
SCHOOL DISTRICT NO. 36 (SURREY)

No. 9410.1

REGULATION: SAFE & CARING SCHOOLS

1. DEFINITIONS

Definitions of “offences”—student behaviours subject to disciplinary actions—are included in the *District-Wide Code of Conduct Disciplinary Guide, Regulation #9410.2*. The following definitions apply to references in *Policy #9410* and *Regulation #9410.1*.

Intoxicating or Controlled Substances:

Alcohol or any “controlled substance”, as defined by the *Controlled Drug and Substances Act (CDSA)*, that is not prescribed by a qualified medical practitioner, including but not limited to cannabis, opiates, amphetamines, methamphetamines or barbiturates.

Intruder or Trespasser:

Any person not authorized by the school district, the Principal or Vice Principal, or by school rules, to be in a school building or on school premises; any person who refuses to satisfy a reasonable request to demonstrate their legitimate business in being on school property; and any person requested by a Principal, Vice Principal or other authorized school district employee to leave the school building or school property.

Threat:

Knowingly uttering, conveying, or causing in any manner another person to receive a threat of death or bodily harm.

District Threat Assessment Protocol:

A set of procedures involving gathering and assessing information to determine whether a student actually poses a risk of harm to others and/or self, and, if so, to develop an intervention plan.

Violence:

Violence is the actual or threatened use of physical (including a weapon), verbal or emotional power, intimidation, or harassment, by or against individuals or groups which results in physical and/or psychological harm, or is harmful to the social well-being of an individual or group of individuals.

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Weapon:

Any thing used, designed to be used, or intended for use in causing death or injury to any person or for the purpose of threatening or intimidating any person, and, without restricting the generality of the foregoing includes any firearm or any device prohibited or restricted under the *Criminal Code of Canada*.

Examples of weapons which are prohibited include but are not limited to hand guns, rifles, shotguns, air rifles, knives, tasers, laser pointers, daggers, crossbows, explosives, tear gas, mace, pepper spray and any liquid, spray or powder capable of injuring, immobilizing or otherwise incapacitating any person.

The kerpan, worn as a religious symbol by baptized Sikhs, is not considered a weapon as long as it remains sheathed and concealed.

2. RESPONSIBILITIES

2.1 District Responsibilities

The Superintendent or designate shall:

- (a) maintain and update, as required, the *Critical Incident Resource Guide* and the *Critical Incident Quick Reference* flip chart;
- (b) implement the *District Threat Assessment Protocol*;
- (c) support schools in developing proactive and responsive interventions to discipline concerns;
- (d) provide opportunities for district staff to acquire the knowledge and skills necessary to develop and maintain a welcoming and safe school environment;
- (e) provide a variety of supports and programs for students who require proactive intervention to address behavioural needs;
- (f) support adherence to a defined range of consequences, including suspension, for offenses outlined in the *District-Wide Code of Conduct Disciplinary Guide, Regulation #9410.2*; and

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- (g) provide training and support to Principals and Vice Principals regarding legal requirements for search, seizure and securing evidence.
- (h) take all reasonable steps to prohibit discriminatory publication and discrimination in accommodation, service and facility in the school environment.

2.2 School Responsibilities

Schools shall:

- (a) establish a Safe School Committee to ensure that school practices and procedures are in place to respond to serious incidents in the school;
- (b) adopt a School Code of Conduct which has been developed co-operatively with staff, students, parents/guardians and the School Planning Council and is reflective of and consistent with the *Safe & Caring Schools Policy*;
- (c) distribute the School Code of Conduct to students, staff, parents/guardians, volunteers and the community at the beginning of each school year;
- (d) notify other relevant parties of serious breaches of the Code of Conduct. Those parties include:
 - parents of the student offender – in every instance
 - parents of the victim – in every instance
 - school district officials – as required by policy
 - police and other agencies – as required by law
 - all parents – where school officials are aware of a situation or incident and need to reassure members of the school community that officials are taking appropriate action to address it;
- (e) complete Incident Report Form to record serious incidents;
- (f) review the School Code of Conduct in collaboration with students, staff, parents/guardians and the School Planning Council annually, to ensure improvement and submit a copy to the Area Assistant Superintendent/or designate.

