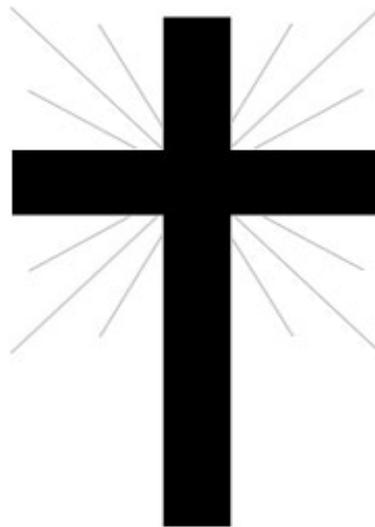


*Towards Safe, Caring, Inclusive & Healthy
Catholic Communities*



**CATHOLIC CODE
OF
CONDUCT
SUSPENSION APPEAL
GUIDELINES FOR PARENTS AND
GUARDIANS**

SU:

June 18, 2013

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the

Board's Catholic Code of Conduct Policy and the Suspension Guidelines.

- 2) An Appeal of a Suspension will be heard by the Discipline Committee sitting as a committee of three (3) Trustees appointed by the Board. One of the appointed Trustees will be elected Chair of the Discipline Committee. All Suspension Appeals will be received by the Superintendent Responsible for Suspensions and Expulsions via the Superintendent of Schools. Appeals will be scheduled by the Superintendent Responsible for Suspensions and Expulsions.
- 3) An adult pupil is a pupil who is 18 years old or older or who is 16 or 17 years old and has withdrawn from parental control.
- 4) A suspension may be appealed by an adult pupil or the pupil's parent/guardian (the "Appellant").
- 5) Parties to a Suspension Appeal, shall include the Appellant and the Principal. The pupil may also attend the Suspension Appeal.
- 6) The Superintendent Responsible for Student Discipline will act as Secretary to the Discipline Committee and as the Registrar for any meetings, processes and/or procedures related to Suspension Appeals. The Superintendent Responsible for Student Discipline will:
 - Facilitate the Appeal;
 - Coordinate the preparation of a written report for the Discipline Committee. This report will contain at least the following components:
 - a) A report of the incident and rationale for suspension prepared by the Principal;
 - b) A copy of the original suspension letter;
 - c) A copy of the letter requesting the Suspension Appeal; and
 - d) A copy of the correspondence with respect to the decision of the Superintendent Responsible for Student Discipline regarding the suspension review.
 - Inform the adult pupil or the parent/guardian of the date of the Suspension Appeal, provide a guide to the process for the appeal, and a copy of the documentation that will go to the Discipline Committee.
 - Ensure that the item is placed on the Discipline Committee's agenda.
 - Ensure that a copy of the Principal's Report is forwarded to the Appellant prior to the Appeal and provided to the Discipline Committee at the beginning of the Appeal.

- Ensure that any documents, reports and/or written submissions prepared by the Appellant are provided to the Principal at the earliest opportunity and to the Discipline Committee at the beginning of the Appeal.
 - Be entitled to attend the Appeal with the Trustees and related deliberations however, he or she will not be involved in making any decisions related to the Appellant and/or the Appeal.
- 7) A lawyer or agent may represent the Appellant. Prior notice of a lawyer's or an agent's attendance at the Appeal must be provided to the Superintendent Responsible for Student Discipline **72 hours prior** to the scheduled Appeal. If prior notice is not provided, the Suspension Appeal may be adjourned and rescheduled at the discretion of the Discipline Committee.
 - 8) **All documentation** that both Appellant and the Principal wish to use at the Appeal must be provided to the Superintendent Responsible for Student Discipline and delivered to each other **at least 48 hours prior to the hearing**.
 - 9) The Discipline Committee and/or the Principal may exercise the right to legal counsel.
 - 10) The Principal will prepare a Report summarizing the incident, the evidence relied upon and the rationale for discipline, including the pupil's disciplinary and academic history, any progressive discipline strategies that have been used and any mitigating and other factors that may be applicable.
 - 11) The Discipline Committee will wait for thirty (30) minutes after the time communicated for the commencement of the Suspension Appeal. If the Appellant(s) or their representative have not yet attended and notice that they may be late has not been provided, the Discipline Committee may proceed to hear the Appeal or dismiss the Appeal in their absence.
 - 12) The Discipline Committee may give such directions or make such orders at a Suspension Appeal as it considers necessary for the maintenance of order at the Appeal. Should any person disobey or fail to comply with any such order and direction, a Trustee may call for the assistance of a police officer to enforce the direction.
 - 13) The Superintendent Responsible for Student Discipline will invite the parties into the Discipline Committee meeting room and will introduce the parties to the Discipline Committee.
 - 14) The Superintendent Responsible for Student Discipline will outline:

- a) The process to be followed during a Suspension Appeal;
 - b) The matter on appeal before the Discipline Committee, including the Suspension that was imposed and the infraction for which the pupil was suspended.
- 15) The Superintendent Responsible for Student Discipline will introduce the Discipline Committee and will indicate:
- a) That they have been appointed by the Board to hear the matter;
 - b) That they are not connected as Trustees to the school in question;
 - c) That they have had no prior involvement with the matter that has come before them;
 - d) That this matter will be heard "*In Camera*" (in private); and
 - e) That the decision of the Discipline Committee is final.
- 16) The Chair of the Discipline Committee will call the Suspension Appeal hearing to order.
- 17) The Chair of the Discipline Committee will outline the process to be followed during a Suspension Appeal.
- 18) The Superintendent Responsible for Student Discipline will distribute copies of the Principal's Report and any documents submitted by or to be submitted by the Appellant to the Discipline Committee. The Discipline Committee may choose to have a brief recess in order to read the reports and documents.
- 19) The Appellant will be invited to make an oral presentation. The Discipline Committee may grant a person with daily care authority to make submissions on behalf of the pupil.
- a) Trustees may ask questions of clarification through the Chair.
 - b) The Principal may ask questions of clarification through the Chair.
- 20) The pupil will be invited to make a statement on his/her own behalf to the Discipline Committee.
- a) Trustees may ask questions of clarification through the Chair.
 - b) The Principal may ask questions of clarification through the Chair.
- 21) The Principal will be invited to make a presentation.
- a) Either the Principal or the Superintendent of Schools will review the Report provided to the Discipline Committee and the Appellant, and provide any

- response to the Appellant's presentation.
- b) Trustees may ask questions of clarification through the Chair.
 - c) The Appellant may ask questions of clarification through the Chair.
- 22) The Appellant will be invited to respond to the Administration's presentation, but only with respect to issues the Appellant has not previously addressed.
- 23) At the conclusion of both presentations, the Appellant and the Administration will be invited to make summary statements but may not introduce new issues. The Discipline Committee may choose to have a brief recess prior to hearing the summary statements.
- 24) Trustees may ask final questions of clarification.
- 25) When making their determination the Discipline Committee shall consider:
- a) The Principal's Report, submissions and any related evidence;
 - b) The written and oral submissions and any other relevant written documentation provided by the Appellant; and
 - c) The analysis and application of the mitigating and other factors, which may or may not be applicable in the circumstances.
- 26) After carefully considering all the evidence, the Discipline Committee of the Board will:
- a) confirm the suspension and the duration of the suspension; or
 - b) confirm the suspension but shorten its duration and order that the record of the suspension be amended accordingly; or
 - c) quash the suspension and order that the record of the suspension be expunged.
- 27) The decision of the Discipline Committee is final and will be shared with the parent/guardian where possible within 24 hours.