

DATE: September 7, 2021

TO: Board of Trustees

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

SUBJECT: Board Policy HG.BP Student Behaviour and Conduct

ORIGINATOR: Karen Mills, Director Board and Superintendent Relations

RESOURCE STAFF: Kelsey Duebel, Rachel Foley, Gail Haydey, Nancy Petersen

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

ISSUE

The Policy Review Committee has conducted its annual review of Board Policy HG.BP Student Behaviour and Conduct and is presenting the updated policy to the Board of Trustees at public Board for second, third and final reading.

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 behavior. An annual review of the code of conduct is required.

RELATED FACTS

- On June 22, 2021, the Board of Trustees approved the first reading of the Board Policy HG.BP Student Behaviour and Conduct and directed stakeholder engagement through a public online survey to inform the final draft of the policy.
- The Board's annual review resulted in proposed changes to the policy related to anti-racism, restorative practices and online environments. These changes include:
 - Addition of anti-racism language and the commitment to anti-racist learning and working environments.
 - A definition of anti-racism, in alignment with the Anti-racism and Equity policy.
 - Inclusion of racism and discrimination as unacceptable behaviours.
 - Specification that respecting diversity includes the expectation to refrain from demonstrating any form of bullying, harassment, threats, intimidation or discrimination.
 - New wording in the Purpose section to affirm the Board's commitment to proactive, supportive and responsive discipline that includes, where appropriate, analysis, restorative practices and consequences.
 - A definition of restorative practice.

- Recognition throughout the policy that responsive discipline involves a continuum of restorative responses and interventions, not just consequences, following misconduct or behaviour issues.
- Clarifying that student behaviour and conduct expectations apply to both in-person and online environments.
- The draft updated policy was made available for public feedback through an online survey posted to the Edmonton Public Schools website from June 24 to August 6, 2021. There were 604 survey respondents, with 401 respondents completing the survey.
- Overall agreement with the changes was high:
 - 93 per cent of respondents agreed that changes reflected the importance of anti-racism in providing a welcoming, caring, respectful and safe environment.
 - 93 per cent of respondents agreed that the changes reflected the importance of restorative practices in providing a welcoming, caring, respectful and safe environment.
 - 92 per cent of respondents agreed that the changes reflected the importance of recognizing online environments as relevant to providing a welcoming, caring, respectful and safe environment.
- Additional changes that have been made as a result of public feedback include:
 - Addition of the definitions of anti-racism and discrimination. Definitions align with the recently approved Board Policy HAAB.BP Anti-racism and Equity.
 - Clarifying that restorative practices would be used where appropriate and agreed upon by impacted students as engaging in restorative practices may cause retraumatization for the impacted student.

This work by the Board of Trustees supports the following areas of the 2018-2022 District Strategic Plan:

- Priority 1 Goal 2: Success for every student.
- Priority 2: Provide welcoming, high quality learning and working environments.
- Priority 2 Goal 1: Our learning and working environments are welcoming, inclusive, safe and healthy.

RECOMMENDATIONS

1. That Board Policy HG.BP Student Behaviour and Conduct be read for a second time.
2. That Board Policy HG.BP Student Behaviour and Conduct be read for a third, and final time and be approved.

OPTIONS

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

1. Support the recommendation to approve Board Policy HG.BP Student Behaviour and Conduct.
2. Complete the second reading of the policy and direct the Policy Review Committee to adopt revisions to the policy and engage further with stakeholders prior to third reading.

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.

The Policy Review Committee's annual work plan reflects this annual review. Approval to move forward with this draft of the policy will support achievement of this requirement.

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. The updated policy will be incorporated in school Student Rights and Responsibilities documents.

ATTACHMENTS and APPENDICES

ATTACHMENT I Board Policy HG.BP Student Behaviour and Conduct

BS:kd

CODE: HG.BP**EFFECTIVE DATE:** (07-09-2021)**TOPIC:** Student Behaviour and Conduct**ISSUE DATE:** (29-04-2020)**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, freedom, 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