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- (g) display Codes of Conduct in a prominent area in the school which is visible to visitors and ambassadors of the school (e.g. coaches, volunteers).
- (h) through the School Code of Conduct, inform students and parents/guardians of the regulations and requirements regarding visitors to the school including the procedure for reporting to and registering with the main office;
- (i) inform students and parents/guardians that the School Code of Conduct applies when visiting other schools for school authorized events including co-curricular and extra-curricular activities and field trips and will be applied to any school sponsored event;
- (j) develop an implementation plan that outlines the steps to be taken in meeting the intended goals of the School Code of Conduct;
- (k) take all reasonable steps to prevent retaliation against a student who has made a complaint of a breach of a code of conduct.
- (l) review safety alert system procedures on a regular basis (not less than twice per year) with students, all staff and parents/guardians;
- (m) implement the *District Threat Assessment Protocol* as needed and complete Threat Assessment Report Forms;
- (n) promote programs that emphasize early intervention, conflict prevention and intervention, counselling, and human and social skills development;
- (o) establish clear and fair consequences for behaviours in keeping with *Regulation #9410.2* and take appropriate action based on the circumstances of each incident;
- (p) investigate underlying causes of behavioural incidents and develop a plan to respond to such issues; and
- (q) develop guidelines for supervision to ensure the safety of staff, students and visitors at all school-sponsored activities.

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2.3 Student Responsibilities

It is expected that students will:

- (a) neither take part in nor condone (provoke, encourage or make a spectacle of) any form of violence, including bullying, harassment, threat and intimidation, verbal, physical or sexual abuse, discrimination in any form;
- (b) seek to prevent violence and potentially violent situations;
- (c) not use, possess or display any weapon, replica weapon or toy weapon, on any school property or at any event that is organized or sponsored by a school;
- (d) not use, possess or sell any intoxicating, banned or controlled substances;
- (e) demonstrate, when utilizing electronic resources, appropriate on-line conduct in keeping with *Policy #5780 – Information & Communication Technology (ICT) Access and Use*, including refraining from any acts of cyberbullying;
- (f) show respect for the property of others by refraining from theft, vandalism, graffiti and other inappropriate behaviours;
- (g) abstain from smoking on school and other district property;
- (h) be present at schools and school properties for school-authorized purposes only;
- (i) use respectful language and refrain from using obscenity or profanity while in a school building, on school or Board district property and at school-sponsored activities;
- (j) demonstrate commitment to learning by coming to school prepared to learn and by contributing to a positive, orderly, peaceful environment; and
- (k) practice academic honesty and personal integrity by not participating in or encouraging plagiarism, cheating, theft of evaluation instruments, use of unauthorized aids, or false representation of identity.

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2.4 Parents/Guardians are Requested to:

- (a) be familiar with the *District Threat Assessment Protocol*;
- (b) adhere to Board policies and the School Code of Conduct when in attendance at school functions and support all students by reinforcing and modeling appropriate social skills;
- (c) support students by demonstrating appropriate academic, social and emotional behaviours through co-operative school and parent/guardian partnerships;
- (d) support the school's and district's role in taking disciplinary action when necessary and reinforce students' understanding of the consequences of their behaviour;
- (e) ensure that their children attend school regularly and on time; and
- (f) promptly report to the school their child's or children's absence or late arrival.

3. WEAPONS

Students shall not possess or use any weapon on any school premises or at any activity off school premises that is organized or sponsored by a school.

Students shall not possess or use any replica or toy weapon, on any school premises or at any activity off school premises that is organized or sponsored by a school, except as a prop in a theatrical production. If the replica or toy weapon is used in a school theatrical production, it shall be stored appropriately when not required for the production.

3.1 The Board's policy statement and disciplinary procedures on weapons will be communicated to students and parents at the beginning of each school year.

3.2 Where a Principal or Vice Principal reasonably believes that a person on school premises is in possession of a weapon and that a risk of bodily harm exists, he/she will:

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- immediately notify the police (911) and the Area Assistant Superintendent;
- make reasonable attempts to minimize risk of injury to any person;
- attempt to ensure that the weapon is controlled; and
- contact the parents/guardians if the person is a student.

Offences involving weapons shall result in severe consequences being imposed consistent with the District-Wide Code of Conduct Disciplinary Guide. Any weapons seized will be considered forfeited and may be provided to the police.

4. INTOXICATING OR CONTROLLED SUBSTANCES

Persons under the influence of intoxicating, banned or controlled substances and persons using, marketing or distributing intoxicating or controlled substances are not allowed on school premises or at any school-sponsored event.

