

LL #351766

JKE

EXPULSION OF STUDENTS

Expulsion of a student from school is a very serious action, which only the Board may decide. A student who has been expelled may not attend any school in the Division.

When a principal or designate, following consultation with the Superintendent/CEO, determines that suspension of the student is inadequate discipline given the circumstances, the Superintendent/CEO may recommend that the Board be convened for the purpose of hearing a recommendation for expulsion.

The Superintendent/CEO shall be responsible for preparing a complete report on the circumstances underlying the alleged need to consider expulsion of the student. This information will identify the unacceptable behavior and the specific responses of the school as well as pertinent information regarding meetings with the student and/or parents or guardians. This report shall be copied to the full Board and the parents/guardians of the student in advance of the date established for the Board to consider the matter.

Procedure Where Expulsion is Considered:

The principal shall:

- a. recommend expulsion on the basis that the student's conduct is injurious to the welfare of the school
- b. discuss the recommendation for expulsion with the Assistant Superintendent.

The Assistant Superintendent involved will:

- a. consider the recommendation and examine all relevant records,
- b. make a decision whether or not to support the principal's recommendation for expulsion
- c. forward to the Superintendent/CEO the recommendation from the principal for the expulsion, indicating support or non-support for the recommendation. Non-support could include recommended alternative courses of action.

The Superintendent/CEO shall:

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- a. review the facts of the case with the Assistant Superintendent and other appropriate personnel,
- b. declare support or non-support of the recommendation for expulsion (non-support could include direction for alternative courses of action).

In those cases in which the Superintendent/CEO supports the recommendation, the following procedures shall be initiated:

- a. The Superintendent/CEO will proceed to have the recommendation for expulsion presented to the Board at the earliest possible time and confirm the date and time of the hearing, which will normally be conducted during an in-camera session of the Board.
- b. The Superintendent/CEO will arrange for written notification of the Hearing for Expulsion to the student (if 18 years of age or older), or the parent/guardian(s), and the principal. The notice of the Hearing for Expulsion shall advise of the right of the student, when the student is an adult, and otherwise of the parents/guardians, to make representations for the student, or for the student to be represented by counsel, when the recommendation is considered by the Board. A copy of the report prepared by the Superintendent/CEO shall accompany this Notice.

Hearing for Expulsion

At the Hearing for Expulsion the Board shall be impartial. During the course of the Hearing the parties, the student and or parent/guardian and the principal or designate, Superintendent/CEO, and/or their representatives shall be heard. Normally, such Hearings will be held in-camera, but may be held in public in some circumstances at the discretion of either the Board or the parent/guardian or student when the student is an adult. The final decision will be by resolution of the Board. Written notification of the Board's decision shall be provided to the parties of the hearing involved with the matter.

1. Disposition of the Case Pending the Hearing:

Notwithstanding that the student's expulsion hearing may still be pending, the student may be suspended from school, either by the principal (for a maximum of two days) or by the Superintendent/CEO (for a maximum of

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six weeks), from the date of the initial recommendation to expel until the date of the hearing.

If the Board expels a student of compulsory school age, it must ensure that educational programming is made available so long as the student remains of compulsory school age and is entitled to attend a school within the Division under the provisions of The Public Schools Act.

2. Procedure for Re-Entry:

Although a motion for expulsion is considered to be permanent, the Board may, at its discretion, re-admit a student who has been expelled on satisfactory evidence that the behavior, which was the cause of the student being expelled will not likely recur.

Written application for re-entry shall be prepared by the parent/guardian (or student if aged 18 or over), and submitted to the Superintendent/CEO, who will then make arrangements for a hearing by a Re-entry Hearing Committee consisting of three trustees (one from each ward), the Superintendent/CEO, the Assistant Superintendent and the principal of the school concerned.

Re-entry of an expelled student to a school in the Division will be contingent upon the student, and the parent/guardian if the student is aged 17 or younger, appearing before this Committee to provide rationale for the request for re-entry.

The Committee may establish conditions for re-entry, including a requirement that the school develop an Educational Plan on behalf of the student. Parent and student consent for and cooperation with the terms of the educational plan or with any other conditions specified by the Committee shall be a precondition to re-entry.

The recommendations of the Committee shall be forwarded by the Superintendent/CEO to the Board of Trustees.

Re-instatement will be by resolution of the Board.

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