



DISCIPLINE COMMITTEE GUIDELINES

The Discipline Committee of the Board will meet for the following reasons:

Suspension Appeal: When a suspension is upheld on review and the adult student or the student's parent/guardian chooses to continue with the appeal. The Suspension Appeal must be held within 15 days of receiving the notice of intention to appeal.

Recommendation for Expulsion: When a principal, in consultation with the Superintendent, determines that a suspension pending expulsion is warranted, the Expulsion proceeding must be held within twenty (20) school days from the date the principal suspended the student, unless the parties mutually agree to a revised date.

Minutes of Settlement: When the adult student or parent/guardian and principal agree to a settlement process as an alternative to an Expulsion proceeding, the Discipline Committee must meet to review the Minutes of Settlement within fifteen (15) school days from the date the principal suspended the student.

1.0 NOTIFICATION

A package will be prepared by the Superintendent of Education for the Discipline Committee. It will include the following:

a. For a suspension appeal:

- Notification of Suspension letter (Appendix F)
- the letter requesting a suspension appeal
- Notice of Suspension Review (Appendix L)
- Suspension review decision (Appendix M)

Or

b. For a recommendation for the Expulsion or Minutes of Settlement process

- Suspension Pending Investigation for Expulsion (Appendix H)
- Notice Recommending Expulsion (Appendix J2)

And

c. For All:

- Program for Students on Long-Term Suspension: Student Action Plan (Appendix G) if applicable
- Proceeding Guidelines (Appendix Q)
- Principal's Report (Appendix I)
- any student information or reports referenced in the Principal's Report, such as:
 - Recent Report Card(s)
 - Attendance Report
 - IEP
 - Prior Suspensions
- Family/Student Written Submissions

On behalf of the Discipline Committee, the Chief Executive Officer (CEO) will:

- a. arrange a meeting to explain the proceeding and arrange the suspension appeal or expulsion proceeding. Suspension Appeals and Expulsions heard by the Discipline Committee may be held in-person or by virtual/electronic means
- b. The virtual meeting (e.g., Microsoft Teams) will be held at least 5 days prior to the Suspension Appeal/Expulsion, with the parents/guardians or the adult student and will include the Principal and Superintendent.
- c. Advise the Discipline Committee of the name of the adult student or students and parent/guardian and the school the student attends to ensure that the members of the Discipline Committee do not have a conflict of interest/bias.
- d. Provide digital copies of the Suspension Appeal Package or Expulsion Package (as appropriate) to the adult student or the student's parent/guardian one half-hour prior to the meeting.
- e. Courier the Suspension Appeal Package or Expulsion Package to the adult student or the student's parent/guardian after the meeting to share the process.
- f. Provide digital copies of the Suspension Appeal Package or Expulsion Package to the Discipline Committee one hour prior to the proceeding.

2.0 MEETING BEFORE SUSPENSION APPEAL OR EXPULSION PROCEEDING

Prior to the Suspension Appeal or Expulsion Proceeding, the Chair of the Discipline Committee will host a meeting, held by virtual/electronic means (e.g., Microsoft Teams) with the parents/guardians or the adult student including the Principal and Superintendent to:

- a. Welcome the parties and facilitate introductions;
- b. Explain the Discipline Committee suspension appeal/expulsion process;
- c. Inquire whether the parents/guardians/adult student have any other documents they wish to present to the Discipline Committee. If there are additional documents, to request copies and to request permission to include copies in the suspension appeal or expulsion package; Submissions must not include other parties' names. If they will be providing a written submission, it must be received at least 24 hours prior to the suspension appeal or expulsion proceeding;
- d. Inquire and/or confirm whether legal counsel will be in attendance for the student/parent/guardian/adult student. If legal counsel is present, the meeting will still proceed. The parent/guardian/adult student will advise who will be speaking on behalf of the student;
- e. Obtain the names of all persons attending.
- f. Legal counsel for the Discipline Committee and/or the Principal may be appointed if the adult student or parent/guardian are represented by legal counsel.

3.0 MINUTES OF SETTLEMENT

Where a parent/guardian or adult student has chosen a Minutes of Settlement process as an alternative to an expulsion proceeding, the Superintendent of Education will coordinate and facilitate the process.

The Superintendent of Education will arrange a meeting between the parties within 10 school days of the start of the suspension.

If agreement is not reached between all parties within 10 school days of the start of the suspension, the matter will proceed to an expulsion proceeding before the Discipline Committee. The expulsion proceeding must take place within 20 school days of the start of the suspension.