- 4.1** The Board's policy statement and disciplinary procedures on intoxicating or controlled substances will be communicated to students and parents at the beginning of each school year.
- 4.2** A student who is under the influence of, or using, an intoxicating or controlled substance during school hours or at a school-sponsored event is subject to disciplinary procedures as outlined in *Regulation 9410.2, section 14a and 14b*.
- 4.3** Any person who is using, marketing or distributing an intoxicating or controlled substance at school or at school-sponsored events will be subject to a wide range of disciplinary actions, including search and seizure and the possibility of criminal charges being laid, depending on the circumstances of the case.

5. ACCESS TO SCHOOL PREMISES

The Principal, Vice Principal or Board-approved designate will exercise their right as occupants of school premises under the provisions of *School Act s. 177 Maintenance of Order*. Access to school premises during and after school hours will be governed by *Policy #6513 – Long Term Use and Lease of Active School District Buildings and Sites and Policy # 7260 – Employees' & Visitors' Identification Badges*.

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5.1 Authorized School Visitors

- (a) All district staff are required to wear their district authorized employee identification badge so it is easily visible at all times on district premises. All employees will be provided with a district authorized identification card through the Human Resources department.
- (b) Authorized visitors are required to report their presence to the office and to wear a district authorized visitor identification badge while on school board premises. All schools will be provided with a sufficient number of district authorized visitor identification badges.
- (c) Authorized visitors are entitled to have access only to those areas of the school premises relevant to the purpose of their visit.
- (d) An authorized visitor is not allowed to remain on school premises if, in the judgment of the Principal or designate, the person's presence is considered detrimental to the safety or well being of another person.
- (e) Only the Principal, Vice Principal or Board-approved designate shall exercise the rights of the Board as an occupier under the provisions of *School Act s. 177 Maintenance of Order* with respect to an individual determined to be in non-compliance with the policy and regulation.

5.2 Intruders or Trespassers on School Property

- (a) Schools will prominently display a sign at major entrances directing all visitors to report to the office.
- (b) The procedure for dealing with intruders will apply to all school district employees and may be adapted as necessary to ensure that the safety and security of students, staff and property is maintained at school sites and other district locations.
- (c) Where an employee has cause to believe that a person is on school board property without authorization, the following procedures are to be followed:

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- Identify yourself and your position in the district.
 - Determine the status of the person:
 - request the person to identify him/herself;
 - ask what is the nature of the person's visit, and
 - ask if the person has checked in at the office.
- (d) If the person refuses to answer any of the questions or if you are suspicious, request that he/she accompany you to the office.
- (e) If the person refuses to comply with this request, issue the Standard Warning Statement.

“Pursuant to Sec. 177 of the School Act, you (Intruder name) are hereby directed to immediately leave the lands and premises at this school and you are not to enter upon these lands and premises again before (date required – last day of school). Failure to comply with this order constitutes an offense under the School Act.”

In addition, if the person is a Surrey School District student, the No Trespass letter (*School Act s. 177*) must be sent to their residence.

- (f) If the person leaves, record as much detail as you can (physical description, clothing, and vehicle) and complete an Intruder Data Sheet.
- (g) If the person refuses to leave, notify the office. Office personnel will notify the police and record the outcome on an Intruder Data Sheet.
- (h) If the person complies with the request to report to the office, refer the person to the Principal or Vice Principal in charge.

The Principal or Vice Principal will:

- determine the status of the person;
- gather information on the reason for the person's presence;
- issue the Standard Warning Card where appropriate; and

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- complete the Intruder Data Sheet and make it available to the police as appropriate.
- (i) If the person fails to comply and a second intrusion occurs, the Principal or Vice Principal will:
- register a complaint with the police;
 - complete a second Intruder Data Sheet; and
 - proceed with charges where the person's identification is established.
- (j) If the person's intrusion involves a violent or threatening act,
- attempt to ensure that any weapons are controlled (if applicable);
 - contact the parents/guardians if the person is a student; and
 - contact the police.

6. CONDUCTING SEARCHES

6.1 Search and Seizure

- (a) The Principal, Vice Principal or Board-approved designate may conduct random locker searches to ensure compliance with school board policy regarding intoxicating or controlled substances and weapons.
- (b) A Principal or Vice Principal may conduct or authorize a search of a student, personal property or locker if there are reasonable grounds to believe that policy has been or is being violated and that evidence of the violation will be found in the location or on the person of the student searched. The search should be conducted in a sensitive manner and be minimally intrusive.
- (c) The following may constitute reasonable grounds in this context:
- information received from a student believed to be credible;
 - a teacher's or administrator's observation; or
 - any combination of sources of information which the relevant authority considers to be credible.

