

SAFE AND CARING SCHOOLS

1. PURPOSE

The purpose of this Administrative Procedure is to align with the Manitoba Provincial Code of Conduct, *Safe and Caring Schools: Provincial Code of Conduct: Behaviour Intervention and Response Using a Student-Centred and Strengths-Based Approach* (2025). This procedure ensures that Swan Valley School Division maintains safe, inclusive, and culturally responsive learning environments for all students.

2. AUTHORITY AND POLICY REFERENCE

This procedure is based on the policy directive provided by Manitoba Education and Early Childhood Learning, expanding upon existing legislation and regulation.

Compliance Requirements:

- *The Canadian Charter of Rights and Freedoms.*
- *The Human Rights Code of Manitoba.*
- *The Public Schools Act (PSA) and The Education Administration Act.*
- The Standards for Appropriate Educational Programming in Manitoba.
- *Mamāhtawisiwin: The Wonder We Are Born With—An Indigenous Education Policy Framework.*
- S.V.S.D. A.P.: 209 Respect for Human Diversity.

3. GUIDING PRINCIPLES FOR INTERVENTION AND RESPONSE RELATED TO BEHAVIOUR:

- Keep students at the centre of all planning and decisions.
- Ensure a safe, caring, and inclusive learning environment that supports Manitoba's Philosophy of Inclusion.
- Respect the right and access to education for children and youth.
- Acknowledge that student success and well-being is a collective responsibility.
- Ensure that any behaviour intervention, response, or consequence is administered in a manner consistent with respecting the student's human dignity.
- Establish behaviour interventions, responses, and consequences that are informed by research and best practices.
- Reaffirm that relationships matter in providing a sense of safety and belonging for all students.

4. DEFINITIONS

Bullying

“A damaging social process that is characterized by a real or perceived imbalance of power driven by social, societal, and institutional norms. It is often repeated and manifests as unwanted interpersonal behaviour among students or school personnel that causes physical, social, psychological, and emotional harm to the targeted individuals or groups, and the wider school community.” (UNESCO) It may be direct or indirect; it may take place through written, verbal, physical, and sexual forms of expression. Various forms of electronic communication may be used (See: cyberbullying).

Case Manager

A member of the school-based student support team designated by the principal to coordinate the team’s collaborative work to meet individual student needs through the student-specific planning process and student-specific plan (SSP) development and monitoring.

Cyberbullying

Bullying behaviour by means of various electronic communication, including social media, text messages, direct messages, websites, email, or using AI-generated content (e.g., audio, images, video, or text).

Cyber Flashing

When a person receives uninvited requests for sexual images or messages, or is sent unsolicited sexual images or messages. (Canadian Centre for Child Protection, “Online Sexual Violence”)

Doxing

Publicly releasing someone’s personal, identifying information, such as their name, address, phone number, email address, or school, online without their consent. (“Doxing,” Cambridge Dictionary)

Expulsion

When a determination is made that a student has engaged in severe behaviour that is found to be injurious to the school environment and/or deemed an imminent safety risk to students and staff, and the student must be removed on a longterm basis. An out-of-school suspension lasting longer than six weeks shall be considered an expulsion. Expulsions may be administered by the school board only. Expulsions may occur from the school the student is attending, but not from the entire school division. If a student is expelled, the expulsion will last until the school board rescinds the expulsion or the end of the current school year, whichever comes first.

In-School Suspension

An instance in which a student is temporarily removed from their regular classroom(s) for at least half a school day for disciplinary purposes but remains under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision.

In-School Team

The core team, other school staff, and parent(s)/caregiver(s) who have the knowledge and skills to identify student needs and develop and implement a plan to meet those needs.

Managed Move

The transfer of a student to a new school or program that is characterized by careful planning and full support by both the outgoing school and receiving school or program.

Out-of-School Suspension - An instance in which a student is dismissed from school for disciplinary purposes for a finite period of time when their peers are expected to be in attendance.

Parent(s)/Caregiver(s)

Refers to parents and caregivers and is used with the recognition that in some cases only one parent /caregiver may be involved in a child's education or that the significant adult in the life of many students may not be their parent. The term may also apply to a student who has reached the age of majority.

Reasonable Accommodation

The school's obligation to address students' diverse needs that stem from the protected characteristics specified in Manitoba's Human Rights Code, such as physical or mental disabilities, and that affect the individual's ability to access educational/school services or facilities. The measures to accommodate diverse needs will be reasonable and required unless they demonstrably cause undue hardship due to cost, risk to safety, impact on others, or other factors which will be evaluated and decided upon by the Division's Senior Administration.

