



Code of Conduct

Administrative Procedure 1.A.30

Board Governance Policy Cross Reference: Policy 2, 3, 16, 17

Legal Reference: Safe Schools Charter, Public Schools Act, Education Administration Act, Appropriate Educational Programming Regulations

Date Adopted: May 2005

Date Amended: August 2008; March 2009; May 2012; February 2014; June 2018

The Evergreen School Division mission is to engage students in learning to become contributing citizens of a democratic society.

In order to meet that mission, the division will provide a safe and caring environment by fostering strength based approaches to maintain respectful and responsible behaviours of all.

Effective Behaviour Supports

A major advance in school-wide behaviour is the emphasis on school-wide systems of support that include proactive strategies for defining, teaching, and supporting appropriate student behaviors to create positive school environments. In addition to individual behavioral management plans, a continuum of positive behavior support for all students within a school is implemented in areas including the classroom and non-classroom settings (such as hallways, restrooms).

Effective behavior support is an application of a behaviorally-based systems approach to enhance the capacity of schools, families, and communities to design effective environments that improve the link between research-validated practices and the environments in which teaching and learning occurs. Attention is focused on creating and sustaining primary (school-wide), secondary (classroom), and tertiary (individual) systems of support that improve lifestyle results (personal, health, social, family, work, recreation) for all children and youth by making problem behavior less effective, efficient, and relevant, and desired behavior more functional.

Students and staff must behave in a respectful manner towards one another and comply with this code of conduct.

Unacceptable Behaviours

The following are unacceptable behaviours that will result in disciplinary action:

- Physical assault or threat making;
- Bullying, including cyber-bullying, any person or abusing physically, sexually, or psychologically – orally, in writing or otherwise;
- Discriminating on the basis of any characteristics set out in subsection 9(2) of *The Human Rights Code of Manitoba*;
- Possessing, being under the influence or selling of alcohol or illicit drugs at school;
- Gang involvement;
- Possessing or using a weapon (defined in section 2 of the Criminal Code of Canada).

Definitions

Bullying – is behaviour that

- a) is intended to cause, or should be known to cause, fear, intimidation, humiliation, distress or other forms of harm to another person's body, feelings, self-esteem, reputation or property: or,
- b) is intended to create, or should be known to create, a negative school environment for another person PSA 1.2(1)

Cyber-bullying - using the Internet or other information and communication technologies, such as e-mail messages or text messages to support deliberate, repeated and hostile behavior by an individual or group that is intended to harm someone else.

Discipline - effective school discipline seeks to encourage responsible behaviour and to provide all students with a satisfying school experience as well as to discourage misconduct. School discipline has two main goals: (1) to ensure the safety of staff and students, and (2) to create an environment conducive to learning.

Physical Assault - the act of striking or touching a person with a part of the anatomy or an object, with the intent of causing hurt or harm.

Possession - having an item on one's person or in an area subject to one's control on school property or at a school activity. A student who finds a weapon or drugs on the way to school or in the school building and takes the weapon or drugs immediately to the principal's office shall not be considered in possession.

Restitution - a collaborative problem-solving process which focuses on making things right and resolving conflicts. The goal is to help students become self-directed, self-disciplined and able to "fix" the problems they become involved with.

Weapon means any item used, designed to be used or intended for use (a) in causing death or injury to any person, or (b) for the purpose of threatening or intimidating any person and, without restricting the generality of the foregoing, includes a firearm.

PARENTS

EXPECT THAT...

- Teachers, as role models for students, will exhibit excellent language usage, display enthusiasm for learning, show respect for others and property, and take pride in their appearance.
- Staff and students will comply with the Divisional and School **Codes of Conduct**.
- Staff will communicate promptly with the home.
- Administration will exhibit leadership, provide support, and monitor instruction in the school.
- Students will receive fair and consistent treatment.
- The school will give clear directions concerning extra-curricular activities.
- Teachers, bus drivers, and all support staff will cooperate to create an atmosphere that is conducive to a positive learning environment.
- Teachers will plan and teach assigned courses.

PARENTS

ARE EXPECTED TO...

