

CAPSTONE ENGINEERING ACADEMY

STUDENT CODE OF CONDUCT AND DISCIPLINE POLICY

Effective Date: July 2021

Student Code of Conduct

This Code of Conduct applies to students of Capstone Engineering Academy (Capstone).

In keeping with the values of Capstone Engineering Academy to ensure that all students, staff, volunteers and other stakeholders are provided with a welcoming, caring, respectful and safe learning environment, it is expected that students shall:

- 1) Treat other students with respect.
- 2) Treat the staff, volunteers, stakeholders and the facility with respect.
- 3) Show respect for authority, property and differences in race, colour, religion, physical disability, mental disability, ancestry, place of origin, age, gender, gender expression, gender identity and sexual orientation.
- 4) Be punctual and prepared for daily lessons and procedures.
- 5) Contribute to being a part of the positive, welcoming, caring, respectful and safe learning environment; reporting any incidents of harassment, bullying, discrimination or violence during or outside of school related activities.
- 6) Respect diversity and refrain from demonstrating any form of discrimination.
- 7) Be positive members of the Capstone Engineering Academy community, making appropriate use of school supports to gain maximum learning potential, both academically and socially, from the program.
- 8) Recognize the zero-tolerance policy regarding use and/or possession of drugs and associated paraphernalia; this is an expellable offence.
- 9) Act in a safe, mature manner in school and on the school bus.
- 10) Comply with the rules of the school.
- 11) Attend school regularly and punctually.
- 12) Be accountable to their teachers for their conduct.
- 13) Co-operate fully with everyone authorized by the Board to provide education programs and other services.

- 14) Contribute positively to the environment and culture of the school.
- 15) Refrain from by-standing or participating in, and shall report immediately to a staff member, any witnessed bullying or bullying behaviour directed towards students, staff or others, whether during school hours or not, in the school building or premises or not, or by any electronic means.
- 16) Follow safety procedures as outlined by school staff, administration, bus drivers and other stakeholders.
- 17) Treat Capstone Engineering Academy as though it were their own home and respect all Capstone property.
- 18) Be prohibited from engaging in unacceptable behaviours such as bullying, defined by 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.” Such behaviour is unacceptable whether or not it occurs within the school building, during the school day or by electronic means.
- 19) Be prohibited from engaging in other unacceptable behaviours including theft, intimidation, harassment, discrimination, criminal activity, endangering selves or others, encouraging unacceptable conduct, cyber bullying, being under the influence of drugs or alcohol, use of improper or abusive language, physical altercations interfering with the orderly conduct of classes and other willful disobedience or defiance. Such behaviour is unacceptable whether or not it occurs within the school building, during the school day or by electronic means.
- 20) Support members of the Capstone Engineering Academy community who are in need of assistance.
- 21) Abide by this Code of Conduct and the school expectations as laid out in the Capstone Engineering Academy Handbook.
- 22) Sign the behaviour, conduct and expectations contract for student, and abide by the contract.

This Code of Conduct shall be made publicly available on the school website and shall be provided to all staff, students, and parents.

This Code of Conduct shall be reviewed each school year.

Student Discipline

Definitions

- a) **Discipline** – means any nonviolent corrective action or behavioural intervention that attempts to curtail undesirable behaviour and includes a wide variety of behavioural interventions on a continuum of progressive consequences. The *Education Act* must be fully adhered to for any and all forms of Discipline. No form of corporal punishment is to be used.
- b) **Time-Out** – is a strategy within a continuum of behavioural interventions used when less restrictive mediating techniques have not been successful or when the behaviour is unexpected and puts the safety of staff and/or students in jeopardy.

The continuum of progressive behavioural intervention includes:

- a) Strategies to refocus or reengage the student in classroom activities and participation.
- b) Assignment of the student to an alternative activity.
- c) Time-outs.
- d) Detentions.
- e) In school suspensions.
- f) Out of school suspensions.
- g) Expulsion.

Principals and teachers must ensure that a school wide progressive discipline plan is consistent with the Welcoming, Caring, Respectful and Safe Learning and Work Environments Policy.

