

# Discipline Policy

Opaskwayak Educational Authority Inc.

2015-2016



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# OPASKWAYAK EDUCATIONAL AUTHORITY INC. DISCIPLINE POLICY

## 1. Mission Statement of OEA

*“By embracing Opaskwayak's vision of nikanootawinek mena tipanimisowinek, Opaskwayak Educational Authority Inc. will deliver, and support, high quality education at all levels. We will do what it takes to promote and foster a reawakening of cultural, spiritual and traditional knowledge that will enhance and support each individual's potential.”*

## 2. Introduction

2.1 The intent of this policy is to ensure that OEA provides:

- a. A safe learning environment for students;
- b. The assurance that a child will be safe at school, and has the equal opportunity to learn;
- c. A guideline as to what type of behaviours is acceptable in school to assist in promoting a healthy environment;
- d. That student will not be afraid to attend school, and
- e. That student will be happier, and have respect and pride.

2.2 If and when disciplinary actions are necessary, OEA schools will, in the implementation of this policy, include the involvement of parents and work toward a positive team approach.

## 3. Responsibility:

3.1 OEA shall follow the Manitoba Public School Act **AND** this policy when dealing with discipline for the well being of students.

3.2 Students are to conduct themselves in a manner that is not offensive to others, and show respect for their peers, staff, and school.

3.3 As there may be underlining issues that are directly affecting the conduct of the student, parent(s) may be included in discussions regarding student behaviour.

3.4 School Administration, Teachers, Teacher Assistants, and support staff has the ability to discipline:

- a. within the classroom setting
- b. during recess and lunch duties
- c. within school property, including hallways and washrooms

- d. while on field trips
- e. during school hours
- f. outside of school boundaries if such behaviours make student(s) feel unsafe, and
- g. during any school functions

3.5 Bus Drivers shall follow the procedures as per their policy.

3.6 Suspension decisions must be made under the authority of the Principal and Vice-Principal(s) (Administrators). At his/her discretion, the Principal may delegate either Vice-Principal to meet with the respective parties, and thereafter a determination of a suspension decision will be made in writing.

3.7 The Discipline Committee is utilized as a form of appeal and support to assist parents, students, and resource personnel to come up with solutions and plans of action for students. To establish Discipline Committee intervention, OEA will set up meeting dates and times to access support for the following once parental contact has been made:

- a. When the student has reached the limit of minor offences, as outlined in Appendices C/D/E;
- b. If a major offence happens and the student is requested to appear before the Discipline Committee before being allowed back into school; or
- c. Upon a request from a parent, where the request is justified.

3.8 In the event that a recommendation to expel has been taken as a form of action by the Discipline Committee, the OEA Board of Directors will be responsible for making the final determination.

#### **4. Types of Infractions:**

4.1 This policy will take into consideration both minor and major incidences, and will include those related to safety issue, bullying, fighting, foul language, insubordination, trendy items, harassment, and other issues that are unacceptable. The list will be included in Appendix A for Minor incidences and Appendix B for Major incidences.

4.2 When a situation occurs that is not included in Appendix A or Appendix B, and there is potential to harm students, staff, or the facilities, it will be up to the discretion of the Principal to determine the consequence for the student, and decide whether it will be a minor or a major offence.

#### **5. Promotion of Good Behaviour**

5.1 As part of promoting acceptable behaviour and still adopting the concept of Safe Schools, OEA will acknowledge both individual and group growth at least once a month. This may be achieved by recognizing accomplishments through various modes of positive reinforcement. Teachers will consult with the Administrators as to the type of reinforcement being utilized in their classroom.

5.2 Positive acknowledgement will be emphasized when students have made the attempt to make changes and show respect. Records of minor offences will be cleared at the end of each month (with the exception of attendance.)

## 6. Procedures for Staff

6.1 When reporting an incident that cannot be resolved and that is considered a **minor** offence, the following procedure is required:

- a. The teacher(s)/staff will fill out a minor incident form;
- b. The classroom teacher of a student will make every effort to contact the parent. (All contact efforts will be documented.) If contact is unsuccessful, then the incident will be referred to the Student Success Officer, and a notice of infraction will be hand-delivered to the parents. As soon as possible, the teacher will discuss the details of the incident and related information with the parent(s), along with consequences of the actions taken.
- c. If the incident report is made by other staff members or another teacher, then the report will be given to the Truancy-Discipline/Student Success Officer for follow-up, and they will be responsible for contacting the student's parents, and for providing the student's teacher with a copy of the report and the action taken.
- d. Upon the fifth (5<sup>th</sup>) incident (grades N-3), the fourth (4<sup>th</sup>) for (grades 4-6), and before a suspension is given, the teacher will call a meeting with the student's parent(s). This will allow for resolutions and consequences to be explored and upon approval from the supervising Administrator, the teacher of the student will be notified as to action taken along with the reasons for the actions. In a situation where the reason is personal/ confidential in nature, the Administrator may have the discretion of withholding the reason from the teacher.

