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**Student Code of Conduct: Behaviour Intervention and Response**

St. James-Assiniboia School Division (SJASD) commits to ensure that all schools within the Division provide safe, caring, inclusive, and culturally responsive learning environments, where all student, from every background, feel a sense of safety, belonging, and respect, and is supported to reach their full potential.

In alignment with Manitoba Education and Early Childhood Learning, SJASD further commits to:

- Promoting proactive, whole-school approaches to safety that include preventative and responsive planning, developed in partnership with parent(s)/caregiver(s) and the broader school community.
- Supporting the development of positive relationships and problem-solving skills throughout the school community.
- Ensuring that behaviour interventions and responses uphold human dignity, are informed by research and best practice, and are administered in a fair, consistent, and culturally responsive manner.
- Providing students with the supports necessary to understand, manage, and take responsibility for their behaviour, while enabling school personnel to exercise sound local decision-making.
- Recognizing that student success, safety, and well-being are collective responsibilities requiring active engagement from all who support children and youth.
- Affirming that strong, healthy relationships are foundational to safety, belonging, and overall student success.
- Ensuring alignment with provincial legislation, regulations, standards, and directives in order to uphold the rights of children and youth to equitable access to education.

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## **Guiding Principles**

The following principles guide the implementation of this policy:

- Students are at the centre of all planning and decisions.
- Learning environments must be safe, caring, and inclusive.
- Student rights and access to education must be upheld in all circumstances.
- Human dignity must be respected in all interventions, responses, and consequences.
- Behaviour responses should be informed by evidence, best practices, and cultural responsiveness.
- School personnel must have the ability to exercise professional judgment within the provincial and divisional framework.
- Safe and caring schools require strong, trusting relationships across the community.

## **Unacceptable Behaviours**

The following behaviours that warrant an intervention and response included but not limited to the following:

- Bullying/cyberbullying behaviour
- Harassment/discrimination, on the basis of any characteristic set out in subsection 9(2) of The Human Rights Code
- Threats to others
- Theft
- Trafficking in drugs or sex
- Physical violence/aggression
- Sexual assault/aggression
- Hazing
- Gang activity
- Possession of a weapon, as defined in section 2 of the Criminal Code (Canada)
- Possession of or being under the influence of alcohol, cannabis, or an illicit drug
- Harmful use of the Internet and electronic communication including AI-generated content (e.g., audio, images, video, or text), doxing, swatting, cyber flashing, sextortion
- Self- or peer exploitation
- Threats and/or harm to self

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## **Behaviour Intervention, Response Strategies and Consequences**

The principal is responsible for ensuring that interventions, responses, and consequences for non-observance of the school code of conduct are consistent with this policy. The principal has the authority to determine which intervention, response, or consequence is appropriate based on factors such as frequency and severity of behaviour, student age and development, mental wellness, and diverse needs. The following interventions, responses or consequences may apply, but not limited to:

- Discussion with a trusted adult
- Parental/Caregiver Involvement
- Formal Meeting
- Restoring Community/Restitution
- Positive Behaviour Agreement
- Student Services Referral
- Outside Agency/Community Involvement
- Risk/Threat Assessment
- Police Notification
- Student Suspension
- Student Expulsion
- Managed Move

## **Appeal Process**

Students and parent(s)/caregiver(s) must follow the established appeal process. Exceptions are suspension in excess of five days and expulsion – in these cases, the appeal goes directly to the Board of Trustees.

## **Legal References**

- Canadian Charter of Rights and Freedoms
- The Human Rights Code of Manitoba
- The Public Schools Act
- The Education Administration Act
- Provincial Code of Conduct (Manitoba Education and Early Childhood Learning) Behaviour Intervention and Response Using a Student-Centred and Strength-Based Approach
- Enhancing Proactive Supports to Minimize the Use of Suspensions
- Standards for Appropriate Educational Programming in Manitoba

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- Mamàhtawisiwin: The Wonder We Are Born With – Indigenous Education Policy Framework
- Divisional Respect for Human Diversity Policy

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## **Student Code of Conduct: Behaviour Intervention and Response**

### **Purpose**

This regulation outlines the required procedures, decision-making processes, and operational responsibilities for implementing Policy JIC Student Code of Conduct: Behaviour Intervention and Response. It provides principals and school personnel with a consistent framework for prevention, intervention, and response to student behaviour, while allowing for professional judgment and consideration of individual student needs.

