal gathers relevant information from all parties, and receives the student following the assessment report describing the student's situation;
- The school principal informs parents of the situation when their child's behaviour is unacceptable and requests their cooperation;
- The school principal ensures that parents of students experiencing difficulties are informed on a monthly basis and are involved in finding and implementing solutions to their child's difficulties, as prescribed by the Basic School Regulation;
- The school principal documents the steps taken and measures implemented throughout the process;
- The school principal establishes an intervention plan for a student whose behaviour is deemed unacceptable, if necessary;
- The school principal may offer external assistance throughout the process;
- The school principal shall enforce the disciplinary measures set forth in this regulation and the rules of conduct of their school, except for expulsion.

5.5. Responsibilities of Educational Services

- Educational Services ensures that the rules of conduct established by schools propose educational consequences;
- Educational Services ensure that disciplinary measures imposed are in accordance with this regulation.

Section C - Application of Preventive and Disciplinary Measures

6. Preventive Measures

6.1. Preventive Measures

- Successful and proven practices to prevent the use of disciplinary measures;
- Including rules of conduct, punctual educational interventions that are recognized as effective, application of the intervention plan, involvement of Educational Services, training and accompaniment of staff, support for integration, adaptation of pedagogy, consultation, and collaboration with partners;
- In the event of non-compliance with the rules of conduct of the school and it is decided to sanction such acts, the sanctions must be progressive and have the objective of maintaining the student in school.

6.2. Removal

- Immediate and preventive time-out for a very short period of time to allow the student to regroup or reflect on their behaviours, either in the classroom or in another location, with the support of an adult;
- Action taken by the teacher or a staff member.

6.3. Temporary Removal from Class or School

- Measure that is part of an intervention process with the student or in application of the student's intervention plan, following an assessment of the student's needs;
- Withdrawal (from class or school, which may include transportation or extracurricular activities) of short duration supported by notes in the student's special needs file;
- Measure implemented by the school principal in agreement with the parents and with the support of Educational Services;
- Pedagogical, psychosocial, or other support appropriate to the problem must be implemented during this period. The establishment of a reintegration process for the student and the implementation of a preventive plan may be necessary.

7. Disciplinary Measures

7.1. Suspension

- Disciplinary measure that excludes the student from school temporarily in order to bring about a change in the student's behaviour, which is deemed unacceptable, and to allow those involved to complete their analysis of the situation in order to identify possible courses of action and interventions;
- Measure imposed by the school principal and generally preceded by an initial written notice to parents;
- Covers a continuous period of one (1) to five (5) days. In the event of a serious recidivism, the suspension may not exceed ten (10) consecutive school days;

- After ten (10) days, the general administration must give its approval in writing to the school principal who will record it in the student's file;
- The suspension must not compromise the student's right to receive instruction and education adapted to his or her special needs, nor the Centre de services scolaire's obligation to educate its population. Therefore, the suspension of a student is subject to the application of the procedures established by the Centre de services scolaire;
- The suspension procedure (1 to 5 days) includes the following steps:
 - The written description of the student's misconduct is submitted to the school principal by the complainant;
 - The school principal meets with the student individually to allow the student to explain and to remind them of the requirements of the code of conduct or the anti-violence and anti-bullying plan that they have violated;
 - The school principal meets with the parent individually to allow them to be heard;
 - The school principal informs the parent in writing of the reasons for and duration of the suspension and the conditions for returning to class;
 - After the suspension, the parents accompany the student to school. The student signs the agreement to abide by the rule for which there has been a violation. A copy of this contract is given to the parents and the student;
- The suspension procedure (6 to 10 days) includes the following steps:
 - The school principal applies the above procedure;
 - After the period of suspension, the school principal convenes the parents and the student at the school in order to draft an intervention plan and to select the means likely to correct the problematic attitudes or behaviours;
 - The intervention plan is placed in the student's file and a copy is given to the parents and the student;
- The school principal ensures that a work plan is prepared and that the suspended student receives instructional measures and appropriate external assistance until the student returns to school or transfers to another school;
- The school principal records the suspension in the student's support file, along with the means by which the situation will be corrected;
- The measures in place must facilitate a return to school as soon as possible;
- The school principal ensures that a reintegration process for the student is in place;
- The school principal may refer the student to available psychosocial workers;
- The principal must inform the student and his/her parents that a subsequent offence may result in the student being transferred or expelled. This notice must be given in writing, with a copy to Educational Services;
- If the student does not return to school at the end of the suspension, the school principal issues a reminder to the parents. If the reminder is ineffective, the absence is reported to the Director of Youth Protection;

- At the end of the school year, the school principal submits to the general administration his or her report on the delegation of authority under this regulation, namely:
 - The list of suspended students;
 - Dates, number of days and reasons for suspension (see Appendix A).