6.2 When reporting an incident that is considered a major offence, the following procedures are required:

- a. The teacher/staff will escort the student to the Principal immediately to ensure a safe environment;
- b. The teacher/staff will fill out a major incident form;
- c. The Principal or designated administrator (Vice-Principal) will investigate the incident, and will make a report and/or a recommendation for action. At this time, there will be a follow-up by means of phone calls or a hand delivered letter to the parent(s) and home-room teacher that outlines the incident and actions taken; and
- d. The teacher of the student will be notified as to the action taken along with a reason. If the reason is personal in nature, the Principal may have the discretion of withholding the reason from the teacher.

## 7. Consequences

- 7.1 For **MINOR INFRACTIONS**, the consequences are outlined in Appendices C, D, and E – depending on the grade level.
- 7.2 **For all MAJOR OFFENCES**, the student will automatically be suspended, so immediate action can be taken by a parent. These offences are serious in nature and must be documented and addressed in manner that ensures that the students realize the severity. The following will apply regarding suspension:
- a. 1st offence –suspension for a minimum 1-3 days suspension until a compulsory meeting is held with the parent(s) or guardian. (This meeting should take place immediately and no later than 2 days.)
    - i. in the event that a parent cannot be contacted or they do not take the initiative to contact Joe A. Ross School or Oscar Lathlin Collegiate, a concerned extended family member may be utilized (should the student request), or
    - ii. OEA may implement portions of the Manitoba Public Schools Act regarding parental responsibility.
  - b. 2nd offence- suspension 3-5 days and until a compulsory meeting is held with the parent(s) or guardian. (This meeting should take place immediately and no later than 2 school days)
    - i. in the event that a parent cannot be contacted or they do not take the initiative to contact Joe A. Ross School or Oscar Lathlin Collegiate, a concerned extended family member may be utilized (should the student request), or
    - ii. OEA may implement portions of the Manitoba Public Schools Act regarding parental responsibility. (Sections 58.6, 58.7, and 58.8)

### ***“Rights of parents***

- 58.6 *Subject to the provisions of this Act and the regulations, a person who is resident in Manitoba is entitled to enrol his or her child in a program in any school in Manitoba and to*
- (a) be informed regularly of the attendance, behaviour and academic achievement of his or her child in school;*
  - (b) consult with his or her child's teacher or other employee of the school division or school district about the child's program and academic achievement;*
  - (c) have access to his or her child's pupil file;*
  - (d) receive information about programs available to his or her child;*
  - (e) be informed of the discipline and behaviour management policies of the school or school division or school district, and to be consulted before the policies are established or revised;*
  - (f) be a member of an advisory council, local school committee or school committee at his or her child's school; and*

*(g) accompany his or her child and assist him or her to make representations to the school board before a decision is made to expel the child.*

### ***Responsibilities of parents***

*58.7 A parent of a child of compulsory school age or who is attending school shall*

*(a) cooperate fully with the child's teachers and other employees of the school division or school district to ensure the child complies with school and school division or school district student discipline and behaviour management policies; and*

*(b) take all reasonable measures to ensure the child attends school regularly.*

### ***Responsibility for damage***

*58.8 If property of a school division or school district is destroyed, damaged, lost or converted by the intentional or negligent act of a child, the child and his or her parents are jointly and severally liable to the school board for the loss."*

c. 3rd offence – suspension for a minimum 5 days - indefinite, or until a compulsory meeting is held with the Discipline Committee (if warranted)

7.3 Those students with BULLYING (See appendix F for further definition) offences will not have their records cleared, as bullying offences are serious in nature, and must be addressed in a manner that ensures that the students realize the severity and consequences of their actions. The following will apply:

a. Student will be suspended until a compulsory meeting is held with the parent(s)/guardian, student(s), and administration. Student will be suspended according to Major Offence's procedure (see above 7.2).

b. Develop a Behavioural Intervention Plan (see Appendix F) to address the problem.

c. If Bullying continues, the students will receive an automatic five (5) day suspension.

d. Upon third reported Bullying offence, the students will receive an indefinite suspension, and must face the Discipline Committee before possible re-entry.