All decisions made under this regulation must prioritize student safety, dignity, inclusion, and access to education, and must reflect a strengths-based, culturally responsive, and restorative philosophy.

### **Behaviour Intervention**

When student behaviour does not meet expectations, SJASD views these moments as opportunities for learning and growth rather than punishment. Behaviour is often a form of communication and should be addressed in ways that maintain positive relationships.

Schools are expected to use proactive, evidence-based strategies such as fostering a positive school climate, implementing school-wide programming, and collaborating with families and community supports. Preventative practices—like teaching social responsibility and positive behaviour through the Manitoba curriculum and programs such as Safe and Caring Schools—reduce the need for negative consequences.

Strengths-based approaches, including trauma-informed practices, culturally responsive teaching, social-emotional learning, positive behaviour supports, and restitution, are more effective than punitive measures. These strategies help students build skills and character while reinforcing expectations.

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The principal is responsible for ensuring that interventions, responses, and consequences for non-observance of the school code of conduct are consistent with the policy and regulation. The principal has the authority to determine which intervention, response, or consequence is appropriate based on factors such as frequency and severity of behaviour, student age and development, mental wellness, and diverse needs.

While SJASD emphasizes proactive and strengths-based strategies to promote positive behaviour, there are times when behaviour does not meet expectations and requires intervention and a response. As such, responses listed below may apply to multiple students in any given situation:

**1. Discussion with a Trusted Adult**

A trusted adult such as a teacher, administrator, school counsellor, resource teachers, or, where appropriate, a division or school Elder or Knowledge Keeper may meet with the student to discuss behaviour and strategies to support the student moving forward in a positive way. Parent(s)/caregiver(s) may be contacted in some circumstances. Students who are 18 years of age or older must give their consent to contact parent(s)/ caregiver(s).

**2. Parental/Caregiver Involvement**

Contact is made with the parent/caregiver(s) to discuss the student's specific behaviour and strategies that may be helpful in shifting behaviour in a positive way. The contact could vary from a telephone conversation to a formal meeting at the school with parent(s)caregiver(s), student, and school personnel.

**3. Formal Meeting**

A meeting is held with the student, parent(s)/caregiver(s), and other relevant members of the student's circle of support, which may include teacher(s), administrator(s) school counsellor, resource teacher or clinician. Elders and Knowledge Keepers may be in attendance where appropriate, and when they are supporting students, families, and schools in this capacity. A plan can be created to promote engagement in positive behaviours. Schools may choose to conduct a functional behavioural assessment to better understand the student and the reasons behind their behaviour. This information can guide the development of targeted interventions. Together, the school team, the student, and their parent(s)/caregiver(s) may decide that an individualized plan is necessary.

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**4. Restoring Community/Restitution**

The student and/or parent(s)/caregiver(s) are required to compensate for damages incurred to school division property by the intentional or negligent act of a child. Such compensation may be monetary in nature but could take alternative forms such as community service.

**5. Positive Behaviour Agreement**

A positive behaviour agreement is a collaborative plan between a student, school staff, and parent(s)/caregiver(s) that outlines clear classroom and school behaviour expectations to support student success. It typically includes behaviour expectations, positive outcomes for meeting them, consequences for not meeting them, and student-set goals. The agreement helps students track their progress and develop essential self-management skills. Signed by all parties, it can be updated as needed.

**6. Education Support Services**

A referral may be made to Education Support Services personnel who can assist school personnel in the remediation of inappropriate student conduct. Such involvement may include a level of counseling or clinical supports for the student that is beyond the school's capabilities. Parental/Guardian permission must be obtained for assessments and/or interventions.

