

**DATE:** April 28, 2020

**TO:** Board of Trustees

**FROM:** Trustee Bridget Stirling, Chair, Policy Review Committee  
Trustee Sherry Adams, Policy Review Committee  
Trustee Michael Janz, Policy Review Committee

**SUBJECT:** Annual Review of Board Policy HG.BP Student Behaviour and Conduct

**ORIGINATOR:** Karen Mills, Director Board and Superintendent Relations

**RESOURCE STAFF:** Marnie Beaudoin, Nancy Petersen

**REFERENCE:** [Trustees' Handbook](#) Section 5.4 – Caucus Committee  
Board Policy CH.BP – Framework for Policy Development and Review  
Annual Policy Review for *School Act* Compliance, [June 25, 2019, Board report HG.BP Student Behaviour and Conduct Education Act](#)

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## ISSUE

Section 33 of the *Education Act* requires Boards to establish, implement and maintain a policy and code of conduct respecting the Board's obligation to provide a welcoming, caring, respectful and safe learning environment that includes a code of conduct for students that addresses bullying behavior. The Policy Review Committee is bringing forward Board Policy HG.BP Student Behaviour and Conduct for its annual review, in alignment with the *Education Act*.

## BACKGROUND

- At the June 25, 2019, public Board meeting, the Policy Review Committee presented Board Policy HG.BP Student Behaviour and Conduct for an annual review to ensure compliance with legislation Bill 24: *An Act to Support Gay-Straight Alliances*. Bill 24: *An Act to Support Gay-Straight Alliances* was subsequently incorporated into the *School Act*.
- Alberta Education released the new *Education Act* and 21 provincial regulations in August 2019 effective September 1, 2019.
- The Policy Review Committee included the required work to bring Board policies into alignment with this new legislation in their 2019-2020 work plan. This work includes ensuring all policies reflect alignment to the direction of the new provincial legislation that came into effect this fall.
- Under the new provincial legislation, Board Policy HG.BP Student Behaviour and Conduct requires some minor revisions beyond the expectation of an annual review.
- Board Policy HG.BP Student Behaviour and Conduct has been revised to reflect new provincial legislation and is being presented for first, second, third and final reading. There will be no engagement related to the revised policy as changes reflect alignment to provincial legislation.

## RELATED FACTS

- To ensure compliance with the *Education Act*, the following changes were made to Board Policy HG.BP Student Behaviour and Conduct:

- Language was changed throughout the policy to reflect the legislative shift from the *School Act* to the *Education Act*.
- Previous requirements related to student behavior and conduct in the policy through Section 12 of the *School Act* were changed to reflect the requirements of Section 31 of the *Education Act*.
- In the Accountability section of the policy, requirements from the *School Act* 45.1(6) were changed to reflect the requirements of the *Education Act* 33(3).
- In the References section of the policy, all referenced sections from the *School Act* were replaced with the appropriate *Education Act* sections.
- To enhance clarity, the word “retribution” was changed to “restitution” in the section pertaining to consequences for unacceptable behaviour.
- The term “parent” has been expanded to “parent/guardian” throughout the policy.
- Board Policies GGAB.BP Multicultural Education and HAA.BP First Nations, Métis, and Inuit Education were added to the References section of the policy to reflect the relevance of these policies to Board Policy HG.BP Student Behaviour and Conduct.

## RECOMMENDATION

1. **That Board Policy HG.BP Student Behaviour and Conduct be considered for the first, second, third and final time at this meeting.**
2. **That Board Policy HG.BP Student Behaviour and Conduct be considered for the first time.**
3. **That Board Policy HG.BP Student Behaviour and Conduct be considered for the second time.**
4. **That Board Policy HG.BP Student Behaviour and Conduct be considered for the third and final time and approved.**

## OPTIONS

Based on the information provided in this report, the following options are considered most appropriate:

1. Accept and approve the revised draft Board Policy HG.BP Student Behaviour and Conduct to the Board of Trustees for first, second, third and final reading on April 28, 2020, without further changes.
2. Provide feedback and/or request changes to the revised draft Board Policy HG.BP Student Behaviour and Conduct.

