

CODE OF CONDUCT

Background

District Mission Statement

To provide students with equitable, quality educational opportunities in a safe, supportive environment through the efforts of a caring, professional team in cooperation with students, parents and communities.

Guiding Principles

We believe:

- that all students and staff have a right to learn and work in a safe, respectful and productive environment,
- a positive, productive and responsible attitude will help create strong communities,
- that everyone can learn to make appropriate choices for themselves and for others,
- that all communication needs to be based on courtesy and mutual respect,
- that diversity among students and staff is to be respected, but commonly accepted rules for conduct will apply to all. Age, maturity, cognitive ability and previous behaviour will be taken into consideration when defining unacceptable behaviour and any consequences that follow.
- that this Administrative Procedure is a foundational document with the [School District No. 5 \(Southeast Kootenay\) Anti-Racism Action Plan](#) to help offer pathways towards inclusion and healing moving forward

General Guidelines for Success

Everyone shares the responsibility of behaving in ways that will make our schools a special place where people are valued and where excellence in performance is the commonly shared goal.

Definitions

Bullying - is aggressive behaviour that may be a one-time occurrence but is most often repeated attacks:

physical, psychological, social or verbal, by those in a position of power, which is formally or situationally defined, toward those who are powerless to resist, with the intention of causing distress for their own gain or gratification.

Cell Phones – all students are expected to comply with the appropriate use of cell phones and other personal digital devices and restrictions which may vary by the students' age and developmental stage as outlined in [Administrative Procedure 145](#).

Cognitive Abilities - the brain-based skills and mental processes that are needed to carry out any task - from the simplest to the most complex.

Combatant - a) a person who takes a direct part in the hostilities of a conflict (some forms may include: physical, armed); b) to attempt to physically harm another person or any act which reasonably places another person in fear of physical harm, e.g., threatening or abusive language.

Cyber Bullying – is overt or covert bullying behaviour using digital technologies, including but not limited to: harassment via a mobile phone, setting up a defamatory personal website or deliberately excluding someone from social networking spaces. Cyber bullying can happen at any time. It can be in public or in private and sometimes is only known to the target and to the person perpetuating the bullying.

Harassment – a) behaviour that is unwelcome or behaviour that ought to be known to be unwelcome that excludes, intimidates, or denies the right of every individual to a safe and comfortable living environment; b) behaviour based on a student's race, sex, religion or disability that is unwelcome, unwanted, and/or uninvited by the recipient. It can be verbal, non-verbal, and/or physical and includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature.

Narcotics – a) the possession and/or use of illicit drugs, b) the term “narcotic” does not include prescriptions issued to the individual and/or over the counter medications that are taken according to product use recommendations and Board policy.

On Task - every adult and student have a right to teach and learn in a disruption-free environment; on task describes the individual who is actively and productively engaged in the learning opportunity provided.

Racial Hatred - happens when a person is abused or put down because of their race; by reference to colour, race, or nationality; including citizenship, ethnic and/or national origins.

Racial Stereotypes - a generalized representation of an ethnic group, composed of what are thought to be typical characteristics of members of the group; the use of racial stereotype is usually demeaning even when the characteristics might be considered positive because it tends to discount the importance and uniqueness of the individual.

Relational Aggression - also known as covert ‘secretive’ bullying and/or social aggression, is a psychological and emotional form of abuse (as opposed to traditionally overt ‘physical’ forms of bullying); it uses relationships to inflict injury upon another; it is characterized by gossip, teasing, slander and exclusion; it is very common in cyber-bullying (web sites, e-mails, and text messaging).

Restorative Justice – a) puts the emphasis on the wrong done to a person as well as on the wrong done to the community; it recognizes that crime is both a violation of relationships between specific people and an offence against everyone: the greater community; b) involves the victim, the offender and the community in search for solutions, which promote repair and possibly reconciliation.

Sexual Orientation/Gender Identity – all persons including lesbian, gay, bisexual, transgender, transsexual, two-spirit, intersex, queer or questioning persons; persons who are labeled as such, whether they are or not; and persons with immediate family members who are of a sexual orientation and/or gender minority.

Sexual Orientation/Gender Identity Hatred - any language or behaviour that deliberately degrades, denigrates, labels, stereotypes, threatens or incites hatred, prejudice, discrimination, and harassment towards students, employees, or others on the basis of their real or perceived sexual orientation and/or gender identification.

Suspension - removal of a student from the regular school program for a period not to exceed five (5) days (short-term) or for a period greater than five (5) days (long-term); during the period of suspension, the student is excluded from all school-sponsored activities including practices, as well as competitive events, and/or activities sponsored by the school or its employees.

Trafficking - any student selling drugs or alcohol during any time the school has jurisdiction over the behaviour of students will be reported to the RCMP.

Procedures

1. School Codes of Conduct

- 1.1. All schools have the responsibility to develop a Code of Conduct which will encourage acceptable and responsible student behaviour. The Code of Conduct is reviewed yearly with the participation and involvement of staff, parents and community members. Changes are made to the Code of Conduct to reflect current and emerging situations and to contribute to school safety. The Board will ensure that School Codes of Conduct contain references to [the East-West Kootenay Violence/Threat Risk Assessment Protocol](#), to the prohibited grounds of discrimination set out in Section 7 and Section 8 of the Human Rights Code, RSBC 1996, c.210, and to [District Policy 19 - Sexual Orientation and Gender Identity](#).
- 1.2. Students are required to follow all guidelines, rules and procedures while in attendance at school, during all school-sponsored activities such as field trips and extracurricular events and while riding on the school bus or waiting for the bus to arrive.
- 1.3. At the beginning of the school year and on entrance to a new school in the District, the school staff will clarify the School's Code of Conduct and any rules and procedures that apply in individual classrooms. Expectations for student behaviour will be taught and reinforced on a regular basis throughout the school year. Once the rules are discussed and understood, they will set the standards of conduct for students and staff. It is also important to remember that the school is operating within a community and within a society in general. There are common expectations for behaviour outside of the school setting that also apply while attending school.
- 1.4. Whenever possible and appropriate, consequences for breaches of a code are restorative in nature rather than punitive. This may involve Restorative Justice or other forms of restorative problem solving for minor difficulties and involve Restorative Justice or other restorative forms of problem solving in conjunction with other disciplinary approaches for more serious offenses. In all cases, the school officials may have a responsibility to advise other parties of serious breaches of the Code of Conduct, not limited to but including: parents, District officials, police and other

