

SAFE and CARING SCHOOLS

PROVINCIAL CODE OF CONDUCT

Behaviour Intervention and Response
Using a Student-Centred and
Strengths-Based Approach

2025



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Manitoba Education and Early Childhood Learning

Safe and caring schools : provincial code of conduct : behaviour intervention and response using a student-centred and strengths-based approach

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This resource is available on the Manitoba Education and Early Childhood Learning website at www.edu.gov.mb.ca/k12/.

Disponible en français.

Available in alternate formats upon request.

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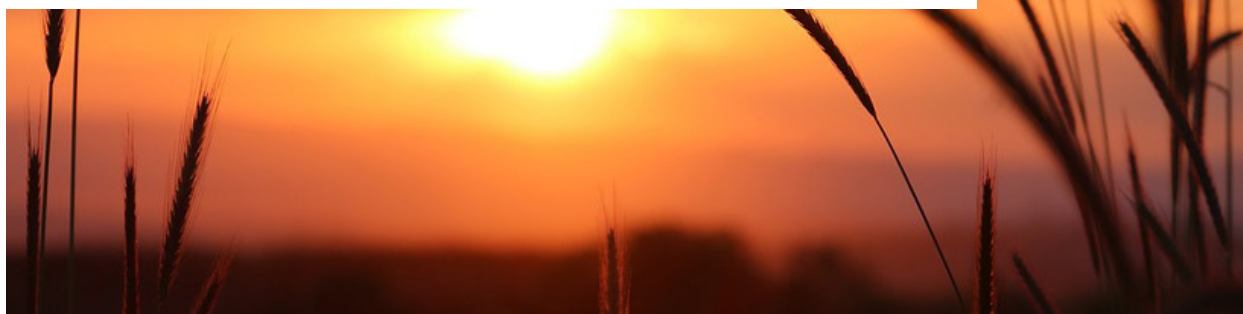
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Land Treaty Acknowledgement

We recognize that Manitoba is on Treaty 1, 2, 3, 4, 5, 6, and 10 Territories and the ancestral lands of the Anishinaabe, Anishinewuk, Dakota Oyate, Denesuline, Ininiwak, and Nehethowuk Peoples. We acknowledge Manitoba is located on the Homeland of the Red River Métis. We acknowledge northern Manitoba includes lands that were and are the ancestral lands of the Inuit.

We respect the spirit and intent of Treaties and Treaty Making and remain committed to working in partnership with First Nations, the Inuit, and the Métis in the spirit of truth, reconciliation, and collaboration.



Manitoba's Philosophy of Inclusion

The Public Schools Act supports Manitoba's Philosophy of Inclusion, which states the following:

Inclusion is a way of thinking and acting that allows every individual to feel accepted, valued, and safe. An inclusive community consciously evolves to meet the changing needs of its members. Through recognition and support, an inclusive community provides meaningful involvement and equal access to the benefits of citizenship. In Manitoba, we embrace inclusion as a means of enhancing the well-being of every member of the community.

By working together, we strengthen our capacity to provide the foundation for a richer future for all of us.

Safe and Caring Schools

Manitoba Education and Early Childhood Learning (hereafter referred to as the department) is committed to safe and caring schools where all students, from every background, feel a sense of safety, belonging, and respect, and receive the high quality education they need to feel successful and reach their full potential.

Manitoba schools and school divisions must be proactive in creating and sustaining safe schools by implementing policies that provide safe, inclusive, and culturally responsive learning environments. With parent(s)/caregiver(s) as partners, schools recognize the importance of whole-school planning for preventative and responsive safety measures. Positive relationships and problem-solving skills are developed throughout the school community.

The Provincial Code of Conduct is a policy directive that expands upon existing legislation and regulation for the purpose of strengthening school-wide approaches to support prevention of, intervention with, and response to inappropriate student behaviour. The directive is prescriptive only to the extent it is necessary to support students in managing and taking responsibility for their behaviour, while still allowing school personnel to exercise local decision-making.