## CONSIDERATIONS and ANALYSIS

To ensure compliance with the *Education Act*, Board Policy HG.BP Student Behaviour and Conduct is required to undergo a review every year. This year there are revisions required to reflect alignment with new provincial legislation, as well as minor changes to terminology.

## NEXT STEPS

Once approved, Board Policy HG.BP Student Behaviour and Conduct will be posted to the Division’s public website and the update will be communicated to staff.

## ATTACHMENTS and APPENDICES

ATTACHMENT I     Draft Board Policy HG.BP Student Behaviour and Conduct

MB:mb

**CODE:** HG.BP

**EFFECTIVE DATE:** (19-06-2018)

**TOPIC:** Student Behaviour and Conduct

**ISSUE DATE:** (20-06-2018)

**REVIEW YEAR:** (2024)

## PURPOSE

To reflect the Board of Trustees' (the Board) mandated responsibility and expectation for providing a welcoming, caring, respectful and safe learning and working environment that respects diversity and fosters a sense of belonging throughout the Division.

To establish and maintain an appropriate balance between individual and collective rights, freedoms, and responsibilities in the school community. To establish expectations for student behaviour and conduct and responses to unacceptable behaviour in accordance with the *Alberta Education Act*.

## DEFINITIONS

Definitions for the following terms and for terminology for all other policies related to AE.BP Welcoming, Inclusive, Safe and Healthy Learning and Working Environments are also found in a Glossary of Terms (linked in References).

- **Bullying** is defined in the *Education Act* as “repeated and hostile or demeaning behaviour by an individual in the school community where the behaviour is intended to cause harm, fear or distress to one or more other individuals in the school community, including psychological harm or harm to an individual’s reputation.”
- **Conflict** occurs when there is a breakdown in relationships between individuals that results from a disagreement or misunderstanding. While conflicts may require adult intervention, they are considered to be a natural part of how students learn to navigate relationships.
- **Academic Integrity** is honest and responsible academic behaviour. Students are expected to submit original work, acknowledge sources, and conduct themselves ethically in the completion of assessments and examinations.

## POLICY

The Board is committed to ensuring that each student is provided with a welcoming, caring, respectful and safe learning environment that supports high quality learning, respects diversity, and fosters a sense of belonging and a positive sense of self. Students are expected to learn, practice, and demonstrate positive personal and interpersonal character traits that contribute to the development of productive learning environments.

This policy affirms the rights, as provided for in the *Alberta Human Rights Act* and the *Canadian Charter of Rights and Freedoms*, of each student enrolled in a school operated by the Board. Students enrolled in a school operated by the Board will not be discriminated against as provided for in the *Alberta Human Rights Act* or the *Canadian Charter of Rights and Freedoms*.

## EXPECTATIONS

### A. STUDENT RIGHTS AND RESPONSIBILITIES

1. Students have the right to be treated with dignity, respect, and fairness by other students and staff.
2. Students are expected to respect diversity and refrain from demonstrating any form of discrimination on the basis of race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, ancestry, place of origin, marital status, source of income, family status or sexual orientation.
3. Students and parents/guardians will be informed of the Board's and school's expectations for student behaviour and conduct.

### B. STUDENT BEHAVIOUR AND CONDUCT

1. The Board expects that students behave in accordance with Section 31 of the *Education Act*. Section 31 states that a student, as a partner in education, has the responsibility to:
  - a. be ready to learn, actively engage in and diligently pursuing the student's education
  - b. attend school regularly and punctually
  - c. co-operate with everyone authorized by the Board to provide education programs and other services
  - d. comply with the rules of the school and the policies of the board
  - e. be accountable to the student's teachers and other school staff for the student's conduct
  - f. respect the rights of others in the school
  - g. ensure the student's conduct contributes to a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging
  - h. refrain from, report and not tolerate bullying or bullying behaviour directed toward others in the school, whether or not it occurs within the school building, during the school day or by electronic means
  - i. positively contribute to the student's school and community.
2. Furthermore, students are expected to:
  - a. resolve conflict or seek assistance to resolve conflict in a peaceful, safe, and non-threatening manner that is conducive to learning and growth. Strategies for addressing conflict between students may include counselling, mediation, or forms of restorative practice
  - b. use school and personal technology appropriately and ethically
  - c. ensure that they conduct themselves with academic integrity and refrain from and report all incidents of academic misconduct including, but not limited to, cheating and plagiarizing.