**7. Outside Agency/Community Involvement**

A referral to an outside agency or a community resource may be necessary to address a student's behaviour (e.g., a physician, adolescent or adult mental health services). In all cases, parental permission must be obtained.

**8. Risk / Threat Assessment**

The school will respond to all student threats to self or others through administrative action and/or school division risk and threat assessment protocols. Outside agency and/or police involvement may be requested. Parent(s)/Caregiver(s) will be informed.

**9. Police Notification**

Policy may be notified at times for serious incidents that happen at school, during school-related activities in or outside school, or if the incident has a negative impact on the school environment.

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## **Response Strategies and Consequences**

While SJASD emphasizes proactive and strengths-based strategies to promote positive behaviour, there are times when behaviour does not meet expectations and requires intervention and a response.

### **Suspension**

Suspension is determined to be the appropriate disciplinary consequence when a student's unacceptable conduct or disruptive behaviour is found to be injurious to the school environment and/or deemed an imminent safety risk to students and staff. The St. James-Assiniboia School Division emphasizes minimizing the use of suspension due to the negative outcomes associated with the practice and commits to limiting, reducing, and subsequently phasing out exclusionary practices; thus, ensuring that all students have a safe and orderly learning environment.

#### **1. Authority to Suspend**

Principals, teachers, the Superintendent/CEO (or designate), and the school board are permitted, with different degrees of authority, to suspend a student.

A teacher may suspend a student from the classroom, and the principal or Superintendent/CEO (or designate) may suspend a student from the school if:

- if the student engages in disruptive behaviour
- suspension is the consequence for that behavior under the school's disciplinary management regulation and the school's code of conduct

A school board may suspend from a school any student who, upon investigation by the school board, is found to be guilty of conduct injurious to the school environment. In its decisions, the board may choose to identify possible solutions and recommend preferred alternatives.

#### **2. Periods of Suspension**

- A teacher may suspend a student from the classroom for not more than two days.
- The principal may suspend a student from the school for not more than a week.
- The Superintendent/CEO may suspend a student from the school for not more than six weeks.

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**3. Definitions and Terminology**

**Out-of-School Suspension (OSS):** An instance in which a student is dismissed from school for disciplinary purposes for a finite period of time when their peers are expected to be in attendance.

**In-School Suspension (ISS):** An instance in which a student is temporarily removed from their regular classroom(s) for at least half a school day for disciplinary purposes but remains under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision.

**Exclusionary Practices:** Exclusionary discipline encompasses any type of school disciplinary action that removes or excludes a student from their usual educational setting. Although exclusionary discipline practices might typically be viewed on a continuum of severity, the degree of exclusion for any reason should be commensurate with the least restrictive environment and not be punitive. Exclusionary practices should be exercised with due diligence such that students are not faced with undue hardship or alienation, as they may not hold the same perception. Exclusionary practices include the following:

- withdrawal from the classroom setting for less than half a school day for disciplinary purposes but under the direct supervision of school personnel.
- detention
- removal of privileges
- removal from school bus ridership
- exclusion time-out
- being sent home early or late start
- in-school suspension
- out-of-school suspension
- expulsion
- seclusion

*Within this range of exclusionary practices, suspension, expulsion, and seclusion are considered to be most restrictive.*

**4. Discretion and Consideration**

Procedures in determining whether suspension is an appropriate disciplinary consequence include:

- Providing reasonable accommodations when disciplining a student.

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- Consideration of student's state of development, ability to comply, and the amount of support required
- Provision of a continuum of supports, including positive and preventative approaches and strategies, as well as consequences corresponding to the nature, severity, and frequency of the behaviour or infraction
- Consideration of the student's special learning needs and abilities including whether the student is able to access the information, understands the policy or rules, and the disciplinary actions used for the majority of students are appropriate for the student.
- When selecting appropriate consequences, staff should be sensitive to any student who has been the target of unacceptable conduct, as well as to the student who engaged in the misconduct. These factors encourage those with the authority to suspend to avoid disciplining students who did not act deliberately.

