



POLICY:
SUBJECT:

JGE
EXPULSION OF STUDENTS
(Violence and Weapons)

APPROVAL DATE:

July 22, 1986

REVISION DATE:

February 15, 1994, June 7, 2021

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1. GENERAL

The Winnipeg School Division (WSD) is responsible for ensuring a safe environment for its students, employees, and other people within its facilities.

- 1.1 In accordance with the Public Schools Act, WSD may suspend or expel from a school any pupil student who, upon investigation, is found to be guilty of conduct injurious to the school environment.
- 1.2 WSD will not tolerate harmful, threatening or actual acts of violence, or other unlawful acts on its property or in its schools/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 WSD will not tolerate the possession of weapons by persons on its property or in its schools/buildings or the presence of weapons in lockers or elsewhere on its property or in its buildings.
- 1.4 In determining the expulsion of a student, the following factors must be taken into consideration:
 - (a) severity of offense;
 - (b) whether the student was responsible for or was a participant in the offense;
 - (c) whether the student has been suspended previously for a similar offense;
 - (d) age of the student;
 - (e) the special needs of a student.
- 1.5 The Principal is expected to exercise their judgment in taking the appropriate action in any given circumstance involving violence or weapons.
- 1.6 WSD will make reasonable efforts to ensure that alternative programming is made available to a resident student who is expelled if they are of compulsory school age. This programming may include an alternative program, a formalized home study arrangement, placement in another school or other accommodation.

2. DEFINITIONS

2.1 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.

2.2 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.



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2.3 Suspension

A suspension is the removal of a student from classes and may be administered by the Principal for one to five days. The Chief Superintendent/CEO or designate may suspend a student not to exceed six weeks.

2.4 Expulsion

An expulsion is the removal of a student from a school or school division and may only be administered by the Board of Trustees or the Chief Superintendent/CEO.

3. AUTHORITY TO EXPEL

3.1 In accordance with the Public School Act, WSD may expel a student from schools in WSD on the grounds that their conduct was injurious to the welfare of the school.

3.2 WSD shall ensure that a student's special needs, if any, are taken into account when deciding to expel a student.

4. RE-ENTRY TO SYSTEM

4.1 The re-entry of a student to a school in following expulsion will be contingent upon the student and parent/guardian appearing before a Committee consisting of three trustees, the Chief Superintendent/CEO, and the appropriate Superintendent of Education Services to establish any conditions for re-entry. The parent/guardian may request that other persons (legal representative) attend the meeting(s). The Principal may be requested to attend the re-entry meeting at the discretion of the appropriate Superintendent of Education Services.

5. RESPONSIBILITIES

5.1 Chief Superintendent/Chief Executive Officer (CEO)

The Chief Superintendent/CEO is responsible for the implementation of this policy.

5.2 Superintendent of Education Services

The Superintendent of Education Services/Director shall notify the parents/guardians of a student who has been expelled from school within 24 hours by telephone and by letter indicating the reason for expulsion. Parents/guardians shall also be informed of their right to appeal an expulsion and the process for appeal.

5.3 Principal

a) The Principal shall ensure that all students and parents/guardians are advised at the beginning of each school year on the expectations outlined in the Code of Conduct.

b) In very serious instances involving weapons and/or violent activity, an immediate five-day suspension is warranted and the Superintendent of Education Services is to be advised.



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- c) 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 of Education Services in consultation with the Chief Superintendent/CEO.

6. HEARING

- 6.1 A student under the age of 18 or where the youth is an adult, the student will be notified in writing of the option to make a presentation at a hearing to be conducted by the Board where expulsion will be considered.

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

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

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

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

7. APPEAL

- 7.1 Parents/guardians of students who have been expelled from school may appeal as follows:

- a) The decision of the Principal may be appealed to the Superintendent of Education Services;
- b) The decision of the Superintendent of Education Services may be appealed to the Chief Superintendent/CEO; and
- c) The decision of the Chief Superintendent/CEO may be appealed by a petition to the Board of Trustees.