7.4 Further to section 7.2, the student may be requested to agree upon one OR more of the following options for restitution, along with the suspension:

a. agree to attend counselling;

b. consider some type of mediation (conflict resolution, sharing circles, etc.);

c. if they were involved in vandalism, assist in cleaning or repairing school property under the supervision of the maintenance staff; and/or

d. pay a portion of the cost of vandalism, or "work off" their portion of the cost before they will be allowed back into the classroom setting.

e. develop a Behaviour Intervention Plan to address the safety concern.

f. be placed on home schooling until the safety concern is addressed.

- 7.5 In the event that the offence is illegal in nature, the Administrator will notify the parents of the situation, AND in certain circumstances will also refer the matter to:
- a. the police for major offences such as drugs, alcohol, threats, and assaults causing bodily harm; and/or
  - b. Child and Family Services
- 7.6 Where the situation warrants that the student should be expelled, the student will be given an indefinite suspension until the OEA Discipline Committee reviews the case and makes a recommendation to the OEA Board of Directors.
- 7.7 Students on suspension will not be allowed on OEA school premises during the suspension period, and the student will not be allowed to participate in school activities (field trips, sports, etc.) or use the school facilities (playgrounds, basketball court, etc), and the teacher(s) of the student along with parents will be notified of the suspension period.
- 7.8 In the event of suspension pursuant to section 7.6 and the student comes onto school property without parental supervision, the student may be charged with trespassing.
- 7.9 In the event that in-school suspension is given, then the student must attend the designated suspension area (class room, etc.), and must actively complete work assigned to them. Also, they will not be allowed to participate in school activities. The teacher(s) of the student along with parents will be notified of the suspension period and the corresponding expectations.
8. **Discipline Committee Meeting**
- 8.1 When a student is suspended indefinitely from school, a letter regarding the suspension will be hand – delivered to the parent(s). Copies of the letter will be sent to OEA.
- 8.2 The parent(s) will be responsible for contacting the Executive Assistant at Opaskwayak Educational Authority office to set up a meeting within a reasonable time frame. Failure to comply will result in mandatory legal implication.
- 8.3 The meeting requires input from the parent(s), the student(s), the appropriate personnel, and the committee members. A decision will be made, and recommendations will be implemented in writing in the form of an agreement to help the student return to school.



## APPENDIX A

### Types of Minor Infractions

*Classroom teachers are to deal with the following offences:*

Rough Play	<ul style="list-style-type: none"> <li>- play fighting whereby both students are not equal participants in the type of play, and this play fighting could lead to actual fighting</li> <li>- aggressive behaviour that prevents others from feeling safe/enjoying the school environment</li> <li>- pushing</li> <li>- shoving</li> </ul>
Some Fighting	- as a result of self-defence, the student may not get a suspension, but may receive a detention. If fighting exceeds self-defence, it is considered retaliatory and will be considered a major offence
Inappropriate Dress	<ul style="list-style-type: none"> <li>- apparel that is associated with known gangs</li> <li>- T-shirts or jackets with inappropriate wording that is offensive</li> <li>- dress attire should not be revealing</li> </ul>
Verbal	<ul style="list-style-type: none"> <li>- consistently calling names to hurt other students' feelings</li> <li>- foul language including swearing</li> <li>- calling parent(s) down consistently</li> <li>- sexual name calling</li> </ul>
Skippping/Tardiness	<ul style="list-style-type: none"> <li>- not attending all classes during the day (without notice from parent)</li> <li>- consistently late without reasonable explanation</li> </ul>
Missing Detention	- missing after school detention without a reason from the parent
Littering	- if you have been found littering and do not pick it up and put it in the appropriate area after being asked by a staff member
Running in Hallways	- if requested, time and time again, and student does not slow down
Bringing Trendy items and/or using them in the school property	<ul style="list-style-type: none"> <li>- if items are visible and/or being used, including portable music players, trading/game cards, laser pointers, cell phones, or electronic devices not used for school purposes;</li> <li>- skateboards, rollers blades, "Heelies", etc.</li> </ul>
Students with cigarettes and lighters	- if visible to teachers, staff, or other students, the infraction may be reported. Staff will confiscate the cigarette(s) and/or lighter(s), with items only returned to parents.