Additional factors that should inform the decision to suspend include the following:

- The information gathered from the student, reporting staff, and others who may have witnessed or been affected.
- Whether a process should be initiated for determining the risk of threat to self or others, and the risk of recurrence.
- Possible motivation or underlying reason(s) that led to the incident (e.g., setting events, antecedent)
- Previous disciplinary incidents
- Previous interventions and their effectiveness
- Student's background and support network
- Alternative approaches not previously employed.
- Whether the suspension will be a breach of probation, if applicable

The decision to suspend may also include the following.

- A discussion with the legal guardian(s)
- A discussion with the in-school team and/or divisional-level staff

\*Suspension is an inappropriate and counterproductive response to absenteeism; therefore, is prohibited as a response to absenteeism (refer to JE and JE-R).

\*Suspension duration must not incrementally increase based on the number of suspensions a student has previously received.

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## 5. Suspension Procedures

The following outlines procedures for all types of suspension.

### Notification to Legal Guardians:

If the student is suspended, the legal guardians must be promptly notified of the reason and period of suspension by:

- The principal of the school, if the student is suspended by a teacher or the principal
- The Superintendent/CEO or designate, if the student is suspended by the Superintendent/CEO or designate

Within 24 hours of the decision to suspend, a written letter will be sent to the legal guardians with information that includes the following:

- The student's name, birthdate, and student MET number
- The nature of the suspension (in-school or out-of-school)
- The reason(s) for the decision to suspend in relation to the code of conduct and divisional policy
- The period of suspension (with beginning and end dates)
- Information regarding the re-entry process
- The date, time, and location of the re-entry meeting
- Information regarding the opportunity for legal guardians to be provided with accommodations such as an interpreter or having a supporting person accompany them to the re-entry meeting.
- The name and contact information of the school/division staff who will serve as the legal guardian's initial contact for the purpose of arranging appropriate educational programming and maintaining regular contact with the student
- Information regarding the legal guardian's right to make an appeal and the appeal procedures of the school board
- Clarity of any other restrictions

### Written Report:

Within 24 hours following the decision to suspend, the principal will give the Superintendent/CEO or designate a written report that includes the following:

- The student's name
- The period of suspension
- A description of the behaviour for which the student was suspended.

This report must be entered in the school division's Student Information System within 48 hours of the suspension.

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**Access to Educational Programming during Suspension:**

- The school must offer and arrange educational programming for students who are suspended for more than five days.
- Educational programming may range from work at home to alternative courses at a different location or remote learning, depending on the student's needs, length of suspension, or age.
- During suspension, access to learning should be maximized by providing students with the resources they need and by utilizing universal design principles.
- Accessing learning in an alternate, supervised environment must be viewed as an opportunity to offer continuity of learning, maintain connection to the school community, and build skills rather than convey a sense of punishment or discipline.

**Out-of-School Suspension (OSS)**

Students will not be permitted to be present at school and, at the discretion of the principal, may not be permitted to participate in school-sponsored activities, whether they occur inside or outside the school, on the school bus, or on school property.

Following a decision to suspend a student out of school, the principal will ensure that expectations are communicated with the student, legal guardians, classroom teacher(s), in-school team, and relevant school/divisional staff with details such as the following:

- Period of suspension (beginning and end dates)
- Name of the school/division staff who will serve as initial contact for any questions/concerns.
- Arrangement of appropriate educational programming and regular contact with professional staff (e.g., virtual, telephone, in person)
- Clarification of expectations noting any restrictions
- Information regarding the time, date, and location of the re-entry meeting
- Additional people or agencies and their contact information and any expectations set forth (if relevant)

Schools must develop a student-specific plan for a student who has been suspended out of school more than two times during a school year or out of school for more than 5 days.

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A multi-faceted approach that may involve community agencies, organizations and associations, other education authorities, and regional health and children's services authorities should be considered, and the respective agencies should be invited to student-specific planning process for the student.

