

DATE: May 17, 2022

TO: Board of Trustees

FROM: Trustee Marsha Nelson, Policy Review Committee
Trustee Jan Sawyer, Chair, Policy Review Committee
Trustee Saadiq Sumar, Policy Review Committee

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

ORIGINATOR: Karen Mills, Director, Board and Superintendent Relations

RESOURCE STAFF: Kelsey Duebel, Gail Haydey, Nancy Petersen

REFERENCE: [Board Policy CH.BP – Framework for Policy Development and Review Education Act Section 33](#)

ISSUE

The Policy Review Committee has conducted its annual review of Board Policy HG.BP Student Behaviour and Conduct and is recommending that no changes be made to the policy this year.

BACKGROUND

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 the establishment of a code of conduct for students that addresses bullying behaviour. An annual review of the code of conduct is required.

The Board's previous annual review of Board Policy HG.BP Student Behaviour and Conduct resulted in a range of substantial revisions to the policy, which were approved by the Board on September 7, 2021. Stakeholders provided feedback on these changes through an online survey during the summer of 2021. The changes focused on:

- **Anti-racism and equity.** Specifically, strengthening the policy's commitment to anti-racism; defining anti-racism, racism and discrimination; and specifying that racism and discrimination are unacceptable behaviours and that there is an expectation to refrain from bullying, harassment, threats or intimidation on the basis of a range of identity factors.
- **Restorative practices.** Specifically, strengthening the policy's commitment to a continuum of proactive, supportive and responsive discipline; defining restorative practices; and clarifying that restorative practices will be used where appropriate and agreed upon by impacted students.
- **Online learning environments.** Specifically, clearly setting expectations that student behaviour and conduct contribute to positive learning environments both in-person and online.

RELATED FACTS

- The Policy Review Committee reviewed Board Policy HG.BP Student Behaviour and Conduct at its committee meetings on March 15 and April 12, 2022.
- The review was supported by staff from Strategic Division Supports, Division Support Services and Specialized Learning Supports.

- The recommendation for no changes to the policy this year is based on the following considerations:
 - The substantive nature of the changes made in the previous year’s review and approved at the beginning of the current school year.
 - The recent opportunity for stakeholder engagement in the summer of 2021 and consideration of the potential to overburden stakeholders with frequent requests for input on this policy.
 - The opportunity for the collection of extended student demographic data in the 2022-2023 school year and ongoing Division work on anti-racism and equity to inform the next annual review of this policy.

RECOMMENDATION

That the Policy Review Committee’s recommendation that Board Policy HG.BP Student Behaviour and Conduct remain as written based on the 2022 annual review be approved.

OPTIONS

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

1. Approve the recommendation for no changes to Board Policy HG.BP Student Behaviour and Conduct as a result of the 2022 annual review.
2. Direct the Policy Review Committee to make changes to Board Policy HG.BP Student Behaviour and Conduct as part of its 2022 annual review.

CONSIDERATIONS and ANALYSIS

The Policy Review Committee’s 2021-2022 work plan includes the required annual review of Board Policy HG.BP Student Behaviour and Conduct. Approval of the recommendation for no changes to the policy this year will support achievement of this requirement by concluding this year’s annual review.

NEXT STEPS

Upon approval of the recommendation, the Board of Trustees’ statutory requirement to conduct an annual review of Board Policy HG.BP Student Behaviour and Conduct will be completed for 2022.

ATTACHMENTS and APPENDICES

ATTACHMENT I Board Policy HG.BP Student Behaviour and Conduct

JS:kd

CODE: HG.BP

EFFECTIVE DATE: (12-09-2006)

TOPIC: Student Behaviour and Conduct

ISSUE DATE: (07-09-2021)

REVIEW YEAR: (2028)

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, commits to anti-racism 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*.

To affirm the Board's commitment to proactive, supportive and responsive discipline that includes, where appropriate, analysis, restorative practices and consequences.

DEFINITIONS

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

- **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.
- **Anti-racism** is the proactive and consistent process of identifying, challenging, preventing and eliminating racism. It uses direct action to acknowledge where privilege exists, raise awareness, advocate for change and challenge beliefs (such as prejudice, bias and stereotypes) at the personal and institutional level to create and implement action to fight racism for individuals and within an organization, workforce or group.
- **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.
- **Discrimination** is negative differential treatment of a person or group on the basis of race, religious beliefs, ethnicity, language, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, gender identity and/or gender expression or sexual orientation.

- **Racism** includes conscious and unconscious discriminatory or derogatory attitudes, microaggressions, comments or actions directed at marginalized groups relative to race or culture. It is based on assumptions, perceptions, social constructs, lack of knowledge or personal beliefs of superiority. Racism occurs in the context of a power and privilege imbalance and can be experienced at the individual, institutional or systemic level.
- **Restorative practice** is an approach that brings together those who have caused harm and those who have been harmed to openly resolve the issue. Restorative practice can range in formality; however, it always involves an agreed upon action to repair harm and mend relationships.

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 positive learning environments, including both in-person and online.

The Board acknowledges the importance of responsive discipline which involves a continuum of interventions that aim to build a sense of community in schools, facilitate healthy relationships, support behavioural changes, repair harm and hold students accountable.

This policy affirms the rights, as provided for in the *Canadian Charter of Rights and Freedoms*, the *Alberta Human Rights Act* and the *Alberta Education Act*, 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 bullying, harassment, threats, intimidation or 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 pursue 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 respectful, 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, discrimination, racism, 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. RESPONSES AND CONSEQUENCES FOR UNACCEPTABLE BEHAVIOUR

1. Unacceptable behaviour may be grounds for disciplinary action. Responsive discipline 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. Responses to 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, responses, interventions and 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 and counselling.
 - e. Restorative practices, where appropriate and agreed upon by impacted students.
 - f. Replacement or restitution for loss of or damage to property.
 - g. In-school or out-of-school suspension.
 - h. Referral to the Attendance Board.
 - i. Recommendation for expulsion.
4. Responses to 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

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

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

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

HAAB.BP - Anti-racism and Equity

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

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