\* See clause 4.2 if infraction is not listed

## APPENDIX B

### Types of Major Infractions

Weapons	Anything used, designed/made to be used, or intended for use for the purpose of threatening or intimidating any person, or for causing injury or death	<p><b>1 to 5 day suspension</b></p> <p>*Principal has the authority to use his/her discretion regarding the number of days given to suspension.</p>
Fighting	- instigating fights and or coaching/recording - retaliatory fighting that is excessive	
Rough Play	play that leads to fighting and causes injury	
Drugs and Alcohol	possession or being under the influence of alcohol and or drugs	
Gang Activities	e.g.) visible gang colours, sign language, paraphernalia, and gang-related conduct	
Sacking/Pantsing/Wedging	with the intent to embarrass or hurt a student	
Sexual/Physical Assault/Harassment	either towards a student or staff member. See Appendix F for further definition.	
Swearing	malicious swearing at Staff/Peers	
Threatening	making others feel unsafe	
Vandalism	to the school property, school equipment, to students' property, or any graffiti.	
Insubordination	outright refusal to follow direction when asked politely	
Throwing rocks or snowballs	particularly at others with the intent to harm	
Stealing	all forms of theft	
Smoking on School grounds	smoking on school property	
Skipping classes and detentions Excessively	missing more than 3 classes per course (Excluding High School)	

\* See clause 4.2 if infraction is not listed

**APPENDIX C**

**Nursery to Grade 3**

**Student Discipline measures for minor infractions are:**

<b>*** In all cases the student will be made aware of the offence, and their parent(s) will be notified***</b>	
1 <sup>st</sup> Offence	recess privileges will be taken away for one (1) day
2 <sup>nd</sup> Offence	recess privileges will be taken away for two (2) days
3 <sup>rd</sup> Offence	parents will be notified, and after school detention will be given with the parent’s consent. If no consent is given for after school detention, then two lunch hour detentions will apply.
4 <sup>th</sup> Offence	parents will be requested to come into the school for a formal meeting with the Administrator and other parties that are involved, and may result in a three (3) day detention.
5 <sup>th</sup> Offence	the student will be referred to the In-School Supervision form of discipline. (With the exception of grades N-3.) If the In-School Supervision is not attended, then suspension will follow.

<b>Trendy Items</b>		
<b>1<sup>st</sup> time</b> – item will be confiscated and returned at the end of the day	<b>2<sup>nd</sup> time</b> – item will be confiscated and returned after one week (5 days)	<b>3<sup>rd</sup> time</b> – item will be confiscated until the end of the school year, and returned only to parent(s)

**\*If the student refuses to give up their Trendy Item, the incident will be considered as insubordination.**

## APPENDIX D

### Grades 4 – 6

**Student discipline measures and consequences for minor infractions are:**

<b>*** In all cases the student will be made aware of the offence or infraction and the parents will be notified. ***</b>	
1 <sup>st</sup> Offence	Detention after school for one (1) day.
2 <sup>nd</sup> Offence	Detention after school for two (2) days.
3 <sup>rd</sup> Offence	In-School Supervision for one (1) day and parent(s) must meet with Administration and teacher for remediation.
4 <sup>th</sup> Offence	Infraction is now considered a major offence.

<b>Trendy Items</b>		
<b>1<sup>st</sup> time</b> – item will be confiscated and returned at the end of the day	<b>2<sup>nd</sup> time</b> – item will be confiscated and returned after one week (5 days)	<b>3<sup>rd</sup> time</b> – item will be confiscated until the end of the school year, and returned only to parent(s)

**\*If the student refuses to give up their Trendy Item, the incident will be considered as insubordination.**

### **Suspension**

When a student is suspended, the teacher will assign work to be completed. If the work is not completed, the student will be required to attend tutoring sessions until the work is complete.

## APPENDIX E

### Grade 7-12

**Due to the use of the block system, the use of suspensions is deterred, as attendance is necessary. Attendance requirements are different.**

**Student Discipline measures and consequences for minor infractions are:**

<b>*** For all cases students are made aware of the offence and parent(s) will be contacted (if the student is under the age of 18)***</b>	
1 <sup>st</sup> Offence	Detention for one (1) to three (3) days.
2 <sup>nd</sup> Offence	Detention for four (4) to (5) days
3 <sup>rd</sup> Offence	One (1) day suspension. If a suspension falls on a test day, the student will automatically receive a zero.

<b>Trendy Items</b>		
<b>1<sup>st</sup> time</b> – item will be confiscated and returned at the end of the day.	<b>2<sup>nd</sup> time</b> – item will be confiscated and returned after one week (5 days)	<b>3<sup>rd</sup> time</b> – item will be confiscated until the end of the school year and returned after one month. Also parent must pick up the item to ensure that school rules are known.