Sextortion

When someone threatens to release personal sexual images or videos of another person unless demands are met, often for money, more sexual content, or sexual favours. (Canadian Centre for Child Protection, "Sextortion")

Swatting

The deliberate, malicious, and illegal act of reporting a false crime or emergency to evoke an aggressive response from first responders or law enforcement agencies to attend someone's residence or place of work.

5. REQUIRED SCHOOL CODE OF CONDUCT CONTENT

In accordance with *The Public Schools Act*, the principal of each school must establish and annually review a School Code of Conduct by October 31. The School Code of Conduct must include:

- i. A statement that students and staff are respectful and observe the code of conduct.
- ii. A statement that the following behaviours will result in an intervention, a response, and/or a consequence:
 - a. Abusing another person verbally, in writing, electronically, or otherwise, including physically, sexually, emotionally, or psychologically.
 - b. Exhibiting bullying behaviour toward another person.
 - c. Discriminating on the basis of any characteristic set out in subsection 9(2) of *The Human Rights Code* (e.g., ancestry, religion, gender identity, disability, sexual orientation).
 - d. Using, possessing, or being under the influence of alcohol, cannabis, or illicit drugs at school.
- iii. A statement that the following may not occur on school sites:
 - a. Gang activity.
 - b. Possessing a weapon, as defined in the *Criminal Code* (Canada).
- iv. A statement that students and staff must adhere to school policies respecting the appropriate use of the Internet, including the use of AI-generated content, social media, text messaging, websites, email, cameras, cell phones, and other electronic devices.
- v. The process for determining behaviour intervention, response, or consequence due to non-observance of the code of conduct and the process for appealing such decisions.

6. BEHAVIOUR INTERVENTION AND RESPONSE PROCEDURES

The school division will prioritize preventative practices such as sustained school-wide programs that focus on social responsibility and positive behaviour, rather than relying solely on negative consequences. When behaviour that does not meet expectations occurs, the response should focus on support and care to maintain the relationship and promote positive growth.

i. **Determining the student-centered behavior intervention**

The principal maintains the authority to determine which intervention, response, or consequence is appropriate. This determination must consider:

- The frequency and severity of the code of conduct non-observance.
- The student's age and state of development.

- The student's degree of social-emotional and mental wellness.
- The student's diverse needs, for which reasonable accommodation is required if they affect behaviour.

ii. **Student-centered intervention strategies**

Note: All interventions shall be documented in the Division's student information system (i.e. PowerSchool and CLEVR if applicable) and any alternative strategies not listed below shall be approved by the Superintendent or Student Services Achievement Coordinator. The division may use, but is not limited to, the following strategies:

- **Discussion with a Trusted Adult:** Meeting with the student to discuss behaviour and strategies for positive movement forward. Parent/caregiver contact may be made, requiring student consent if they are 18 or older.
- **Parental/Caregiver Involvement:** Contacting parent(s)/caregiver(s) to discuss specific behaviour and strategies, ranging from a telephone conversation to a formal meeting.
- **Formal Meeting:** A meeting with the student, parent(s)/caregiver(s), and relevant support members (e.g., teacher, administrator, counsellor, clinician). A plan to enhance positive behaviour may be developed, and a functional behavioural assessment may be conducted.
- **Restitution:** Requiring the student and/or parent(s)/caregiver(s) to compensate for damages incurred due to intentional or negligent acts. Compensation can be monetary or involve actions that rebuild a sense of community. Parent(s)/Caregiver(s) shall be informed of the behaviour and resulting strategy.
- **Positive Behaviour Agreement:** A collaborative agreement between the student and school staff, signed by all parties, that clearly describes behaviour expectations, positive outcomes, consequences for non-observance, and specific goals. Parent(s)/Caregiver(s) shall be informed of the behaviour and resulting strategy.
- **Student Services Referral:** Referral to divisional student services personnel. Parental/caregiver permission is required for specialized assessments and/or interventions.
- **Outside Agency/Community Involvement:** Referral to resources such as trauma-informed services, mental health services, or addictions services. Information sharing may be supported by *The Protecting and Supporting Children (Information Sharing) Act*. Parent(s)/Caregiver(s) shall be informed of the behaviour and resulting strategy.
- **Violent Threat Risk Assessment:** Staff need to follow the process outlined in AP: 212 Violent Threat Risk Assessment to ensure a consistent response to threats (expression of intent to do harm or act violently). Parent(s)/Caregiver(s) shall be informed of the behaviour and resulting strategy.

