



**POLICY
SUBJECT:**

**JGE
EXPULSION OF STUDENTS
(Violence and Weapons)**

APPROVAL DATE:

July 22, 1986

REVISION DATE:

February 15, 1994

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1. GENERAL

The Board of Trustees of the Winnipeg School Division is responsible for ensuring a safe environment for its students, employees, and other people within its facilities.

1.1 The Board will not tolerate harmful, threatening or actual acts of violence, or other unlawful acts on its property or in its buildings and will ensure that action be taken as appropriate:

(a) under the Public Schools Act, including suspension and/or expulsion,

and/or

(b) under the Criminal Code and other penal statutes against offenders of this policy.

1.2 The Board will not tolerate the possession of weapons by persons on its property or in its buildings or the presence of weapons in lockers or elsewhere on its property or in its buildings and will ensure that action be taken as appropriate:

(a) under the Public Schools Act, including suspension and/or expulsion, and/or

(b) under the Criminal Code and other penal statutes against offenders of this policy.

1.3 The school principal is expected to exercise his/her judgment in taking the appropriate action in any given circumstance involving violence or weapons.

2. DEFINITIONS OF TERMS

(a) Violent Activity

A violent activity is characterized by verbal or written threats, physical, emotional and/or sexual abuse/harassment, or racial harassment by an individual or group of individuals which has the effect of impairing the health and welfare of any students or staff member.

(b) Weapons

Weapons are defined under the Criminal Code in two categories:

(i) any item that is designed to be used as a weapon, specifically designed to be used in combat or to inflict punishment;

(ii) any item a person uses or intends to use as a weapon that is not normally intended to be used in combat or to inflict injury but becomes a weapon in certain circumstances.

3. AUTHORITY TO EXPEL

The Board may expel a student from schools in the Division on the grounds that his/her conduct was injurious to the welfare of the school.



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4. HEARING

The student and his/her parent or guardian shall be notified in writing of the option of the student where he/she is an adult, and otherwise of his/her parent or guardian to make a presentation at a hearing to be conducted by the Board where expulsion will be considered.

5. RE-ENTRY TO SYSTEM

Re-entry of a student to a school in the Division following expulsion will be contingent upon the student and parent/guardian appearing before a committee consisting of three trustees (one from each ward), the Chief Superintendent, and the appropriate Superintendent of Schools to establish any conditions for re-entry. The parent/guardian may request that other persons (legal representative) attend the meeting(s). The principal of the school the student may re-enter may be requested to attend the meeting at the discretion of the appropriate Superintendent of Schools.



**ADMINISTRATIVE RULE/
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Rules and regulations governing violence and weapons as determined by the Chief Superintendent.

1. Expulsion Procedures

Except in extreme circumstances such as an attack with a weapon, before determining that expulsion is appropriate, the principal will have considered other less drastic alternatives, including one or more suspensions.

1.1 Documentation

Notes will be maintained by the principal identifying the unacceptable behaviour and the specific responses of the school. Meetings with the student and/or the parents or guardian are to be recorded and dated.

The documentation also should include:

- (a) in school supports provided,
- (b) alternative strategies attempted (class transfer, half-day attendance, tutoring services, referral to Child Guidance Clinic or special education).

1.2 Confidentiality

The details of the subject matter related to the expulsion of students are confidential and staff should avoid discussion before or during the course of the proceedings.

1.3 Procedure Where Expulsion is Considered:

1.3.1 The principal will:

- (a) recommend suspension of the student for the maximum limit of six weeks on the basis that the student's conduct is so unmanageable that his/her presence is injurious to the physical or mental well-being of others in the school,
- (b) discuss the recommendation for expulsion with the appropriate Superintendent of Schools.

1.3.2 The Superintendent of Schools will:

- (a) consider the recommendation immediately and examine all relevant records,
- (b) discuss the situation with the principal and make a decision to concur or not with the principal's recommendation to expel,
- (c) if appropriate, forward to the Chief Superintendent, the recommendation from the principal for expulsion, indicating support or non-support for the recommendation. Non-support could include alternative courses of action.



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1.3.3 The Chief Superintendent will:

- (a) review the facts of the case with appropriate personnel,
- (b) declare support or non-support of the recommendation for expulsion (non-support could include alternative courses of action).

