

# Provincial School Code of Conduct Policy for the Student Body

## Working Content Draft 1.0 for Discussion Purposes

*This working draft has been developed for engagement purposes only and will inform future iterations*

**1 This section outlines the Policy Statement and Objective:**

### Opportunity for Input

Please read Section 1. Policy Statement and Objective

- Clarity on what the Code of Conduct does and does not do is important to communicate up front so the school community knows if they are referencing the appropriate policy to address their concern.
- ***When you read this section is it clear? Are there missing details?***

The objective of the Provincial School Code of Conduct Policy is to support safe working and learning environments for our school communities. The Code of Conduct establishes expectations for acceptable student behaviour and provides guidance on how schools should respond to and accurately record incidents of Unacceptable Behaviour. The Code of Conduct will maximize success and well being of all students by supporting them to make choices that respect the rights, safety and property of themselves and others and by providing predictable consequences and pathways for school responses to Unacceptable Behaviour that are clear and consistent, timely, restorative, equitable.

**2** This section provides definitions necessary for the policy:

### Opportunity for Input

Please read Section 2. Definitions

- Reporting, tracking and responding to unacceptable behaviours is an important but time-consuming process. It will be important to distinguish clearly, what needs to be paid attention to and what just needs to be coached informally without a recording process.
- ***Do the Definitions for Minor Misbehaviour and Unacceptable Behaviour make the distinction clear? Can you offer suggestions for improvement of the definitions?***

**Unacceptable Behaviour:** Means behaviour that threatens the safety and endangers the physical and/or mental well-being of others, damages property, or significantly disrupts the learning of others. Unacceptable Behaviours are defined for the purposes of identifying responses that reflect the severity of the action. A full list of Unacceptable Behaviours is included below:

- Discriminatory Behaviour
- Bullying
- Illegal Activity
- Inappropriate Language
- Interruption of the Learning Environment
- Misuse of Networks or Online Resources
- Not following directions / expectations
- Noncompliance
- Physical Aggression
- Physical Violence
- Sexual Misconduct
- Smoking, Vaping or Other Nicotine Products
- Unapproved Mobile Device Use
- Use or Possession of Alcohol, Non-prescribed Drugs or Drug Paraphernalia
- Vandalism
- Verbal Abuse and Threatening Behaviour
- Weapons Possession or Use

**School Violence:** Any Unacceptable Behaviour occurring in a school setting that causes or has the potential to cause physical, emotional, or psychological harm to another individual. This includes

- bullying
- Discriminatory Behaviour
- physical violence

- verbal abuse or threatening behaviour
- weapons possession or use
- sexual misconduct

**Minor Misbehaviour:** Infrequent acts or behaviours that are undesirable but do not meet the definition or severity of Unacceptable Behaviours. Repeated Minor Misbehaviours may reach the level of Unacceptable Behaviour and will be addressed under the Code of Conduct.

**Parent:** As defined in section 3(p) of the *Education Act*, parent includes a guardian and a person acting in *loco parentis* to a child; meaning someone who is responsible and has authority to make decisions for the child.

**School Community:** Everyone whose roles or jobs place them in contact with students in school settings and school activities.

**School Setting:** Includes school property, department-provided transportation to and from school, and school-related activities at other sites.

**Provincial School Code of Conduct Policy:** Means the policy established by the Minister under clause 10(l) of the *Education Act*. May be referred to herein as “the Code of Conduct”.

**Student Information System:** The IT platform(s) on which all student records are updated and stored, including records of incidences of Unacceptable Behaviour by students.

### 3 This section outlines the Guiding Principles:

#### Opportunity for Input

Please read Section 3. Guiding Principles

- When we consider the impact of an unacceptable behaviour on other members of the school community, restoring harm and preserving dignity are essential for tomorrow to be a better day.
- ***When you read these principles, do they capture that idea clearly? Can you offer suggestions for improvement?***

The School Code of Conduct Policy for the Student Body is founded on guiding principles that ensure a safe, supportive, and inclusive environment for all members of the School Community to work and learn. These principles - Responsibility, Equity, Restorative and Relationship-Building, and Clarity and Consistency guide how we promote positive behavior and address Unacceptable Behaviours.