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- (d) Where there is the possibility of prosecution as a result of evidence found, the police will be contacted to conduct the search to ensure that any evidence seized will be admissible in court. This search may be completed by the police dog service.
- (e) Where the Principal or Vice Principal or designate conducts a search or interview with a student and the student is subject to school-initiated disciplinary action only, the following guidelines will be observed:
- the reason and purpose of the search or interview will be clearly stated to the student(s);
 - the search or interview will be conducted in a private area in a respectful manner which recognizes the right to a fair hearing and avoids threat or duress; and
 - searches will be conducted in the presence of a second adult.

7. CONDUCTING INTERVIEWS/INVESTIGATIONS

7.1 Interviews/Investigations

- (a) Where the police wish to interview a student suspect on school premises, the following guidelines will be observed.

The Principal or Vice Principal, will determine the appropriateness of conducting the interview on school premises.

- Where possible, the police should be requested to delay any interview until the parent/guardian has been contacted and provided an opportunity to attend.
 - It is up to the student being interviewed, and not up to the school or the police, to determine who will be present during the interview.
 - Consultation time will be provided for the student and the advocate prior to the interview.
- (b) Where the police wish to conduct an interview with a student witness/potential student witness or student victim on school premises, it is not necessary to follow the procedures outlined in 7.1(a); however, parents/guardians will be

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contacted if the Principal or a Vice Principal attend such an interview. The primary purpose would be to provide support for the student. Whether to attend should be determined taking into account such factors as the age and maturity of the student and the nature of the incident being investigated. If the student wishes the interview to be conducted in private, then that view should be respected.

- (c) Where a serious crime is involved, an alternate location for the interview, determined in consultation with a parent/guardian, may be chosen.

8. STUDENT SUSPENSIONS

Principals and Vice Principals are authorized by the Board under Section 85(2)(c) of the *School Act* to suspend a student according to the *Disciplinary Guide, Regulation #9410.2* when it is concluded that:

- the student is wilfully disobedient to a teacher or any other employee of the district carrying out responsibilities approved by the Board;
- the behaviour of the student has a harmful effect on the character or persons of other students;
- the student has continually refused to apply himself/herself in his/her studies; or
- the student has failed to comply with the School Code of Conduct.

8.1 Level One: Under Five Day Suspension

- (a) A referral to Student Services (Form #11800.9) may be considered as an alternative to suspension. In this process the student would continue to attend the home school. These referrals will be responded to quickly.
- (b) Suspension Day is “day 0” with up to the next five days constituting a Level One period of formal suspension.
- (c) The Principal or designate will contact the student’s parents/guardians or emergency contact before suspending the student, informing them of the actions being taken and the reasons for those actions. If contact is not made with the parents/guardians by the end of the school day, a suspended student can be released from the school’s care if:
- a) the child does not have a history of, or appear to be in emotional distress;
 - b) in the judgement of the Principal or

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designate, the child's safety and well-being are not at increased risk; and c) the Principal or designate *continues to attempt to make contact*.

- (d) The Principal or designate shall forthwith report the circumstances of the suspension to the parents/guardians of the student. A form letter outlining these circumstances is to be sent to the parents/guardians and a copy filed at the school using the Under Five Day Suspension form.
- (e) During this period of suspension it is expected that the Principal or designate would, as necessary, call upon the assistance of the school staff and district staff in an effort to resolve the suspension jointly with the parents/guardians.
- (f) The school must continue to maintain student access to an appropriate educational program.
- (g) There will be a meeting held at the school to discuss the student's future educational plans.
- (h) In-school suspensions are encouraged relative to appropriate resources.
- (i) If the suspension cannot be resolved, an Over Five Day Suspension letter indicating that the suspension is proceeding to Level Two Resolution (Student Services) must be sent to the parents/guardians, with a phone call, email or fax to Student Services. The appropriate District Resource Counsellor will contact the school. It is expected that attendance related problems will not normally proceed to Level Two.

8.2 Level Two: Over Five Day Suspension

Level Two Suspension is under the supervision of the Director of Instruction, Student Support Services, who will work closely with the District Resource Counsellors and schools to effectively resolve the Over Five Day Suspensions.

The Director of Instruction, Student Support Services, may also call upon the appropriate Area Assistant Superintendent to assist in effecting a resolution.