- **Police Notification:** Principals are to inform the Superintendent regarding reporting incidents to the police. Parent(s)/caregiver(s) must be informed unless police direct otherwise.
- **Restorative Justice Circle Process:** If a student has repeated a behaviour that puts themselves, staff and students at risk, the option of a restorative justice circle can be offered to the student and parent(s)/caregiver(s) to support the child and elimination of the detrimental behaviour.

iii. **Use of exclusionary practices**

These practices should be used with caution, should not be punitive, and must align with the least restrictive environment. As a best practice, Parent(s)/Caregiver(s) should be informed, and the incident must be recorded in the student information system.

Exclusionary practices may include:

- Temporary withdrawal from the classroom setting (less than half a school day; parents informed if prolonged).
- Detention at school (parents informed if extending beyond regular hours).
- Removal of privileges for a finite period (e.g., playground, extracurricular activities).
- Time out.
- Removal from school bus ridership (parent/caregiver notification required).
- Being sent home early (parent/caregiver notification required).
- *Seclusion must never be used as a consequence for behaviour and is strictly reserved as a safety response following established guidelines. See AP: 129 Use of Seclusion.*

7. SUSPENSION AND EXPULSION PROCEDURES

i. Suspension

Alternatives must be considered before a suspension is enacted.

Authority	Maximum Duration	Action
Teacher	Not more than two days (from classroom).	Teacher must promptly document and report the suspension to the principal.
Principal	Not more than five days (from school).	Principal must inform parent(s)/caregiver(s) ASAP and provide a written report to the Superintendent and Student Services Coordinator within 24 hours.
Superintendent	Not more than six school weeks (from school).	Superintendent must inform parent(s)/caregiver(s) and provide a written report to the school board.

ii. Expulsion

An expulsion must only be administered by the Swan Valley School Division School Board.

- If a student is expelled, the expulsion lasts until the school board rescinds it or the end of the current school year, whichever comes first.
- The expulsion must be from the student's attending school, not from the school division entirely.

Mandatory Expulsion Supports for Students:

- Case Management:** The principal must designate a case manager to coordinate supports, maintain relationships, and provide a stable point of contact for the student and parent(s)/caregiver(s).
- Daily Contact:** A mechanism for daily contact must be developed to support the student's continued learning, safety, and well-being, while maintaining a connection to the school community (e.g., phone call, meeting, video call, or email).
- Alternative Programming:** The school division must provide the expelled student with alternative programming, which may include providing schoolwork at home, enrollment in a different school/program, or facilitating participation in approved activities/programs.
- Re-entry:** Before the end of the current school year, a plan for review and re-entry must be developed to enable the student to begin the new school year with their peers the following September.

iii. **MANAGED MOVE PROCEDURE**

The Swan Valley School Division may engage in a Managed Move as a supportive and collaborative practice to transition a student from one school or program to another, where attending the catchment school or program is deemed inappropriate.

Process Requirements:

- a. The move is initiated by the outgoing school or division.
- b. The process must involve the student, parent(s)/caregiver(s), the outgoing school, the receiving school or program, and any relevant support agencies.
- c. The transfer must be carefully planned, considering the student's diverse learning and behaviour needs, ensuring full support from both schools/programs.
- d. The move must be mutually agreed upon by all parties to ensure a supported transition process.
- e. Information Sharing: The move must be preceded by a formal learner profile to facilitate information sharing, including academic data, academic potential, a risk/threat assessment, advice on effective risk management strategies, and attempted interventions. A timely transfer of files is required.
- f. Case Management and SSP: The new school must provide an effective entry strategy through a Student-Specific Plan (SSP), such as a Targeted Intervention Plan, as overseen by a case manager and supported by a Wraparound committee.
- g. Transportation: If the student is attending a school or program outside the division, a transportation plan must be developed jointly with the parent(s)/caregiver(s) and the receiving school division/school/program.

8. REPORTING AND DISCLOSURE PROCEDURES

i. **Staff reporting requirements**

All employees of the school board, school division, or school district, and persons in charge of students, including teachers and volunteers, must report non-observance of the code of conduct to the principal as soon as reasonably possible.

This reporting duty applies regardless of where or when the behaviour occurs for:

- Bullying/cyberbullying behaviour
- Harmful use of the Internet and electronic communication, including AI-generated content (e.g., audio, images, video, or text), doxing, swatting, cyber flashing, and sextortion.

This reporting duty applies for staff and volunteers when at school or on school-approved activities:

- Harassment/discrimination
- Threats to others
- Theft
- Trafficking in drugs or sex
- Physical violence/aggression, sexual assault/aggression.
- Hazing
- Gang activity
- Possession of a weapon.
- Possession of or being under the influence of alcohol, cannabis, or an illicit drug.
- Self or peer exploitation.
- Threats and/or harm to self.
- Any other behaviour requiring intervention and response.