- 1) Activities that may constitute a violation of this Code of Conduct include, but are not limited to, bullying whether in person during the school day or by electronic means, physical harm or assault upon others, harassment, hazing, gang activities, weapons in school, drug and alcohol use, and improper conduct on buses or on field trips.
- 2) Unacceptable behaviour may be grounds for disciplinary action and, in each and every circumstance, 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.
- 3) In the assessment of the potential disciplinary consequences of unacceptable behaviour, the school shall also consider a student's age, maturity, individual circumstances, and frequency of the misconduct. In addition, the specific circumstances of the situation and of the student must be taken into account when determining appropriate responses to unacceptable behaviour.
- 4) The school will ensure that support is provided for students who are impacted by inappropriate behaviour, as well as for students who engage in inappropriate behaviour.
- 5) **Time-outs** may take the following forms:
 - a) Non-exclusion Time-out where the student is removed from the activity but is allowed to observe the activity. The student must resolve the matter with the teacher before re-entry into the activity.
 - b) Exclusion Time-out where the student is removed from the activity and is not allowed to observe the activity. The student is supervised. The student must resolve the matter with the teacher before re-entry into the classroom or activity.

- 6) **Suspensions:** The *Education Act* must be fully adhered to.
- a) In-school suspension. The purpose of a suspension is to create the conditions in which a disciplinary problem can be discussed and resolved. A student will be supervised during an in-school suspension and will continue to receive an education program during that suspension.
 - b) Out of school suspensions. Students who are repeatedly disciplined by teachers or school staff may be suspended from school by the Principal.

A suspension may be from one or more classes. Every suspension must follow the procedures set out in this policy and any other relevant processes.

The Principal must decide under what circumstances a teacher must consult with the Principal before a teacher suspends a student. The Principal must communicate this decision to all teachers. The Principal will set out the process under which an investigation into possible suspension will be conducted, including an investigation must be undertaken and how to conduct the investigation as authorized under the *Education Act*.

A student may be suspended from one class if in the opinion of the teacher any of the following has occurred:

- a) The student did not comply with this Code of Conduct, including student responsibilities under section 31 of the *Education Act*;
- b) The student's conduct, whether or not the conduct occurred within the school building or during the school day, was injurious to the physical or mental well-being of others in the school; or
- c) The student distributed an intimate image of another person (section 1(1.1) of the *Education Act*).

If a teacher is empowered, in certain circumstances, to suspend a student from class without consultation with the Principal, the teacher must immediately inform the Principal of any suspension.

If a student is suspended the Principal, or the Principal's designate, shall forthwith:

- a) Immediately inform the student's parents of the suspension and the reasons for such;
- b) Meet with the student's parents, and where appropriate the student, to discuss the reasonableness of the suspension and alternative interventions; and
- c) Provide a copy of the written report to the student's file and the student's parents.

The written report must include, but is not restricted to:

- a) The date and duration of the suspension;
- b) Names of persons involved in the incident;
- c) The relevant history;

- d) Contacts made with the parents;
- e) Interventions which have been tried with the student;
- f) Information regarding review procedures; and
- g) Expectations for the student's conduct upon return.

Only the Principal may reinstate a student suspended by a teacher or by the Principal. The Principal must do so immediately after the end of the suspension. The decision of a teacher to suspend a student from one class period is final and no appeal lies from the teacher's decision.

The Principal may suspend a student from school, one or more class periods or courses, any transportation provided by Capstone, or any school-related activity if any of the following has occurred:

- a) The student did not comply with this Code of Conduct, including student responsibilities under section 31 of the *Education Act*;
- b) The student's conduct, whether or not the conduct occurred within the school building or during the school day, was injurious to the physical or mental well-being of others in the school; or
- c) The student distributed an intimate image of another person (section 1(1.1) of the *Education Act*).

If the Principal decides that a suspension from school for a single or multiple day(s), or an extended suspension is warranted, the Principal must do the following:

- a) Immediately inform the student and the student's parents of the suspension;
- b) Report in writing to the student's parents all the circumstances respecting the suspension;
- c) Provide an opportunity to meet with the student's parents (and the student if the student is 16 years or older) to discuss the suspension;
- d) Reinstate the student after the suspension; and
- e) Organize a reinstatement meeting, during which those present will collaborate to develop a plan to support the reinstated student to integrate into school community.

If, during the suspension, the Principal received additional information that reasonably warrants a suspension of a longer duration than the initial suspension, then the Principal may extend the duration of the suspension, but the combined length of the initial suspension and the extended suspension must not exceed 5 days. The Principal's decision to suspend a student is final. No appeal lies from that decision.

7) **Expulsion.** The *Education Act* must be fully adhered to.

