

## **EIA Disciplinary Process**

### **Student Intervention and Discipline**

The Edmonton Islamic Academy (“EIA”) believes in helping students acquire self-discipline and strong Islamic character by providing them with a clear mission and vision to guide behaviour. The goal is to create an environment which enables great leaders at school, in the Muslim community and the community at large. Circumstances may require the need for intervention and/or discipline which our philosophy views as a collective responsibility between the students, parents and staff. The goal of disciplinary intervention will focus on prevention, understanding, and correction, with the objective of maintaining an environment that allows us to achieve academic goals in line with Islamic values.

In most cases, student discipline should be progressive in nature and must be age appropriate and reflect the intellectual, social, and emotional development of the student. Administrators are expected to exercise discretion based on a broad range of information and several factors, such as:

- Severity of the incident(s)
- Intensity of action
- Frequency
- Age of the student
- Intent
- Disabling conditions of the student
- Impact of Social and Environmental factors
- Impact on the school’s Islamic environment and Mission and Vision
- Prior misconduct

### **Misconduct**

EIA categorizes misconduct into three levels. Each level requires a varying approach of level of intervention and/or discipline. Each incident is considered unique and as a result, each instance of misconduct will be dealt with on a case by case basis and consequences implemented are reflective of the context in which the behavior occurred. *For examples of misconduct in each level, refer to appendix A.*

In cases of misconduct, a written discipline report documenting the incident shall be placed in the EIA’s Student Discipline Record by the teacher. A student may also be asked to write an account of the incident. Written reports will be documented in the student file and, if necessary, included in the teacher’s file.

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Level of Misconduct	Description	Typical Intervention/Disciplinary Steps
Level 1	Behavior that causes the disruption of teaching and learning.	<p>1. Behaviour is documented and a verbal reminder of proper conduct is provided. Students may require a Behavioural Improvement Plan prior to returning to the classroom.</p> <p>2. Repeat offences will be referred to administration and parents are contacted and a detention and/or suspension may be issued.</p> <p><i>If behaviour persists, the matter will move into Level 2.</i></p>
Level 2	Behavior that causes greater disruption of teaching and learning than level one. It also included student behaviours that may lead to physical and mental harm of another person and or property damage.	<p>1. Behaviour is documented and a written warning is issued.. Students will require a Behavioural Improvement Plan prior to returning to the classroom.</p> <p>2. For repeat offences of a more serious nature, students will be referred to the principal and the principal may issue a punishment proportional to the incident up to and including a suspension of up to 5 days.</p> <p><i>Expulsion may be recommended in very extreme circumstances.</i></p>
Level 3	Behaviour that causes the physical or emotional endangerment of fellow students, school staff, other people or property. Behaviours in Level 3 include but are not limited to any violation of municipal, provincial or federal laws.	<p>1. Students will be referred to the principal for investigation.</p> <p>2. The principal may issue a punishment proportional to the offence including a suspension of up to 5 days and in extreme circumstances expel the student whose expulsion must be ratified by the board of the directors of the school.</p>

### Suspension

A principal may suspend a student if:

- a) the student has failed to comply with section 31 and/or 33(2) of the Education Act;
- b) the student has failed to comply with established EIA policies and procedures, including the Mission and Vision;

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c) the student's conduct, whether or not the conduct occurs on school property or during the school day, is injurious to the physical, emotional, or mental well-being of others in the school;

d) the student's conduct is a threat to the EIA's Islamic environment and or its values.

A principal may suspend a student:

- a) from school;
- b) from one or more class periods or courses;
- c) from transportation provided by the school;
- d) from any school-related activity.

When a student is suspended, the principal shall:

- a) immediately inform the student's parent/guardian of the suspension by phone call or in-person;
- b) report in writing to the student's parent/guardian all the circumstances respecting the suspension; and
- c) provide an opportunity to meet with the student's parent, and the student if the student is 16 years of age or older, to discuss the suspension.

A suspension may not exceed 5 school days, except in the event the student has been expelled.