If a student's welfare is at-risk due to the above behaviours outside of school activities staff/volunteers are still encouraged to report to the principal as soon as reasonably possible.

ii. PRINCIPAL NOTIFICATION RESPONSIBILITIES WHEN A STUDENT IS HARMED

If the principal believes a student has been harmed because of another's behaviour, the principal must notify the harmed student's parent(s)/caregiver(s) as soon as reasonably possible.

The notification must include:

- a. The nature of the behaviour that resulted in harm to the student.
- b. The nature of the harm to the student.
- c. The steps taken to protect student safety, including the nature of any intervention taken in response to the behaviour.

The notification may include:

- a. An ongoing intervention plan has been or will be developed by a case manager.
- b. A staff member has had a discussion with the student

- c. The student's parent(s)/ caregiver(s) have been involved.
- d. The student has had privileges removed.
- e. The student was suspended.

Confidentiality and Disclosure Limits

The information shared regarding actions taken must be limited to what is necessary to meet the statutory requirement of subsection 47.1.1(3) of the PSA. Disclosure generally should not contain any personal health information (in accordance with *The Personal Health Information Act*) or other protected personal information (*The Freedom of Information and Protection of Privacy Act*). Discretion must be exercised to protect 2SLGBTQIA+ students from harm if disclosing their gender identity or sexual orientation.

9. APPEAL PROCESS

Parent(s)/caregiver(s) who disagree with a suspension, expulsion or managed move may appeal the decision.

- i. **Standard appeal flow (decisions on intervention, response, or consequence):**
 - a. Appeal to the teacher who made the initial decision (i.e. if a class suspension).
 - b. If unresolved, appeal to the school principal.
 - c. If unresolved, appeal to the superintendent of schools.
 - d. If unresolved, appeal to the school board.
- ii. **Exceptions (Appeal goes directly to the School Board):**
 - a. Suspensions in excess of five days.
 - b. Expulsions.

10. Rights and Responsibilities Regarding Behaviour Intervention and Response

Students have the following rights:

- To expect that appropriate measures shall be taken to ensure that any behaviour intervention, response, or consequence is administered in a manner consistent with respecting human dignity.
- To be treated with care and concern irrespective of the situation.
- To be accompanied by a parent/caregiver or other adult to assist and make representations to the school board in an appeal when the decision has been made to suspend beyond five days.
- To be accompanied by a parent/caregiver or other adult to assist and make representations to the school board before a decision is made to expel.
- To access appropriate educational programming during suspension and/or expulsion.
- To be accompanied by a parent/caregiver or other adult to assist in consultation during the managed move process.

Students have the following responsibilities:

- To attend school and classes regularly and punctually (See Safe and
- Caring Schools: A Policy Directive and Action Plan to Enhance Student
- Presence and Engagement [Manitoba Education and Early Childhood Learning].)
- To observe school and school division behaviour management expectations and intervention, and response policies.
- To observe the school code of conduct.
- To actively participate in behaviour intervention and response
- Planning.
- To complete assignments and other related work required by teachers or other employees of the school or school division.
- To be respectful of school property and the property of others who are employed by or attending the school.
- To assume responsibility if school and/or division property is destroyed, damaged, or lost as a result of an intentional or negligent act.

<p>Parent(s)/caregiver(s) have the following rights:</p> <ul style="list-style-type: none"> • To be informed regularly of the attendance, behaviour, and academic achievement of their child in school. • To be informed of the behaviour management, intervention, and response policies of the school and/or school division. • To accompany their child and assist them in making representations to the school board regarding a suspension of more than five days or before a decision is made to expel the child. • To accompany their child and assist them in collaboration during the managed move process. 	<p>Parent(s)/caregiver(s) have the following responsibilities:</p> <ul style="list-style-type: none"> • To cooperate with teachers and other school and/or division employees to ensure their child observes the school and/or division behaviour management, intervention, and response policies, and the school's code of conduct. • To take all reasonable measures to ensure the student attends school regularly. • To assume responsibility, with the student, where school and/or division property is destroyed, damaged, or lost as a result of an intentional or negligent act of that student (Note: Teachers and students whose personal property is damaged or lost may bring action under The Parental Responsibility Act.)
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Teachers have the following responsibilities:

- To maintain a safe and caring environment for students attending or participating in activities that are sponsored or approved by the school, whether inside or outside of the school building.
- To treat students with care and concern irrespective of situation.
- To comply with the school code of conduct.
- To ensure the interventions, responses, and consequences implemented in performing duties to maintain a safe and caring environment are appropriate given the frequency and severity of the code of conduct non-observance and considering the student's age and state of development as well as their degree of social-emotional and mental wellness.
- To report to the principal non-observance of the code of conduct while at school or at a prescribed school-approved activity as soon as reasonably possible.