If a Principal determines that an expulsion may be warranted in the circumstances, either as the initial response to an incident or during a suspension after obtaining additional information, the Principal must consider whether to recommend an expulsion of a student. The Principal must conduct an investigation into whether expulsion is

reasonably warranted in the circumstances. The Principal will follow all documented processes for investigations, including how to conduct the investigation as authorized under the *Education Act* and to ensure an effective and reasonable investigation.

A Principal may recommend, to the Board, the expulsion of a student if any of the following has occurred:

- a) The student did not comply with this Code of Conduct, including student responsibilities under section 31 of the *Education Act*;
- b) The student's conduct, whether or not the conduct occurred within the school building or during the school day, was injurious to the physical or mental well-being of others in the school; or
- c) The student distributed an intimate image of another person (section 1(1.1) of the *Education Act*).

The Board will document an expulsion hearing process which adheres to the principles of fundamental justice and procedural fairness, and includes:

- a) Formal notification to the student's parents of the purpose and process of the hearing, the recommendation for expulsion, the option for the student's parents to make representations at the hearing and that the student's suspension will remain in effect until a decision is reached;
- b) The hearing must be held within 9 school days after the first day of the suspension, or later if agreed to be all interested parties;
- c) The Board Chair will designate an Adjudicator from among the Board members (the Adjudicator will remain independent and separate from the Board in relation to this suspension);
- d) Determination of the school representatives who will make representations in relation to the Principal's recommendation and to notify the Adjudicator and the student's parents;
- e) The expulsion hearing will be held in private;
- f) During the hearing the student and the student's parents:
 - i. May request to review and have the opportunity to review (in private and for a reasonable time in the circumstances) the records relied on by the school representatives, subject to all limitations reasonably warranted in the circumstances to protect privacy and safety;
 - ii. May make representations orally or in writing or both;
 - iii. May be represented by legal counsel;
 - iv. May pose questions to the Adjudicator but not to school representatives or the Principal; and
 - v. Must not create any audio, visual or audiovisual recording of the expulsion hearing or the records reviewed.

and

- g) During the hearing the Principal, and other school representatives:
 - i. May make representations orally or in writing or both;
 - ii. May be represented by legal counsel if the student or the student's parents are represented by legal counsel;
 - iii. May pose questions to the Adjudicator but not to the student or the student's parents; and

- i. Must not create any audio, visual or audiovisual recording of the expulsion hearing.
- h) The Adjudicator will follow appropriate procedural fairness processes in conducting the hearing; and
- i) At the conclusion of the hearing, the Adjudicator must consider all relevant evidence and representations and must deliberate in private.

The Adjudicator's decision to expel or reinstate a student is final. The expulsion takes effect immediately following the Adjudicator's decision.

The Board will document the processes for expelling or reinstating a student after an expulsion hearing and these processes will be followed. These processes will include how the Board will ensure that

- a) the student is provided with a supervised education program consistent with the requirements of the *Education Act* and related regulations;
- b) the student is provided with supports and services in accordance with the *Education Act*; and
- c) the Board makes all reasonable efforts to ensure the attendance of the student in accordance with compulsory education requirements in *Education Act*.

8) **Exceptional Circumstances.**

A Principal may make a decision that is outside the limitations of this policy if all of the following apply:

- a) Exceptional circumstances exist to warrant the decision;
- b) The decision is reasonable in the exceptional circumstances;
- c) The decision complies with the *Education Act*;
- d) The Board approves of the decision; and
- e) The Principal notifies, in writing, the student's parents (and the student if the student is 16 years or older) of the decision and the exceptional circumstances that warrant the decision.

The decision of the Principal to make a decision outside the limitation of the policy is final.

The Adjudicator may make a decision that is outside the limitations of this policy if all of the following apply:

- a) Exceptional circumstances exist to warrant the decision;
- b) The decision is reasonable in the exceptional circumstances;
- c) The decision complies with the *Education Act*; and
- d) The Board notifies, in writing, the student's parents (and the student if the student is 16 years or older) of the decision and the exceptional circumstances that warrant the decision.

The decision of the Adjudicator to make a decision outside the limitation of the policy is final.

- 9) **Record Retention.** All records relating to this policy will be maintained and disposed of in accordance with relevant legislative requirements, as set out in any applicable policy.

10) **Police Involvement.** Police will be involved to deal with students who have broken the law.