7.2. Transfer

- Preventive disciplinary action following unacceptable behaviour, in response to the student's needs, in order to help the student continue their academic progress;
- Exceptional measure that may be temporary in the student's progression;
- The school principal must have analyzed the student's disciplinary record, exhausted all available school resources and have just and sufficient cause to transfer the student;
- The school principal must refer any student for whom they are requesting a transfer for preventive or disciplinary reasons to Educational Services for analysis and recommendations to the general administration;
- Parents are informed of the duration of the student's transfer.

7.3. Expulsion

- Exceptional disciplinary measure prohibiting attendance at one or all of the schools in the Centre de services scolaire for a student whose behaviour is deemed unacceptable and persists despite sustained and repeated interventions by the professionals concerned and the school principal;
- Disciplinary action to be used only in the most serious disciplinary cases, after giving the student and parents the right to be heard;
- Reserved for the general administration of the Centre de services scolaire du Littoral following a request from the school principal (EA s. 96.27);
- The school principal must demonstrate an analysis of the student's disciplinary record and have exhausted all other measures (the student in difficulty has had appropriate preventive assistance and all accommodation options have been considered) before arriving at a request for expulsion, or may do so if it is a serious act considered just and sufficient cause;
- The school principal must submit the file to Educational Services for analysis and recommendations to the general administration;
- When the general administration expels a student from any or all schools, a copy of the resolution is forwarded by the secretary general to the parents by registered mail;
- Where the student is under 16 years of age, the secretary-general shall also send the resolution to the Director of Youth Protection;
- A student expelled from the Centre de services scolaire during the school year may request from the general administration to be readmitted at the end of that year. If the duration of the expulsion exceeds this period, the request may be made after an additional year of expulsion.

7.4. Grounds for Suspension

- Any student who physically or verbally assaults or threatens to assault peers, teachers, principals or school staff;
- Any student who uses, incites the use of, or traffics in alcohol or drugs;
- Any student who destroys or threatens to destroy the Centre de services scolaire's property;
- Any student who violates the Charter of Human Rights and Freedoms and engages in conduct that discriminates on the basis of race, colour, sex, gender identity or expression, sexual orientation, religion, political belief, language, ethnic or national origin, or disability of peers or school personnel;
- Any student who refuses to modify a behaviour or attitude (gesture or verbal) identified as unacceptable in the school's code of conduct;
- Any student who engages in unacceptable behaviour that interferes with the normal flow of instructional activities in the classroom or denies their peers their right to enjoy an atmosphere conducive to teaching and learning;
- Any student who repeatedly refuses to hand in work or to take an exam;
- Any serious and unforeseeable situation where the school principal is unable to complete the suspension process.

7.5. Grounds for Transfer or Expulsion

- Any student who is on a Centre de services scolaire property or an adjacent property and who
 - is in possession of a firearm, prohibited weapon or imitation weapon;
 - commits an act of violence with any type of weapon;
 - is in possession of drugs and/or alcohol with the intent to sell or consume them.
- Expulsion may be recommended by the general administration for the following acts:
 - serious assault, rape and/or sexual harassment;
 - possession of a knife with intent to injure or maim another person;
 - extortion or taxing;
 - repeated acts of bullying;
 - acts of violence motivated by race, colour, gender, gender identity or expression, sexual orientation, religion, political belief, language, ethnic or national origin, or disability;
 - any act that endangers the lives of others.

Appendices

Appendix A – Suspension Report

Appendix B – Important Elements for an Expulsion



APPENDIX B – IMPORTANT ELEMENTS FOR AN EXPULSION

Chronological Description of the Situation

- Draw up a portrait of the event(s) for which the student has been blamed by the parties involved (meeting with the student, facts recounted by the school staff);
- Describe the student's meeting with the principal (always plan to have another person with you);
- Identify the supports available to the student.

Description of the Student's Educational Situation About:

- Their school success;
- Their attitude and behaviour in class;
- Their absences;
- Their age;
- Their years of attendance in the regular or alternative program;
- The communications with the student's parents or guardians (informing them of the request for a file review).

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