### **Expulsion**

If a student is suspended, the principal may expel the student, prior to the end of the student's suspension if:

- a) the student has displayed an attitude of wilful, blatant and repeated refusal to comply with sections 31 and/or 33(2) of the Education Act;
- b) the student has failed to comply with established Edmonton Islamic Academy policies and procedures, including the Mission and Vision Statement of EIA;
- c) the student's conduct, whether or not the conduct occurs on school property or during the school day, is injurious to the physical, emotional, or mental well-being of others in the school;
- d) the student's conduct is a threat to harming the EIA's Islamic environment

If the principal expels the student, the principal shall:

- a) immediately inform the board of trustees of EIA of the decision of expulsion, and;

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b) report in writing to the board of trustees all the circumstances respecting the principal's decision for expulsion, and the student remains suspended until the board has made a decision to ratify or not ratify the decision.

Upon receipt of the principal's decision, the board of trustees shall review the process incorporated by the principal in the decision making process to determine if the proper procedures were adhered to in his/her investigation. Further the board of trustees shall review the appropriate legislation to confirm that proper procedures have been followed. The board of trustees may do one of the following:

- a) ratify the principal's decision;
- b) reject the decision and return the decision to the principal with the direction to reconsider the decision upon having followed the proper process;
- c) reject and dismiss the decision, in the event the proper procedures were not followed and the matter cannot be reconsidered fairly.

When a student is expelled, the board of trustees shall immediately notify, in writing, the student's parent, and the student, if the student is 16 years of age or older:

- a) of the expulsion and any rules or conditions that apply to the student, and
- b) of the right to request a review or appeal

When a student is expelled, the board of trustees shall ensure that the student is provided with a supervised education program for the remainder of the academic school year which is consistent with the requirements of the Education Act and the Private School regulations.

### **Appeal**

The student and the student's parents may make an appeal to the board of trustees with respect to the Principal's decision to expel the student. Such an appeal must be submitted in writing to the school administration within 5 school days from the date the board issues its ratification of the principal's decision.

The board shall, within ten (10) school days of the appeal, make a decision:

- a) to affirm the decision;
- b) to affirm the decision with modification to that decision;
- c) to overturn the decision.

If a student is expelled, the expulsion takes effect immediately following the board of trustees' decision affirming the principal's decision.

In certain circumstances, the board of trustees may establish rules or conditions (ie. Contract) for an expelled student respecting the circumstances in which the student may be enrolled in the same or a different education program.

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An expulsion may not apply to a student beyond the school year in which the student was expelled. In the event that a student is expelled, only the board of trustees may deny or accept re-enrollment for the following school year. If accepted, the board of trustees has the authority to apply conditions.

### **Grounds for appeal**

The grounds for appeal are one (1) or more of the following:

- a) relevant evidence that was not available at the time of the original decision;
- b) there was clear evidence of bias in the decision making process;
- c) established procedures were not followed and have impacted the decision.

Note: Dissatisfaction with the decision does not constitute grounds for appeal

The Chairman of the Board or his/her designate will review the request to appeal within five (5) school days and determine whether or not there are sufficient grounds for an appeal.

Upon receipt of the written request for an appeal, the chair of the board may consult with the board of trustees to determine the following:

- a) deny the request to appeal due to insufficient evidence to support the request;
- b) accept the request to the appeal based on sufficient evidence that the grounds of appeal have been met;
- c) grant the parent(s) or student the opportunity for a hearing in which they can provide evidence of their grounds for appeal directly to the board of trustees. A final decision will be made and communicated in writing to the parent(s) within five (5) school days.

### **Appeal Hearing**

Should the chairman of the board review a request to appeal and request a formal hearing, a hearing will be scheduled with the following parties:

- a) parent(s) of the student or a suitable representative with signed consent;
- b) principal or designate of EIA;
- c) The board of trustees

All written materials to be submitted as evidence must be provided by the parties, not less than 24 hours prior to the hearing, to the board of trustees who shall review the initial decision and all supporting documentation.

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During the hearing, the parent(s) will address the board of trustees and:

- a) clarify the outcome sought;
- b) clearly indicate their grounds for appeal;
- c) provide any relevant information and/or evidence to support why the decision should be reconsidered.

The principal or designate shall then have an opportunity to respond to the applicant's arguments.