**Responsibility** - All members of the student body share a collective responsibility under the Code of Conduct to maintain physically safe, psychologically healthy, and supportive learning and working environments for students and staff by modelling and encouraging positive, acceptable behaviour and by responding promptly, consistently and equitably to Unacceptable Behaviour. Students are responsible for their own conduct to the extent of their capacity considering their age/stage of

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development. Understanding that there are consequences for Unacceptable Behaviour is an important learning for students, and an important aspect of responsibility. Unacceptable Behaviour will result in consequences as outlined in Guide to Unacceptable Behaviours and Responses. For students deemed to be not responsible for their behaviours, responsibility will shift to parents and the Student Planning Team to ensure that school remains a safe and inclusive space for all.

**Equity** – Expectations and actions taken under the Code of Conduct will be fair and reasonable. Responses to Unacceptable Behaviour will be culturally and linguistically responsive and will be determined with consideration to students’ capacity (including their age/stage of development).

**Restorative and Relationship-Building** –Unacceptable Behaviour undermines the safety and effectiveness of the school environment and has a negative impact on staff and students and their relationships. Effective responses to Unacceptable Behaviour seek to produce constructive behavioural changes and to preserve, repair and restore relationships. Restorative processes must be sensitive to individuals who experience harm as a result of Unacceptable Behaviours.

**Clarity and Consistency** – Clear communication, timely and consistent application of the Code of Conduct in all schools and classrooms reinforces the expectation of acceptable behaviour and the credibility of the Code of Conduct. When communicating with the school community, the privacy, dignity and confidentiality of students and families will be respected.

### 4 This section describes who the policy applies to:

#### Opportunity for Input

Please read the Application Section

The Provincial School Code of Conduct has traditionally applied only to student behaviour, with detailed direction to staff on how to respond and determine consequences.

- ***Should the code of conduct articulate expectations for others (parents? community? staff?)***

- This Code of Conduct applies to all primary to grade 12 students.
- The directives outlined in this policy replace the Provincial School Code of Conduct Policy (2018) and any directives in existing policies addressing code of conduct in schools. The Code of Conduct is complementary to Occupational Health and Safety Act, Violence in the Workplace Regulations, and policies in RCEs/CSAP and in schools.

**5 This section outlines the Policy Directives:**

**Communication**

- The expectations of acceptable behaviour and the consequences of Unacceptable Behaviour will be clearly communicated annually to all members of the School Community through the Code of Conduct and other communication tools.

**Acceptable Behaviour**

- All members of the School Community are expected to act in ways that promote a safe, caring, positive and inclusive environment. This includes but is not limited to:
  - Following laws, regulations and policies
  - Following school policies and classroom routines
  - Demonstrating honesty, integrity, and respect for others
  - Treating everyone with dignity
  - Helping those in need and resolving conflicts peacefully
  - Using positive language and supporting a productive learning environment

**Minor Misbehaviours**

- Staff will routinely address Minor Misbehaviours, without referrals to the office or through the Student Information System. Repeated Minor Misbehaviours may reach the level of Unacceptable Behaviour and will be addressed under the Code of Conduct.

**Responding to Unacceptable Behaviours**

**Opportunity for Input**

Please read Section 1. Policy Statement and Objective and the Directives

- Clarity on which behaviours need to be formally responded to, recorded and tracked is essential to developing data that can inform trends and areas of concern.
- ***Do these two sections line up and make it clear, what gets reported, and what just gets addressed through natural interaction and coaching between staff and students?***

Unacceptable Behaviours will be addressed promptly, consistently and equitably.

- When responding to Unacceptable Behaviours, school administrators and teachers as well as other staff, as appropriate, will:
  - First address the safety and security of students, staff, and other members of the School Community

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- Refer to the *Working Guide for Responding to Unacceptable Behaviours* to identify and implement reasonable, equitable and timely responses that:
  - seek to produce constructive behavioural changes
  - support students in taking responsibility for their actions
  - assist students with developing new skills and strategies to reduce the reoccurrence of Unacceptable Behaviour
  - consider students' capacity (including their age/stage of development), the intentionality of the Unacceptable Behaviour and the impact of the Unacceptable Behaviour on the school, those that experience harm and other students
  - are trauma-informed and preserve, repair and restore relationships
  - are proportional and progressive, up to and including consequences that may include in-school or out-of-school suspensions.
  - respect the privacy, dignity and confidentiality of students and families
- Accurately report the incident through the provincial Student Information System
- Communicate with members of the School Community impacted by the incident and provide reassurance that threats to school safety have been addressed in a manner that respects the privacy and confidentiality of students and staff members.
- Ensure adequate resources are available for students not deemed responsible or who fail to conform to behavioural expectations.
- Debrief members of the School Community impacted by the incident in a manner that respects the privacy and confidentiality of students and staff members.

