

Policy Statement:

In accordance with section 61 of the *School Act*, the Board delegates to the Student Expulsion Committee (“Committee”) the power to do any act or thing or exercise any power that the Board may or is required to do or exercise with respect to the expulsion of a student pursuant to the *School Act*.

Before the Student Expulsion Committee makes a decision under section 24(8)(b) of the *School Act*, the student and the student’s parent may make representations to the Committee with respect to the Principal’s recommendation to expel the student.

Rationale:

The Board is legally required to create a safe and supportive learning environment for all students. Students not meeting the obligations of section 12 of the *School Act* may be expelled at the discretion of the Board.

Scope:

The Policy applies to students of Pembina Hills Regional Division No. 7.

A decision on a student expulsion made under this Policy is considered a decision of the Board, including for the purposes of a review by the Minister under section 124(1)(b) of the *School Act*.

A. Expulsion of a Student

If a student is not to be reinstated within five (5) school days of the date after the date of the suspension, the Principal shall inform the Committee of the suspension and report in writing to the Committee all the circumstances respecting the suspension and the Principal’s recommendations. This communication shall be through the Office of the Superintendent.

The Committee will convene in an in-camera session upon the call of the Superintendent or designate, but in no event shall the meeting occur later than ten (10) school days from the first day of suspension given the requirement under the *School Act* that the decision to reinstate or expel the student shall be made by the Committee within (10) ten school days after the date of the Suspension of the student.

Parents of students, or students sixteen (16) years of age or over, may be assisted by a resource person(s) of their choosing for the purpose of the representations referenced in section 24(9) of the *School Act*. The responsibility for engaging and paying for such assistance rests solely with the parents or students.

The Committee may have legal counsel in attendance.

The Superintendent or designates will also be in attendance in an advisory capacity.

The Secretary Treasurer of the Board may take notes of the hearing for the purpose of the Board's records.

The expulsion hearing will be conducted in accordance with the following guidelines:

1. The Chair of the Committee will outline the purpose of the hearing, which is to:
 - 1.1 Provide an opportunity for representations to be made by the Principal with respect to the Principal's recommendation to expel the student;
 - 1.2 Provide an opportunity for representations to be made by student and/or the student's parents relative to the Principal's recommendation to expel the student;
 - 1.3 Reinstatement or expulsion of the student.
2. At the hearing the Chair will outline the following procedure:
 - 2.1 The Principal will present the report documenting the details of the case and the recommendation to expel the student;
 - 2.2 The student and the student's parents will be given an opportunity to respond to the information presented and to add any additional relevant information;
 - 2.3 The members of the Committee may ask questions of clarification from both the Principal and the student and the student's parents;
 - 2.4 The Committee will meet, without the Principal or the student and the student's parents present, to discuss the case and the recommendation. The designated Assistant Superintendent shall remain in attendance to provide assistance to the Committee. The Secretary Treasurer and legal counsel for the Committee may also remain in attendance.
 - 2.5 Should the Committee require additional information, both the parents and student and administration will be requested to return before the Committee in order to provide the requested information;
 - 2.6 The Committee will then make a decision to either reinstate or expel the student; and
 - 2.7 The Committee shall within ten (10) school days after the date of the suspension render its decision as to whether to reinstate or expel the student. The Committee may issue an oral decision (within ten (10) school days after the expulsion hearing) followed by a letter which notifies the student's parent, and the student if the student is 16 years of age or older, (a) of the expulsion, and (b) of the right to request a review under section 124 of the *School Act*. Copies of the written decision shall be provided to the Principal and the Superintendent in the form of a letter, composed with support from the designated Assistant Superintendent.
3. If the decision of the Committee is to expel the student, the following information must be included in the letter to the student and the student's parents:
 - 3.1 The length of the expulsion which must be greater than ten (10) school days;
 - 3.2 The educational program to be provided to the student and the name of the individual to be contacted in order to make the necessary arrangements; and
 - 3.3 The right of the student and the student's parents to request a review of the decision by the Minister of Education.
4. Expulsion is at the discretion of the Committee. In making its decision, the Committee shall take into account the circumstances under which the student committed the alleged offence(s) and/or misconduct and any other circumstances it deems relevant and or material.

5. To the extent the Committee views it as relevant, the Committee may set reasonable conditions in relation to the student according to the facts submitted before it at the expulsion hearing, including return to school conditions.
6. It is expected that all students will comply with section 12 of the *School Act*, Board Policy and school policy.

Reference:

Sections 2, 10, 12, 24, 25, 48, 61, 123, 124, 125 [School Act](#)
[Policy 8 Committees of the Board](#)
[Policy 9 Communication Protocol](#)
[AP 50-09 Student Code of Conduct](#)
[AP 50-10 Student Suspension and Expulsion](#)
[Guidelines: Expulsion Review](#)