Any witnesses who are to provide evidence shall remain outside of the meeting except at the time of giving evidence.

The board of trustees will have the opportunity to ask clarifying questions to the applicants, witnesses and the principal during the hearing, but will reserve decision making until the meeting has concluded.

After the meeting has concluded, the board of trustees shall discuss the appeal and make a decision to:

- a) deny the appeal and uphold the decision;
- b) accept the appeal and overturn the decision;
- c) accept the appeal in part and uphold the decision however vary certain terms therein.

The Chairman of the Board will notify the parent(s) of the decision in writing, within five (5) school days. This decision will be final.

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### **Appendix A Examples of Misconduct**

#### **Examples of Level 1 Misconduct**

- A.1 Tardiness
- A.2 Unexplained absences
- A.3 Unprepared for learning - not bringing the necessary books and equipment
- A.4 Incorrect school uniform (including sports)
- A.5 Defying school authority and staff members which leads to disruption of student learning
- A.6 Breaking rules that apply to individual classrooms, hallways, playgrounds and buses
- A.7 Disruptive classroom and school behaviour
- A.8 Minor disruption(s) or inappropriateness during prayer period (ie. giggling or talking)
- A.9 Trespassing into areas of the school that have been allocated "out of bounds" for students (ie. Elementary student in high school bathroom or student entering an office without consent)
- A.10 Inconsistent/non-compliant work habits during class time that affects student learning
- A.11 Disrespectful comments towards other students
- A.12 Homework is consistently incomplete or not returned
- A.13 Consistently out-of-seat and wandering in class
- A.14 Ignoring recess/lunch supervisor instructions
- A.15 Minor verbal or physical altercations with other students/adults

#### **Examples of Level 2 Misconduct**

- B.1 Defiance of school authority: Insubordination/wilful disobedience: refusal to obey reasonable directions or requests of any staff member, including volunteers, aides, substitutes, secretaries, custodians, food service workers, bus drivers, etc.
- B.2 Disruptive or dangerous behaviour on school buses
- B.3 Inappropriate interactions between students which are contradictory to Islamic values
- B.4 Verbally Fighting with other students or physically hitting a student (may be elevated to level 3 - depends on severity and discretion of administrator)
- B.5 Theft (may be elevated to level 3 - depends on severity and discretion of the administration)
- B.6 Vandalism (may be elevated to level 3 – depends on severity and discretion of the administration)

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- B.7 Using cell phones or iPods (including social media) during school time
- B.8 Leaving school or class without permission
- B.9 Disrespect towards teachers, teacher assistants, volunteers, parents or other students
- B.10 Cheating on exams or assignments
- B.11 Providing false documents and forgery (e.g. signing letters without the knowledge of parents)
- B.12 Obstruction/interference with or school personnel: Interfering with the discharge of the official duties of school personnel through passive resistance, failure to give name or the correct name, etc.
- B.13 Very disruptive or inappropriate behaviour during prayer (ie. Horseplay in the Prayer Area)
- B.14 Lying to avoid a minor infraction
- B.15 Harassment or Verbal Assault – threatening others including violent actions
- B.16 Continuous uncorrected disruption of educational process in class
- B.17 Abusive or inappropriate language toward peers or making lewd gestures or comments

### **Examples of Level 3 Misconduct**

- C.1 Fighting, threatening, or swearing at teachers, staff members and/or community members
- C.2 Possessing, sharing or distributing pornographic material
- C.3 Wilful damage to, or destruction of, school and personal property
- C.4 Possessing, selling, weapons and/ or explosives
- C.5 Using/possession of any illegal and inappropriate substances
- C.6 Exchanging any inappropriate materials, photos, etc. (i.e. Social media)
- C.7 Lying with intent to slander, damage, or mislead
- C.8 Committing major actions contradictory to Islamic morals such as sexual activity
- C.9 Dangerous behaviour towards self (ie. Self-inflicting wounds) or others (ie. Threatening with weapons or dangerous objects)
- C.10 Gang affiliation or gang like behaviour/activity
- C.11 Excessive profanity
- C.12 All forms of bullying (this includes but is not limited to cyberbullying, extortion, exclusion, mocking, teasing, insulting, racist remarks, or frightening others)