## Suspensions

### Opportunity for Input

Please read Section 5, Directives about Suspensions

- Some serious incidents will warrant a suspension from school but it should not be a default response. All students will benefit from a balanced approach that recognizes the importance of keeping students in school when safety and security can be managed.
- ***Do these directives provide a reasonable balance and clarity of expectation?***

An administrator may consider suspending a student, out of school, for up to 10 school days, if the administrator believes a student has engaged in Unacceptable Behaviour while on school grounds, on property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program, at a school bus stop or on a school bus, or off school grounds. The *Working Guide for Responding to Unacceptable* provides guidance on which incidents merit suspension.

An administrator may recommend to the RCE/CSAP that an out of school suspension be extended for a period greater than 10 days. Decisions regarding extended suspension will be made following the steps outlined in section 29 of the *Education Act*.

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The student or the student’s parent(s) may request a review of the suspension by the RCE/CSAP within five school days of receiving the notice of suspension. The RCE/CSAP will then complete the review in accordance with the process outlined in the *Education Act*.

Any student who is suspended for more than five days will have a plan for re-engagement into the school environment. This plan will be developed by the Student Planning Team, which includes the student and their parent(s).

As part of the re-engagement process, relevant information will be shared with those affected, while respecting the privacy, dignity and confidentiality of students and families.

### Responses Specifically Forbidden

The following consequences are prohibited for all students:

- corporal punishment
- attributing collective responsibility, including group punishment
- reducing, not awarding marks or assigning extra school work, projects, or assessments

### Reporting of Incidents

#### Opportunity for Input

Please read the next two Directives about reporting

- Recording and tracking serious incidents of inappropriate behaviour is important and the process needs to be consistently applied to have data integrity.
- For some students, we have heard through consultation that the code of conduct is not the answer but that there is ambiguity around what to do instead.
- ***Do these directives provide clarity on when to depart from the incident referral process to record and respond differently?***

Where an incident is determined to be serious enough to merit a response under the *Working Guide for Responding to Unacceptable*, that incident must be accurately recorded in the Student Information System. Minor Misbehaviours do not need to be recorded, unless they have been deemed Unacceptable Behaviour as a result of repetition.

Annually, each RCE/CSAP will provide a statistical report to the Minister on behavioural incidents in schools within that RCE/CSAP over the past year. This report will also be published on the RCE/CSAP website.

### Students with Complex Behavioural Needs

Where a student has demonstrated repeated inability to meet expectations for acceptable behaviours despite repeated intervention and behavioural supports, a plan will be developed by the Student Planning Team. The plan will provide the most appropriate pathway, including

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possible alternative learning settings or schedules, for the student to successfully continue their education. Student and staff safety and the protection of the learning environment will also be considered in all plans, including for students deemed not responsible for their Unacceptable Behaviour.

Where a plan is put in place, incidents will be recorded in the provincial Student Information System in accordance with the plan

### **6 This section outlines Roles and Responsibilities:**

#### **Opportunity for Input**

Please read Section 6 on Roles and Responsibilities

- Consistent and clear communication has been identified as an area for improvement in the new Code of Conduct.
- ***Do these roles and responsibilities sufficiently address responsibilities to communicate within the school community?***

#### **Department of Education and Early Childhood Development**

- establish the *Provincial School Code of Conduct Policy* and associated procedures and guidelines in consultation with RCEs, CSAP, and other School Community partners
- monitor the implementation of and compliance with this policy, in collaboration with the RCEs and CSAP
- communicate the Code of Conduct and associated procedures and guidelines to the RCEs and CSAP
- aggregate and analyze incident reporting data and share data with RCEs and CSAP on an annual basis
- identify trends and develop strategies to address systemic concerns
- support RCEs and CSAP as needed with respect to professional development that aligns with this policy, Occupational Health and Safety Act and Violence in the Workplace Regulations