### C. UNACCEPTABLE BEHAVIOUR

1. Students are accountable for their behaviour whether or not it occurs within the school building, on school property, during the school day or by electronic means. When behaviour that occurs off school property or outside of regular school hours threatens the safety or well-being of individuals within the school community or disrupts the learning environment, school administrators may apply consequences for the behaviour.
2. Examples of unacceptable behaviour include but are not limited to:
  - a. behaviours that interfere with the learning of others and/or the school environment
  - b. behaviours that create unsafe conditions

- c. acts of bullying, harassment, threats, or intimidation whether it be in person, indirectly, or by electronic means
- d. physical violence
- e. retribution against any person who has intervened to prevent or report bullying or any other incident or safety concern
- f. possession, use or distribution of substances restricted by federal, provincial, municipal, Division or school authorities
- g. any illegal activity such as:
  - i. possession, use or distribution of illegal substances
  - ii. possession of a weapon or use of a weapon (or replica) to threaten, intimidate or harm others
  - iii. possession, use, display, or distribution of offensive messages, videos or images
  - iv. theft or possession of stolen property
- h. any breach of rules and expectations established by Division administrative regulations or a school-based code of conduct
- i. failure to comply with Section 31 of the *Education Act*.

#### D. CONSEQUENCES FOR UNACCEPTABLE BEHAVIOUR

1. Unacceptable behaviour may be grounds for disciplinary action, and provides the student with an opportunity for critical learning and reflection in the areas of personal accountability and responsibility, the development of empathy, as well as communication, conflict resolution, and social skills development.
2. Consequences for unacceptable behaviour must take into account the student's age, maturity, individual circumstances, and frequency of misconduct. The specific circumstances of the situation and of the student must be taken into account when determining appropriate responses to unacceptable behaviour.
3. When a student engages in unacceptable behaviour, consequences may include, but are not limited to:
  - a. temporary assignment of a student to an alternate supervised area within the school
  - b. temporary assignment of a student to an alternate learning location
  - c. short term removal of privileges
  - d. interventions such as positive behaviour supports, contracts, counselling, restorative practices;
  - e. replacement or restitution for loss of or damage to property
  - f. in-school or out-of-school suspension
  - g. referral to Attendance Board
  - h. recommendation for expulsion.
4. Consequences for unacceptable behaviour include support for students impacted by unacceptable behaviour as well as students who engage in unacceptable behaviour.

## ACCOUNTABILITY

The Superintendent of Schools will be responsible for implementing this policy through appropriate regulations and communication with Division stakeholders, including staff, students and parents/guardians. Furthermore, the Superintendent will provide the Board with information on implementation of the policy through the annual results review process and in the Alberta Education Results Report. This policy will be made publicly available, provided to all staff, students and parents/guardians, and will be reviewed annually.

The Division is governed by the *Freedom of Information and Protection of Privacy Act* (FOIP).

In alignment with Section 33(3) of the *Education Act*, the Board shall ensure the policy:

- be made publicly available
- be reviewed every year
- be provided to all staff of the Board, students of the Board and parents/guardians of students of the Board
- be in accordance with any further requirements established by the Minister by order.

## REFERENCES

AE.BP – Welcoming, Inclusive, Safe and Healthy Learning Environments

AD.BP – Vision, Mission, Values, and Priorities

AEBB.BP – Wellness of Students and Staff

DKB.AR – Appropriate Use of Division Technology

FA.BP – Human Resources Framework

FBCA.AR – Respectful Working Environments

FBEB.AR – Workplace Violence

HAA.BP - First Nations, Métis and Inuit Education

HED.BP – Student Attendance

HF.BP – Safe, Caring and Respectful Learning Environments

HFA.BP – Sexual Orientation and Gender Identity

HG.AR – Student Behaviour and Conduct

HGD.BP – Student Suspension and Expulsion

GGAB.BP - Multicultural Education

Glossary of Terms

*Alberta Human Rights Act*

*Canadian Charter of Rights and Freedoms*

*Freedom of Information and Protection of Privacy Act*

*Education Act* 1(1)(d), 31, 33(1)(d), 33(2), 33(3), 35.1, 36, 37, 45-50