- Be role models in the home in order to establish in their son or daughter;
 - Positive values
 - Respect for fellow students, school personnel, and property
- Maintain regular communication with their son or daughter about school matters.
- Encourage their son or daughter to attend regularly and punctually, and to complete all school assignments.
- Attempt to attend their school's events and meetings, and give positive input and support to their school.
- Maintain open communication with staff.
- Cooperate with school staff to ensure their child complies with school codes of conduct and student discipline or behavior management policies.

STAFF

EXPECT THAT...

- Students will attend classes regularly and on time, with homework assignments completed, and with appropriate materials, e.g. notebook, etc.
- Students will behave appropriately on school property and at school activities, so as not to interfere with the learning and rights of others.
- School administration will provide leadership and support.
- They will have the positive assistance and cooperation of students, parents and colleagues in the performance of their duties.
- Everyone associated with the school will be treated with courtesy.
- Parents will communicate openly with them about anything that might affect the performance of the student.

STAFF

ARE EXPECTED TO...

- Establish and maintain a learning environment in the school which is pleasant, orderly, respectful and conducive to the students' satisfaction in learning.
- Evaluate student achievement and explain the evaluation procedures to be used in each course.
- Communicate information about student progress, attendance and behavior to students, parents and administration.
- Be role models in establishing a positive tone in the school.
- Establish and maintain a pleasant, orderly, respectful space for students while traveling on school buses.
- Maintain open communication with the home and the school.
- Take the responsibility for continuous professional growth.
- Treat students fairly and consistently.

STUDENTS

EXPECT THAT...

- All division staff will treat them in a courteous and respectful manner.
- Treatment of students is consistent and fair.
- Clear, relevant lessons be presented, along with explanations for the assessment criteria and evaluation procedures to be used in each course.
- They will be able to work in a school atmosphere which is pleasant, orderly, respectful and conducive to their satisfaction in learning.
- School personnel will be accessible to students for extra help concerning courses, assignments, remedial assistance, personal and career decisions, and other school matters.
- Teachers will maintain proper order and discipline in their classrooms and will provide explanations for any disciplinary action.
- Teachers will prepare for class and mark and return assignments promptly.
- School administration will monitor instruction in the school.
- They will be able to participate in the wide range of activities offered in Evergreen School Division.
- Support staff and bus drivers will treat them in courteous and respectful manner.
- Support staff will help create a positive learning environment.

STUDENTS

ARE EXPECTED TO...

- Attend school regularly and punctually.
- Be prepared for all classes by bringing required materials and completed homework assignments.
- Be responsible for any work missed in classes due to absence.
- Develop self-discipline and self-regulation and show courtesy for all people in the school and in the community.

- Make the most of educational opportunities through active classroom participation and involvement in other school activities, both in and out of class.
- Take pride in their work, their appearance and what they have accomplished.
- Resolve interpersonal conflicts and difficulties through discussions with the other person or through seeking assistance from school personnel.
- Take pride in their respective schools within Evergreen and help foster this feeling in other students.
- Show respect for school property and the personal belongings of others.

Reporting Bullying and Other Harm

Reporting to the Principal

All employees or volunteers who have care and charge of one or more pupils must, if they become aware that a pupil of a school may have engaged in unacceptable conduct while at school, at a prescribed school-approved activity or in other prescribed circumstances, report the matter to the principal of the school as soon as reasonably possible.

Unacceptable conduct is defined as follows:

- abusing another pupil physically, sexually or psychologically, verbally, in writing or otherwise;
- repeated or deliberate bullying of another pupil that is of a serious nature, including cyber-bullying

Principal to notify parent or guardian

If the principal believes that a pupil of the school has been harmed as a result of the unacceptable conduct, the principal must, as soon as reasonably possible, notify the pupil's parent or guardian.

When notifying a parent or guardian, the principal must provide the following information:

- the nature of the unacceptable conduct that resulted in harm to the pupil;
- the nature of the harm to the pupil;
- the steps taken to protect the pupil's safety, including the nature of any disciplinary measures taken in response to the unacceptable conduct.