#### In-School Suspension (ISS)

Students will be supervised in an educational environment with restricted contact to peers during the instructional day.

- They may be restricted from attending one or more classes and/or school-sponsored activities, whether they occur inside or outside the school or on the school bus.
- Provided there is no safety risk to students or staff, the Superintendent/CEO, principal, or designate may determine if the student can continue to participate in school-sponsored activities with direct supervision, whether they occur inside or outside the school, in order to maintain connection, relationships, and a sense of belonging.

Following the principal's decision to suspend the student, the principal will ensure arrangements are made and communicated to the student, legal guardians, classroom teacher(s), in-school team, and relevant school/divisional staff with details such as the following:

- Date(s), including the expected date of return to classroom learning with peers.
- Location of alternative supervised learning environment
- Expectations for contact with professional staff (who, when, purpose)
- Expectations for non-structured times (e.g., lunch/breaks, extracurricular, transportation, arrival/dismissal), noting any restrictions to peers/activities.
- A structured plan outlining the appropriate educational programming the student is to be engaged in during the suspension.
- Details of the re-entry process
- A meeting with the student prior to the date of re-entry to communicate expectations and to develop strategies to repair relationships.

#### Suspension from Class by a Teacher

A suspension from class by a teacher is to be considered an in-school suspension. A teacher who suspends a student from class must promptly document and report the suspension to the principal.

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Following the teacher's decision to suspend the student from class, the teacher will adhere to the following procedures:

- Notify the principal, who will inform the legal guardians of the reason and duration of the suspension, which may not exceed two days.
- Provide the principal with a written report outlining the antecedent event(s) and reason for suspension from class, and action(s) taken by the teacher.
- Arrange for a supervised learning environment and ensure appropriate educational programming continues.
- Discuss with the principal the re-entry process, as well as who will communicate this to legal guardians.
- Meet with the student, principal, and legal guardians prior to re-entry to communicate expectations and to develop strategies to repair the relationship.

## 6. Re-entry Process

The re-entry process should involve the student, legal guardians, and appropriate school team members, include timelines, and ensure re-entry occurs on the day following completion of the suspension. If a legal guardian is unable or refuses to attend the re-entry meeting, schools must document the reasons for refusal and/or actions undertaken by the school to obtain consent and/or resolve concerns. The completion of schoolwork must not be used as a condition of re-entry. Suspension must not be prolonged due to the legal guardian's inability to be present at the re-entry meeting.

The purpose of a re-entry process is to provide an opportunity to debrief and restore a sense of safety and belonging for all. Important elements include the following:

- Review the reason for the suspension.
- Review the school's code of conduct.
- Clarification of expectations
- Determination of programming needs (e.g., academic support, increased opportunities to attend to social-emotional learning and regulation)
- Develop a Student Specific Plan for a student who has been suspended out of school more than two times during a school year.
- Review planning needs if a student-specific plan is already in place.
- Safety plan that structure transitions, resources, and environmental considerations to be in place for a safe return.

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- Determine whether individual counselling and/or divisional supports are needed (i.e., determine and support student's protective factors)
- Refer to community-based/agency supports, if required
- Designate staff to case manage (i.e., ensure planning needs are met and follow-up is embedded for ongoing support)
- Review recommendations and update plans as necessary.
- Encourage the repair of relationships with those who may have been harmed or affected.

### **Expulsion**

Expulsion: An extreme exclusionary discipline practice (refer JKE and JKE-R).

Seclusion: A safety response, never to be used as a punishment, consequence, disciplinary action, or a way to force compliance (refer to JLIG and JLIG-R).

Informal Removals/Being Sent Home: Instances when a student is sent home due to behavioural disruptions for the purpose of a “reset” or “fresh start”, must be documented in the student information system when a student’s day is reduced outside of the student-specific planning process.

