

Student Suspension and Expulsion

BACKGROUND

Students who do not conform to the student code of conduct may negatively affect the school's learning environment. The *Education Act, Section 36* grants Boards and designated Board employees, teachers, and the Principal the authority to remove a student from a class or school, or the school bus, for failure to comply with the rules established by the Board or school.

POLICY STATEMENT

1. The CAPE Charter Board encourages student demonstration of self-discipline and appropriate behaviour, and accepts the use of student suspension as a means of addressing repeated negative student behaviours. The CAPE Charter Board accepts the use of expulsion where the continued presence of a student in a school will seriously and adversely affect the leaning and the safety of staff and/or students.

DEFINITIONS

2. **Suspension** - the removal of a student from school, from one or more class periods, courses or education programs, or from riding in a school bus for a period of 10 school days or less in accordance with *Section 36* of the *Education Act*.
3. **Expulsion** - removal of a student from school, from one or more courses or education programs, or from riding in a school bus for a period of more than 10 school days in accordance with *Section 37* of the *Education Act*.

GUIDELINES

4. Student suspensions shall conform to the statutory requirements of *Section 36* of the *Education Act*.
5. Suspension will only be used when:
 - 5.1 It is deemed that other means of corrective action have failed to achieve orderly and appropriate student behaviour;
 - 5.2 The student's continued presence in the school is deemed to be a danger to persons or property.

**CAPE-Centre for Academic and Personal Excellence
Policy Manual**

Policy 8.08

Category: Students

6. Suspension procedure must ensure that the rules of natural justice and due process are followed including a right to appeal the decision to the Superintendent, the CAPE Charter Board and to the Minister.
7. Notwithstanding the above, the seriousness of the negative behaviour may warrant immediate suspension or a recommendation to the CAPE Charter Board for expulsion on the first offence.
8. The Superintendent will develop student suspension and expulsion procedures that comply with the *Education Act*, the CAPE charter, CAPE Policy 2.12, and the current Guide to Education.
9. The Principal will supervise and guide the implementation of this policy.

References:

Education Act

CAPE charter

Guide to Education

CAPE Policy 2.12

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