Note: the principal must not disclose the name of or any other identifying or personal information about a pupil who engaged in the unacceptable conduct.

An obligation to make a report respecting unacceptable conduct under this section is in addition to, and not in derogation of, the obligation to report unacceptable conduct under any other enactment.

Consequences

Evergreen School Division's approach to student discipline is to emphasize positive and proactive strategies which foster student learning and restitution as opposed to punitive and reactive strategies.

The following are examples of disciplinary consequences that may be used in Evergreen School Division. Although they are not always applied in the order in which they appear they move from proactive to reactive consequences and are progressive when a student has a previous history of behavioural incidents.

Effective school discipline hinges on a cooperative approach between school and parents. In Evergreen School Division, we try to involve parents as early as possible without calling home every time a student displays questionable behavior.

Evergreen School Division will provide reasonable accommodation for students who have exceptional learning needs that affect their behaviour, and when disciplining the student, take into consideration the student's ability to comply and the amount of support required (MR 468/88).

In the Human Rights Code, "discrimination" is defined in section 9(1) as

- (a) differential treatment of an individual on the basis of the individual's actual or presumed membership in or association with some class or group of persons, rather than on the basis of personal merit; or*
- (b) differential treatment of an individual or group on the basis of any characteristic referred to in subsection (2); or*
- (c) differential treatment of an individual or group on the basis of the individual's or group's actual or presumed association with another individual or group whose identity or membership is determined by any characteristic referred to in subsection (2); or*
- (d) failure to make reasonable accommodation for the special needs of any individual or group, if those special needs are based upon any characteristic referred to in subsection (2).*

The applicable characteristics for the purposes of clauses (1)(b) to (d) are

- a) ancestry, including colour and perceived race;*
- b) nationality or national origin;*
- c) ethnic background or origin;*
- d) religion or creed, or religious belief, religious association or religious activity;*
- e) age*
- f) sex, including pregnancy, the possibility of pregnancy, or circumstances related to pregnancy;*
- g) gender-determined characteristics or circumstances other than those included in clause (f);*
- h) sexual orientation;*

- i) marital or family status;*
- j) source of income;*
- k) political belief, political association or political activity;*
- l) physical or mental disability or related characteristics or circumstances, including reliance on a dog guide or other animal assistant, a wheelchair, or any other remedial appliance or device.*

Corporal punishment, defined as the planned premeditated application of physical punishment, is forbidden in the schools of Evergreen School Division. The Board recognizes that the use of force as a restraint or intervention may be necessary to protect the safety of students or staff members, for the protection of property or to secure order in emergent situations. Where force is applied under these circumstances, staff members exercising this authority must be governed by reasonable restraint.

Disciplinary Consequences for Students:

(to be used at Principal's Discretion)

1. Informal Interview
A teacher or administrator talks with the student to reach an agreement regarding the student's behavior. The parent(s) may be contacted in some circumstances.
2. Restitution
Restitution may be used as an alternative approach where principals believe it will change behaviour.
3. Student Services Involvement
Conferences are held with the guidance counselor or resource teacher with the goal of developing a plan for changing attitudes and improving student behavior. Parent(s) may be contacted.
4. Parent Involvement
Parent(s) are contacted to discuss the behavior of the student and steps to change behavior. Contact may vary from a telephone conversation to a formal conference at the school with parent(s), student and school staff.
5. Formal Interview
A conference is held with the student, the teacher and an administrator and/or guidance counselor and the parent(s) to develop a plan for changing the student's behavior.
6. Withdrawal from Classroom Setting
Where unacceptable behavior has a negative impact upon the classroom learning environment, the student may be withdrawn to a supervised alternate location to complete assignments. Such withdrawal would normally be

temporary, but when a prolonged withdrawal is recommended, the parent(s) would be contacted.

7. Suspension from Classroom

Teachers may suspend students from a classroom for not more than two days. (The teacher must inform the parent(s) and provide a supervised alternate location to complete assignments.)