1.3.4 In those cases in which the Chief Superintendent supports the recommendation, the following procedures will be initiated:

- (a) The Chief Superintendent will proceed to have the recommendation for expulsion presented to the Board at the earliest possible time and confirm the date and time of the hearing,
- (b) The Chief Superintendent of Schools will arrange for delivery of the letter of notification to the student, the parent/guardian, and to all teachers of the student, with copies to the principal, appropriate Superintendent of Schools, and the Board.



**EXHIBIT
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GUIDELINES FOR EXPULSION/EXTENSION OF SUSPENSION

1. General

The recommendation for expulsion or extension of a suspension beyond the five-day limit should be considered in conjunction with factors such as:

- the use of a weapon to threaten or inflict injury
- the gravity of the physical assault or verbal threats causing injury to others as a result of an unprovoked assault
- a repeated offence
- the intent of the assault
- the circumstances surrounding the assault.

The age of the student, the ability of the student to understand the significance of his/her actions, the safety of the other students and staff and the availability of external support services should also be taken into consideration.

In accordance with the policy on the expulsion of students, guidelines indicating the appropriate action for common categories of unacceptable behaviour have been developed. It is not the intention of these guidelines to restrict the professional judgment of the principals in dealing with specific students but rather to provide general direction which it is hoped will lead to more uniform practices in the various schools of the Division.

2. General Guidelines for Expulsion/Extension of Suspensions

2.1 All students and parents/guardians are to be advised at the beginning of each school year regarding the unacceptable behaviours that may result in an extended suspension or a recommendation to the Board of Trustees for expulsion.

2.2 In very serious instances involving weapons and/or violent activity, an immediate five-day suspension is warranted and the appropriate Superintendent is to be advised.

The parent/guardian and the student will be advised by the principal that the length of the suspension or the possibility of a recommendation for expulsion will be determined by the appropriate Superintendent in consultation with the Chief Superintendent.

2.3 Once a decision has been reached to extend the suspension of the student beyond the five-day limit to a maximum of six weeks, the Superintendent shall advise the principal in writing. The principal shall advise the parent in writing.

2.4 If a decision has been made by the Board that the suspension should be extended beyond the six week period, the Secretary-Treasurer shall advise the parent in writing.

2.5 Once a decision has been reached to recommend expulsion, the Superintendent shall advise the parent in writing.

2.6 The Board of Trustees will be advised on an ongoing basis of specific situations and the actions taken.

2.7 A psychological assessment of the student may be requested prior to return to school.



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3. Specific Guidelines

Three common categories where the extension of suspension or expulsion may be appropriate are:

- (a) weapons
- (b) physical assault
- (c) verbal threats.

Specific guidelines have been identified under each category.

3.1 **Weapons** (as defined in Policy JGE - Expulsion of Students, Section 2[b])

Weapons may include but are not restricted to guns, pellet guns, starting pistols, model guns, knives, bats, sticks, pepper spray.

(a) Possession/Displaying a Weapon

As outlined in Exhibit 1, Suspension of Students Section 3.4(a)

(b) Threats

If a gun, knife, or other weapon is used by a student in a threatening way toward another student or adult, the offending student shall be suspended immediately for a minimum of five days. The principal will consult with the Superintendent as to the possibility of an extension up to six weeks and expulsion.

The police will be notified.

(c) Attacks

If a gun, knife, or other weapon is used by a student in an attack on another student or adult, the offending student will be suspended immediately for a minimum of five days. The principal will consult with the Superintendent as to the possibility of an extension up to six weeks and expulsion.

The police will be notified.

3.2 **Physical Assault**

This category covers a one-sided assault by one student on another or on an adult causing injury.

The student causing the injury shall be suspended immediately for a minimum of five days.

In cases where this offense is repeated, the principal will advise the Superintendent to either request extension beyond the five-day limit or placement in another school.

Dependent upon the gravity of the assault, the intent, or the number of repeat offenses the Superintendent may recommend expulsion.

The person assaulted or the principal on his/her behalf may wish to contact the police.

3.3 **Verbal Threats**

Depending upon the gravity of the verbal threat, the intent, or the number of repeat offenses the principal should suspend the student for a minimum of five days and consult with the Superintendent to either request an extension of the suspension or placement in another school.

The person who was threatened or the principal on his/her behalf may wish to contact the police.