- Schools must provide all students with the same minimum number of hours of instruction, and document in the student-specific plan (SSP) any reduction or alternations in the school day, including a plan to return to full-time instruction.
- When removals from the classroom and/or school form a recurring pattern, the student-specific planning process should be initiated to identify a student’s learning needs and develop, implement, and evaluate appropriate educational interventions.

School staff will inform legal guardians and plan for safety when a student is sent home for disciplinary reasons.

### **Managed Move**

SJASD is committed to providing appropriate educational programming for all students and reasonably accommodating special needs unless doing so causes undue hardship (Appropriate Educational Programming Regulation, MR 155/2005). While attending the catchment school is generally appropriate, there are circumstances where a managed move—a planned transition to another SJASD school or program—may be necessary.

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A managed move:

- Is initiated by the outgoing SJASD school/division, not by school of choice.
- Involves collaboration among the student, parent(s)/caregiver(s), outgoing and receiving SJASD schools, and relevant support agencies.
- May occur within SJASD, between SJASD and another division, or to an adult learning centre or approved program under MR 139/2011.
- Requires information sharing (academic data, risk assessments, interventions tried) and timely file transfer.
- Includes a student-specific plan (SSP) overseen by a case manager, possibly using Circle of Care or Wraparound supports.
- Must include a transportation plan when the move is outside SJASD, typically coordinated by SJASD in partnership with the receiving division.
- Can be for a finite period, agreed upon by all parties.

Managed moves are considered only after all other interventions have been exhausted. Decisions should follow the SJASD Student Placement Protocol to ensure a supported, collaborative process.

### **Appeal Process**

Students and legal guardians must follow the established appeal process:

- If the teacher made the disciplinary decision, an appeal must be made to the teacher. Then to the principal if not resolved, then to the Superintendent/CEO if not resolved, and finally to the Board of Trustees.
- In the case of a student who has been suspended more than five days, the Board of Trustees must permit the student and their legal guardian(s) to make representations to the Board of Trustees about the suspension. The school board may confirm the suspension, modify it, or reinstate the student.

Board of Trustees appeal procedures must include the following considerations:

- Advise legal guardians of their right to make a formal appeal (within 14 days) of decisions about their children's educational programming and of their right to be accompanied by a supporting person.
- Address the appeal at the next scheduled school board meeting or sooner.
- Ensure procedures support and maintain confidentiality
- Provide those affected with the opportunity to give or provide a written statement.

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## Documentation

Each event of suspension must be documented. Documentation must include:

- Information about the misconduct.
- Disciplinary measures issued.
- The actions undertaken by the school in relation to a student.

A copy of the documentation is to be placed in the pupil file and entered in the divisional Student Information System.

Procedures for documenting suspension should consider the following:

- Consultation with the Superintendent/CEO or designate.
- Maintenance of accurate information.
- A record of communication between staff and the student and legal guardians.
- A record of the re-entry meeting.
- A process to identify students with multiple/recurring suspensions.
- A consistent manner to document attendance in the divisional information system for students who are suspended.
- Document in the cumulative file component of the pupil file any information about behavioural misconduct and disciplinary measures meted out, including suspension relating to the student.
- Record the decision of an appeal in the pupil file.

## Monitoring and Review

All schools must keep records on the nature and duration of all suspensions both in and out of school. Data must be reviewed at the school and divisional levels annually or sooner (i.e., following regular reporting periods). Data collection should be used to:

- inform the annual review of the school's code of conduct and emergency procedures,
- plan for safety and belonging,
- enable schools and the division to understand circumstances around the use of suspension while facilitating the implementation of more effective strategies to support educational programming and responses.
- monitor and analyze suspension rates and trends.

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**ST. JAMES-ASSINIBOIA SCHOOL DIVISION**

Great Schools for Growing and Learning

**REGULATION:****JIC-R**

Schools and Division must have a designated group to review school and division-wide suspension data.

A brief divisional report will be provided to the Board in September by the Superintendent/CEO. The report will include the number of in-school and out-of-school suspensions, incident types as listed in PowerSchool, the number of CFS involved student suspensions and the number of serious incidents by level (early, middle, senior) and by school.

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