If agreement is reached, all parties present at the meeting must sign the Minutes of Settlement. The Superintendent of Education will then submit the Minutes of Settlement to the Discipline Committee of the Board for review and approval within 15 school days of the start of the suspension.

4.0 SUSPENSION APPEAL OR EXPULSION PROCEEDING

- 1. The Discipline Committee will** wait for 30 minutes after the scheduled proceeding start time for the arrival of the parents/guardians or adult student. Should they fail to attend in a timely manner, the Discipline Committee may proceed in their absence.
- 2. The SO will** arrange to greet the family as well as the Principal responsible for the school. The SO will indicate where the parties can wait until called to the Committee.
- 3. The Discipline Committee will** convene one hour prior to the proceeding start time in order to review the Suspension Appeal package or Expulsion package. The CEO will provide the documentation to the Discipline Committee.
- 4. For a review of Minutes of Settlement,** the CEO will provide the Expulsion package and Minutes of Settlement to the Discipline Committee at the meeting time. The Committee will review documentation and Minutes, and then proceed directly to the deliberation process.
- 5. At the commencement of the Proceeding, the SO will:**
 - a. Escort the parties into the Committee Room;
 - b. Indicate where the parties are to sit;
 - c. Introduce the parties to the Committee.
- 6. The Chair of the Committee will:**
 - a. Introduce the members of the Committee;
 - b. Confirm that the members are Trustees;
 - c. Introduce the CEO as the technical advisor to the Discipline Committee, the SO as the technical advisor to the Principal and the Vice-Principal of the school;
 - d. Review the proceeding process. Two (2) hours are set aside. Each party will have 20 minutes to present their case. Each party will also have the opportunity to ask questions of clarification. The Discipline Committee will have an opportunity to ask questions of clarification of both parties;
 - e. Provide the Committee with any additional documents that the family has asked to present to the Committee. The Committee may wish to take a few moments to review any additional documentation;
 - f. Confirm the person speaking on behalf of the family. This may be a parent, relative, or advocate;
 - g. Indicate that the student, if present, will have an opportunity to make a statement;

- h. Label all exhibits from the school and parent/guardian/adult student;
- i. Confirm that the matter is closed to the public.

7. Presentations to the Discipline Committee

The Chair of the Committee will ask:

- a. **The Principal** to make a presentation to the Committee (maximum 20 minutes).
 - i. The parent/guardian/adult student/counsel will have an opportunity to ask questions of clarification through the Chair;
 - ii. The members of the Committee will have an opportunity to ask questions of clarification through the Chair.
 - b. **The parent/guardian/adult student/counsel** to make an oral presentation or written submission to the Committee (maximum 20 minutes).
 - i. The Principal will have an opportunity to ask questions of clarification through the Chair;
 - ii. The members of the Committee will have an opportunity to ask questions of clarification through the Chair.
 - c. **The student** to make a statement on their own behalf.
 - i. The Principal will have an opportunity to ask questions of clarification through the Chair;
 - ii. The members of the Committee will have an opportunity to ask questions of clarification through the Chair.
- 8. The Chair will** ask the parent/guardian/adult student/counsel if they have any further concerns they wish to raise with the Committee.
- a. If there are any further concerns, the Chair will then ask the Principal(s) whether there is any response to such issues;
- 9.** The Discipline Committee may ask any party, or the student, where appropriate, questions of clarification.
- 10.** If there are no further concerns, the Chair will indicate that this completes the proceeding of the facts and submissions.
- 11. The Chair will** explain to the parties that the Discipline Committee will consider the submissions of the parties and will determine:

For an expulsion:

- a. Expulsion from all schools;
- b. Expulsion from one school; or
- c. No expulsion, with a further decision regarding the suspension:
 - i. Whether to uphold the suspension;
 - ii. Whether to reduce the length of the suspension, or;
 - iii. Whether to expunge the suspension

- 12. At the conclusion of the proceeding, the Chair of the Committee will ask:**
 - a. That all parties adjourn while the Committee deliberates. At this point, the Committee will review the matter quickly and determine whether there were any issues/questions that should have been asked that were not asked. If so, the parties can be asked to return to the room to ask such questions; or
 - b. That all parties adjourn for the day, and that they will be informed of the Committee's decision.
- 13. It is the responsibility of the CEO** to set the conditions for re-entry and to provide any program supports needed to assist the student's learning.
- 14. The CEO will** communicate the decision with the parent/guardian/adult student by phone. The decision letter signed by the Chair and the Re-entry Conditions letter signed by the CEO will be sent by the CEO's Office.