**\*If the student refuses to give up their Trendy Item, the incident will be considered as insubordination.**

### **Suspension**

When a student is suspended, the teacher will assign work to be completed. If the work is not completed, the student will be required to attend tutoring sessions until the work is complete.

## APPENDIX F

### Definitions

**Administrators** – is the Principal and Vice-Principal (Elementary, Middle and High School) of the Joe A. Ross School and Oscar Lathlin Collegiate.

**Counselling/Resource** - The student support team utilized to assist with academic and social needs of the students

**Student Success Officer** – the person employed by OEA to act as a liaison between the student, parent(s) and community (part of Administration).

**Mediator** – a neutral person that will assist in developing guidelines and possibly an agreement that could be reached regarding changing actions.

**Parent(s)** – also includes the guardians/caregivers of the student

**Truancy/Discipline Officer** – is the person employed by OEA to manage major offences and consequences as per the Discipline Policy (part of Administration).

**In School Supervision** – An option used as an alternative to suspension.

**Physical Assault** occurs when a person:

- a) Without the consent of another person, applies force intentionally to that other person, directly or indirectly.
- b) Attempts or threatens, by an act or gesture, to apply force to another person such that the other person has reason to believe that force may be applied.

**Fighting** occurs when students attempt to resolve disputes through physical force.

**Verbal, Electronic or Emotional Abuse** includes, but is not limited to, abuse which occurs:

- a) At school or on school property;
- b) At school-related social, athletic, or educational functions, which can occur outside of school hours;
- c) Out of school property if the effects of which abuse is brought into school property;
- d) Over the telephone, internet or other electronic devices;
- e) In writing, whether or not such written communication is addressed specifically to a person or group of people or is intended for wider publication.

### Suspension

- a) Suspension is defined as a “temporary stopping of a student’s right to attend school classes by someone having been given the authority to do so”.
- b) Suspensions involve both in-school and out-of-school suspension and are part of the range of disciplinary measures available to teachers and principals in the maintenance of

discipline, as mandated by the Public School Act [Section 48(4) and Regulations 468/88R: Section 33 (1&2)].

*“48(4) Subject to the regulations and notwithstanding any other provision of this Act, a school board may suspend or expel from a school any pupil who, upon investigation by the school board, is found to be guilty of conduct injurious to the school environment.”*

*“Regulations 468/88R*

*“33(1) The principal has disciplinary authority over all pupils of the school (a) on their way to and from school, in terms of their conduct towards one another; and (b) while they are being conveyed to or from school, in a division or district that provides transportation.”*

*“33(2) The driver of a school bus shall report to the principal any misconduct of pupils while entering, leaving or being conveyed in a vehicle under the driver's charge.”*

c) Suspension from school is a serious consequence and is applied when other disciplinary measures have been found to be ineffective or when the student's behaviour endangers fellow students, teachers, or school officials, or damages property. In all cases of suspension, the necessary documentation is forwarded to the Director of Education.

### **Expulsion**

a) Expulsion by the Board of Directors is a serious consequence, occurring when it is determined that a student's continued presence in the schools is injurious to other students.

b) Expulsion requires an official action by the Board of Directors and is completed in accordance with the Public School Act, Section 48(4). An expulsion means that the student may not attend any school operated by Opaskwayak Educational Authority, until such time as the Board of Directors may remove the expulsion order.

### **Behaviour Intervention Plan**

a) Students who present a high level of behaviour that is disruptive, aggressive, and/or violent and which interfere with the learning environment of the classroom/school and present a safety concern for themselves and/or others may require a Behaviour Intervention Plan.

b) The focus of a Behaviour Intervention Plan is on proactive strategies that enable the child to learn appropriate behaviours and skills. It provides a written commitment on the part of the student, parents, and staff as to the actions that will be taken to correct the student's behaviour, as well as the consequences which will result if positive changes do not occur.

***PROCEDURE  
FOR STUDENT DISCIPLINE***

**STUDENT**

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**TEACHER**

~~~~~

**PARENT - GUARDIAN**

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**TRUANCY-DISCIPLINE WORKER AND/OR STUDENT  
SUCCESS OFFICER**

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**PRINCIPAL -  
VICE-PRINCIPAL(S)**

~~~~~

**COUNSELLING UNIT**

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**When required: ASSESSMENT**

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**DISCIPLINE COMMITTEE  
(SUSPENSION)**

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**OEA BOARD**