- To report to the principal, as soon as reasonably possible, harmful use of the Internet, electronic communication, and AI-generated content (e.g., audio, images, video, or text) whether it occurs during school hours or not.
- To report to the principal, as soon as reasonably possible, that a student may have engaged in or been impacted by bullying/ cyberbullying behaviour, or any other behaviour that would require an intervention and response, whether it occurs during school hours or not.
- To seize or cause to be seized and take possession of any offensive/ dangerous weapon brought to school by a student and entrust it to the principal.
- To promptly document and report to the principal a student suspension from the classroom.
- To participate in, when deemed appropriate by the principal, the re-entry process to support student transition.
- To participate in, when deemed appropriate by the principal, the managed move process to support student transition.

Principals have the following responsibilities:

- To treat students with care and concern irrespective of situation.
- To establish, in consultation with the School Advisory Committee, a school code of conduct, and to review that code of conduct at least annually.
- To ensure that a school's behaviour management policies—including behaviour intervention, response, and consequences for non-observance of the school's code of conduct—are consistent with any ministerial or policy directives.
- To supervise or ensure supervision of buildings and grounds during school hours, checking for safety, repairs, and cleanliness.
- To remove, or cause to be removed, persons from the school premises who are causing a disturbance or interruption, who are trespassing, or who are present for a purpose not reasonably associated with the normal functioning of the school. To provide behaviour intervention and response, appropriate to the needs of each student, from the time the student arrives at school until the student departs for the day, except during any period that the student is absent from school at the request of their parent(s)/ caregiver(s).
- To provide behaviour intervention and response for students on their way to and from school, while travelling to and from school, on school division transportation, and while at school-related activities.

- To ensure that the interventions, responses, and consequences implemented in performing duties to maintain a safe and caring environment are appropriate, given the frequency and severity of any code of conduct non-observance, and taking into account the students' age and state of development, as well as their degree of social-emotional and mental wellness to notify the parent(s)/caregiver(s), as soon as reasonably possible, if the principal believes that a student has been harmed as a result of another person's behaviour.
- To inform the student's parent(s)/caregiver(s), as soon as reasonably possible, of any suspension and the reasons for the suspension.
- To give the school board or designate, within 24 hours of a student being suspended, a written report setting out the student's name, the period of suspension, and a description of the incident for which the student was suspended.
- To keep a record of each student suspension.
- To develop categories of the reasons for which a student may be suspended, and to ensure that each suspension is accordingly categorized.
- To keep records on the nature and duration of all suspensions, both in-school and out-of-school.
- To ensure that educational programming is available to a student who has been suspended for more than five days.
- After consultation with the superintendent, to participate in, and direct appropriate staff to participate in, the managed move process in order to support student transition.

Superintendents have the following responsibilities:

- To inform the student's parent(s)/caregiver(s) of a suspension beyond five days and up to six weeks and the reasons for the suspension where the behaviour has been deemed injurious to the school environment and/or an imminent safety risk to students and/or staff.
- To give the school board a written report setting out the student's name, the period of suspension, and a description of the incident for which the student was suspended if the suspension is beyond five days.
- To advise the school board if and when a student will participate in the managed move process in any capacity.
- To engage in consultation with the school principal about the appropriateness of a managed move in any capacity.

School boards have the following responsibilities:

- To establish written policy respecting the appropriate use of the Internet, including social media, text messages, direct messages, websites, email, AI-generated content (e.g., audio, images, video, or text), cameras, cell phones, and any other electronic or personal communication devices.
- To establish written policy on respect for human diversity and ensure that the policy is implemented in each school, the policy must promote and enhance a safe and inclusive learning environment, the acceptance of and respect for others, a positive school environment, and the training of teachers and other staff on bullying behaviour prevention and respect for human diversity.
- To permit a student and their parent(s)/caregiver(s) to make representations to the school board about a suspension of more than five days.
- To confirm or modify the suspension or reinstate the student after receiving such a representation.
- To suspend or expel any student who has engaged in behaviour deemed injurious to the school environment and/or an imminent safety risk to students and/or staff.
- To ensure that alternative programming is made available for students of compulsory school age who are expelled.
- To limit or place conditions on the teacher's right to suspend, either with respect to an individual student or generally, if the board is of the opinion that the teacher has repeatedly suspended an individual student for reasons that are not justified or suspended students for reasons that are not justified.