#### **Regional Centres for Education and Conseil scolaire acadien provincial**

- communicate the *Provincial School Code of Conduct Policy* to schools on an annual basis
- ensure consistent implementation of the *Provincial School Code of Conduct Policy* in all schools, including reinforcement of the importance of reporting incidents by all staff
- provide annual professional development on the *Provincial School Code of Conduct Policy* and proactive approaches to prevent Unacceptable Behaviours
- ensuring staff are accurately recording, tracking, and reporting incidents of Unacceptable Behaviour in all schools and on buses



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- report annually to the Minister, aggregate data on incidents of Unacceptable Behaviours, with a plan for addressing emerging issues
- monitor incidents of Unacceptable Behaviour in all schools through regular trend analysis of incident reporting to identify areas requiring more supports
- provide alternative arrangements for the education of any student who has been suspended for more than 10 school days
- provide strategies and resources to support plans for students with complex behavioural needs
- provide training on how to accurately record incidents of Unacceptable Behaviour
- develop and provide professional development that aligns with this policy, Occupational Health and Safety Act and Violence in the Workplace Regulations
- model acceptable behaviours

### Administrators

- participate in professional development and be familiar with the Code of Conduct
- implement the *Provincial School Code of Conduct Policy* at their school
- communicate the *Provincial School Code of Conduct Policy* to students, staff, parents, co-located staff employed by community partners, and other members of the School Community
- monitor incidents of Unacceptable Behaviour at their school to identify areas requiring strategic response.
- report, investigate, and accurately document incidents of Unacceptable Behaviour
- demonstrate a commitment to student achievement and well-being in a safe, inclusive, and accepting learning environment
- be sensitive to those who experience harm as a result of Unacceptable Behaviour
- model acceptable behaviours

### Teachers

- participate in professional development and be familiar with the Code of Conduct
- report and accurately document incidents of Unacceptable Behaviour
- address student behaviours in the course of their daily work and while supervising students in other areas of the school
- manage classroom behaviours in a way that supports students with developing new behaviours and strategies to reduce the reoccurrence of Unacceptable Behaviour
- communicate regularly and meaningfully with parents and guardians
- be sensitive to those who experience harm as a result of Unacceptable Behaviour
- model acceptable behaviours

### Support Staff

- participate in professional development and be familiar with the Code of Conduct

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- report and accurately document incidents of Unacceptable Behaviour
- address student behaviours in the course of their daily work and while supervising students in other areas of the school
- support classroom behaviours within the scope of their role in a way that supports students with developing new behaviours and strategies to reduce the reoccurrence of Unacceptable Behaviour
- be sensitive to those who experience harm as a result of Unacceptable Behaviour
- model acceptable behaviours

### **School Advisory Councils**

- advise their school administrator(s) and RCE/CSAP on the *Provincial School Code of Conduct Policy*
- reinforce the importance of student voice as appropriate (e.g., Student Success Survey, student consultations)

### **Students**

- show respect for the rights, property, and safety of themselves and others
- accept personal responsibility for their behaviour, including defined responses for an Unacceptable Behaviour
- demonstrate socially appropriate behaviour
- respect and appreciate diversity of all school members
- respect school policies and classroom routines

### **Parents**

- communicate regularly with their child(ren)'s school
- support the child(ren)'s teachers in their efforts to provide an education for their child(ren)
- demonstrate respect for all members of the School Community
- support the efforts of school staff in maintaining a safe and respectful learning environment
- become familiar with the provincial Code of Conduct
- encourage and assist their child in following the Code of Conduct
- assist school staff in dealing with behaviour issues involving their child

**7 This section will list any Procedures/Related Documents:**

**Opportunity for Input**

With respect to list of procedures or related documents:

- A draft *Guide for Responding to Unacceptable Behaviours* is being developed to provide guidance on how to resolve incidents of unacceptable behaviour.
- ***What other supporting documents would be helpful in implementing the Code of Conduct?***

- *Draft Guide for Responding to Unacceptable Behaviours*

**8 This section will provide relevant References:**

Nova Scotia. 2019. *Education Act*. SNS, c. 1.

**9 This section will acknowledge contributors with special thanks:**

To be completed.