8. Removal of Privileges

Privileges in the nature of access to playground, cafeteria, library, extracurricular activities and/or bus transportation are removed under certain circumstances. The school administrator may notify the parent(s) when such removal of privileges occurs.

9. Detention

The student is detained at the school for specific unacceptable behavior. Where such detention extends beyond regular school hours, the parent(s) would be informed.

10. Compensation

The student and/or parent(s) are required to compensate for damages incurred. Such restitution may be monetary in nature but could take alternative forms such as school or community service.

11. Clinical Services

The Social Worker or School Psychologist is involved to assist in the remediation of some unacceptable behaviors. Such involvement may include a level of counseling beyond the school's capabilities. Clinical services are appropriate in the case of unacceptable behavior or extreme absenteeism. In all cases, parental permission is sought.

12. Behaviour Intervention Plan

Behaviour intervention plans or Individual Education Plans are required for ongoing unacceptable behaviour. Behaviour intervention plans are usually developed by a team to meet a student's social/emotional and behavioural needs.

13. Threat Assessment

The Division will respond to threats by students through administrative action and/or a threat assessment team. The team will identify indicators that suggest a student may be engaging in attack related behaviors against some target and intervene to decrease the risk, prevent injury to self or others, and assist the student to receive the help he or she needs to address the issues contributing to the high-risk student behavior.

14. Physical Assault

14.1 The aggressor in a physical assault will receive a consequence greater than the student that responds to the aggression.

14.2 In cases of a student fighting with another student, the principal may suspend the student(s) from the classroom or the building, progressively longer for subsequent offences.

14.3 In cases of physical assault of a student on a staff member, the principal should first consult the staff member. The police may be contacted at the discretion of the Principal or the staff member. A school re-entry meeting with student and parent(s) will be required.

15. Weapons

In the case of possession, threat with or use of a weapon by a student, the Principal will:

- a) take steps to ensure the safety of students and staff
e.g. evacuation of the building
- b) confiscate the weapon and release it to either the police or parent/guardian as required by law
- c) take disciplinary action and
- d) conduct a Threat Assessment if deemed necessary.

16. Suspension

Suspension from school is a serious consequence to student misbehavior. Suspension may occur for conduct that is considered injurious to the school's welfare or educational purpose. In all cases of suspension, the parent(s) are notified. Principals may suspend for up to six weeks. Students returning from suspensions must attend a re-entry meeting if requested. Suspension in excess of five days may be appealed by parent(s). See **1.B.30 A: Suspension Sample Letter / 1.B.30 B: Suspension with Hearing Sample Letter**.

17. Outside Agency Involvement

Student behavior may involve violation of the law (e.g. drugs, theft or assault). In such cases the police may be informed by the school administration. Parents are informed immediately of any such action. Other circumstances may result in a referral to Child and Family Services or the Addictions Foundation of Manitoba Youth Counselor.

18. Expulsion

Expulsion by the Board of Trustees is the most serious consequence, resulting when a student's continued presence is considered injurious to the welfare of the school. Expulsion requires an official motion by the Board of Trustees in accordance with the Public Schools Act. An expulsion means that the student may not attend any school in Evergreen School Division until such time as the

Board of Trustees may remove the expulsion. In all cases of expulsion, parent(s) are to be notified and have the right to make representation to the Board of Trustees.

Appeal Procedure

The appeal procedure for student disciplinary decisions follows **1.A.100 Divisional Line of Communication and Appeal Process**. At all steps of the appeal procedure a parent(s) may be accompanied by an advocate and/or supporter.

The Line of Communication is normally as follows:

1. Teacher - Meet with the teacher.
2. Principal - If a meeting with the teacher does not resolve a concern or if the principal was responsible for the disciplinary decision, an appeal may be made to the principal within five working days of a disciplinary decision.
3. Superintendent - If an appeal to the principal does not resolve a concern, an appeal may be made in writing to the Superintendent.
4. Board of Trustees - If an appeal to the Superintendent does not resolve a concern, an appeal may be made in writing to the Board of Trustees. Should an appeal proceed to the Board of Trustees, the Board will address it at their next In-Camera meeting and provide a written response to the appeal.