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- (a) Upon receiving notice of an Over Five Day Suspension the District Resource Counsellor will become involved with the Principal or designate in the resolution process. The following reports are required to be sent to Student Services within three days of the initiation of the suspension:
- a Suspension Report by the Principal or designate outlining the specific behaviours;
 - recent progress reports from each teacher stating the current unit under study, the resources used and behavioural observations;
 - any other information which the school considers to be pertinent for the purpose of dealing effectively with the problem.
- (b) The responsibility of the District Resource Counsellor is to conduct a resolution meeting in consultation with the Principal or designate, community agencies, and parents/guardians to effect the student's re-entry into school or to find an acceptable alternative educational program.
- (c) If the District Resource Counsellor, working with the Principal or designate and others, resolves the situation, the parents/guardians of the suspended student will be advised in writing by the Director of Instruction, Student Support Services. In cases where there is no consensus regarding the decision, the Director of Instruction, Student Support Services, will be advised.
- (d) If the suspension cannot be resolved, the Director of Instruction, Student Support Services, will inform in writing the parents/guardians of the suspended student, referring the case to the Level Three Student Suspension Review Committee (SSRC).

Student 16 and Over

If a student 16 years of age or older fails to apply himself/herself to his/her studies or fails to comply with the School Code of Conduct or the rules or policies of the Board, the Principal or designate may:

- give the student due warning, specifying the behaviours in issue and the potential consequences;
- record the date of the warning and the reasons for it;

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- inform the parents/guardians of the student by letter that the student has been warned and the potential consequences in the behaviour is unchanged; and
- arrange, when practicable, for an interview with the parent/guardian at the school.

If, within a reasonable time after the warning, the student fails to make a reasonable effort to reform their behaviour, the Principal or designate can:

- counsel the student to attend another district school, i.e., Learning Centre, Surrey Connect, etc. The school should facilitate such transitions; and
- issue an Over Five Day Suspension (Level Two).

Thereafter, the processes set out in Level Two, Three and Four of this Regulation shall apply.

8.3 Level Three: Student Suspension Review Committee

Student Suspension Review Committee (SSRC) meetings are convened for:

- (a) an unresolved Level Two Suspension;
- (b) if a member of SSRC has had previous involvement at either Level One or Level Two with a particular matter under review then in such cases the Director of Instruction, Student Support Services, shall designate another individual in their place for the purposes of Level Three review.
- (c) a suspension which bypasses the Level Two Resolution process and goes directly to Level Three.

The *School Act s. 11(2)* requires that Boards develop local procedures to ensure the right of appeal and procedural fairness.

- (a) The Student Suspension Review Committee (SSRC) shall be comprised of the Director of Instruction, Student Support Services (Chair); the Administrative Principal, Student Services; and one elementary and one secondary school Principal. This committee will be scheduled to meet every two weeks for three hours.

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- (b) Members of the SSRC may not have been involved in any previous levels for a particular case. In such cases where members of the SSRC have been party to prior proceedings, a designate will be appointed by the Director of Instruction, Student Support Services.
- (c) Upon the SSRC's receipt of the school's Suspension Report, and accompanying documentation, the case will be dealt with at the next scheduled SSRC meeting. The suspended student and his/her parents/guardians will be notified in writing of the meeting and be provided (in advance) all documentation that will be brought forward at the meeting. The parents/guardians, a parent advocate if requested, the student, school staff, the Principal and/or Vice Principal and where appropriate others concerned with the student's education will be given the opportunity to be heard at this meeting.
- (d) The committee will consider all the information before making a decision and the Director of Instruction, Student Support Services, will notify the parents/guardians and the school of the committee's decision. Placements resulting from Level Three meetings are the responsibility of the Director of Instruction, Student Support Services.
- (e) In the event the SSRC recommends discontinuing an educational program for the student, the recommendation will be forwarded to the Board of Education (Level Four) for action.

For both Level Two and Level Three Suspensions, records will be kept at Student Services regarding all suspensions and resolutions. In addition, statistics will identify the numbers and reasons for suspensions.

8.4 Level Four: Board of Education Resolution

- (a) Where a decision of SSRC significantly affects the education, health or safety of a student, the parent of the student, or the student, may appeal that decision to the Board in accordance with the procedures adopted by the Board.

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- (b) Where the SSRC refers a matter to the Board under Regulation #9410.1, section 8.3(c) with a recommendation that the school district cease to provide an educational program to a student, the Board shall consider that recommendation at the next reasonable opportunity.

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