agencies. The District will take all reasonable steps to prevent retaliation against a student who has made a complaint of a breach of a Code of Conduct.

- 1.5. The following principles are universal to all schools in the District and apply to every student.

2. Unacceptable Conduct

- 2.1. The District believes that student consequences for behaviour is progressive. As such, many behaviours are dealt with in various consequences based on a number of factors, including:

- 2.1.1. the student's place on a progressive discipline model,
- 2.1.2. the severity of the individual act,
- 2.1.3. the student's history of similar acts.

- 2.2. Unacceptable conduct includes:

- 2.2.1. theft;
- 2.2.2. vandalism, littering or willful damage to school, staff or student property;
- 2.2.3. tobacco use on school property;
- 2.2.4. comments, displays or actions made to students or staff that express racial stereotypes, racial hatred, sexual stereotypes, sexual hatred, sexual orientation stereotypes or sexual orientation hatred, made directly, written or via electronic communication;
- 2.2.5. comments, displays or actions intended to exclude, harass or discriminate based on race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental ability, sex, sexual orientation/gender identity, or age of the student or staff;
- 2.2.6. comments, displays or actions made to student or staff, which intimidate, threaten the safety of, harass or bully, made directly, written or via electronic communication, relational aggression;
- 2.2.7. disrespecting the rights of others to a safe, respectful and productive learning environment;
- 2.2.8. creating a safety hazard for others (this includes student behaviour that has the potential to harm others or self, to include running in crowded areas, tripping, pushing, and not keeping hands and feet to oneself);
- 2.2.9. instigating a fight, being a willing combatant in a fight, physically assaulting others;
- 2.2.10. dangerous behaviour (the intention to do harm, real or implied to self or others, to include: bomb threats, inappropriate use of the Fire Alarm system, inappropriate use of the Lock Down System, inappropriate use of 911 Emergency Response);
- 2.2.11. arson, possession of weapons, setting off fire alarms, tampering with safety equipment;
- 2.2.12. possession, trafficking or non-medical use of alcohol or drugs;
- 2.2.13. cell phone violations and inappropriate usages.

3. Consequences for Unacceptable Conduct

- 3.1. The school will determine the specific consequences that apply, which may include any or all of:
 - 3.1.1. direction from staff
 - 3.1.2. parent conference
 - 3.1.3. detention
 - 3.1.4. Restorative Justice or other forms of problem solving
 - 3.1.5. in-school suspension
 - 3.1.6. home suspension
 - 3.1.7. Suspension pending a meeting with the person(s) responsible for indefinite suspension procedures. The student's educational options for the remainder of the school year will be determined during the suspension meeting. The RCMP or other outside agencies may be involved.
 - 3.1.8. Exclusion of a student because of health issues, physical or mental, that would endanger students or staff at school (Section 91 of the School Act also gives a Principal, Vice-Principal, Director of Instruction or the Superintendent the authority to exclude a student because of health issues, physical or mental, that would endanger students or staff at school. The student may be excluded from school until a certificate is obtained from the school medical officer permitting the student to return to the school. If a student is removed or excluded from school, the District must continue to make available an educational program for that student. If a Principal or Vice-Principal is considering using Section 91 of the School Act consultation must occur with the Superintendent.)
 - 3.1.9. Disciplinary action being taken and confiscation of the cell phone or digital device by the classroom teacher or school administration.

4. Exclusion of Students from School

- 4.1. Under Section 85 of the School Act, the Board may refuse to offer an educational program to a student 16 years or older if that student has refused to comply with the code of conduct and / or other rules and policies of the Board or administrative school procedures or has failed to apply themselves to their studies.
- 4.2. Exclusion of a student under Sections 85 of the School Act is considered a final step in a series of consultations and progressive interventions with a student and their parents.
- 4.3. The Board may exclude a student from attendance at any District school under the provisions of Section 85 (3) of the School Act provided that:
 - 4.3.1. the student is at least 16 years of age;
 - 4.3.2. the parent is informed as soon as possible of the circumstances leading to the exclusion and of the avenues for review of the decision to exclude;

- 4.3.3. an attempt is made to contact the parent by telephone or by personal interview and telephone or personal contact is later confirmed by letter, or if contact is not possible, by registered letter.

5. Appeal Procedure

- 5.1. A student enrolled in an educational program in the District or the parents of the student, shall be entitled to appeal a decision, including a failure to make a decision, of any employee of the District which significantly affects the education, health or safety of the student pursuant to [Board Policy 14 - Appeals Procedure Bylaw](#).
- 5.2. For the purposes of appeal, the decisions of the District Suspension Committee may be appealed to the Board pursuant to [Board Policy 14 - Appeals Procedure Bylaw](#).

Reference: Section 20, 22, 23, 65, 85 School Act
Freedom of information and Protection of Privacy Act
Provincial Standards for Codes of Conduct (M276/07)
Human Rights Code
Canadian Charter of Rights and Freedoms
Canadian Human Rights Act
Criminal Code of Canada

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