All school divisions and funded independent schools are required to align and/or develop policies and procedures in accordance with the Canadian Charter of Rights and Freedoms and The Human Rights Code of Manitoba, as well as the rights and responsibilities related to education in Manitoba as defined in The Public Schools Act and The Education Administration Act, and their related regulations, standards, and ministerial directives. Policies and procedures must align with the *Standards for Appropriate Educational Programming in Manitoba* (Manitoba Education and Early Childhood Learning), *Mamàhtawisiwin: The Wonder We Are Born With—An Indigenous Education Policy Framework* (Manitoba Education and Early Childhood Learning), and the school/school division's respect for human diversity policy. In addition, the following guiding principles should be considered:

- 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 and requires active agency on the part of all who are responsible for children and youth.

- Take appropriate measures to 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.

School Code of Conduct

The Public Schools Act (PSA) requires that the principal of each school, in consultation with the School Advisory Committee, establish a school code of conduct to be observed by students. Staff are expected to comply with the code of conduct as they support students in managing and taking responsibility for their behaviour. Student safety is paramount in the considerations for implementing a school code of conduct.

As per subsection 47.1(1)(b) of the PSA, principals are required to ensure that the annual review of the school's code of conduct and emergency response plan is completed by October 31 of each year.

The Appropriate Disciplinary Consequences in Schools Regulation, M.R. 92/2013, requires the principal to ensure that any behaviour intervention, response, or consequence for non-observance of the code of conduct is consistent with all directives from the Minister.

A school's code of conduct must include the following:

- a statement that students and staff are respectful and observe the code of conduct
- a statement that the following will result in an intervention, a response, and/or a consequence:
 - abusing another person verbally, in writing, electronically, or otherwise in the following ways: physically, sexually, emotionally, or psychologically
 - exhibiting bullying behaviour toward another person (as defined in the glossary)

- discriminating on the basis of any characteristic set out in subsection 9(2) of The Human Rights Code

As per subsection 9(2) of The Human Rights Code, the following are characteristics protected from discrimination:

- (a) ancestry, including colour and perceived race
- (b) nationality or national origin
- (c) ethnic background or origin
- (d) religion or creed, or religious belief, religious association, or religious activity
- (e) age
- (f) sex, including sex-determined characteristics or circumstances, such as pregnancy, the possibility of pregnancy, or circumstances related to pregnancy
- (g) gender identity
- (h) sexual orientation
- (i) marital or family status
- (j) source of income
- (k) political belief, political association, or political activity
- (l) physical or mental disability or related characteristics or circumstances, including reliance on a service animal, a wheelchair, or any other remedial appliance or device
- (m) social disadvantage

- using, possessing, or being under the influence of alcohol, cannabis, or illicit drugs at school
- a statement that the following may not occur on school sites:
 - gang activity
 - possessing a weapon, as weapon is defined in section 2 of the Criminal Code (Canada)

As per Section 2 of the Criminal Code (Canada), a *weapon* means any thing used, designed to be used, or intended for use

- (a) in causing death or injury to any person, or
- (b) for the purpose of threatening or intimidating any person

- a statement that students and staff must adhere to school policies respecting the appropriate use of the following:
 - the Internet, including the use of AI-generated content (e.g., audio, images, video, or text), social media, text messaging, direct messaging, websites, and email
 - cameras, cell phones, and other electronic or personal communication devices identified in the code of conduct or the policies of the school board
- 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

The PSA defines bullying and cyberbullying behaviour and requires that students and staff observe school and school board policies respecting acceptable use of the Internet. A student's feeling of personal safety at school can be impacted by events that take place outside of school hours. Staff members who become aware of bullying or cyberbullying behaviour must report and act on it, regardless of where and when it takes place.

The PSA requires all school board employees and people in charge of students, including volunteers, to report non-observance of the code of conduct to the principal as soon as reasonably possible. This includes behaviour that occurs at school or during school-approved activities ([Appendix B: Responsibilities of Teachers](#)).

School and/or school division policies and procedures will outline the disclosure process. Where the principal believes that a student at the school has been harmed because of another's behaviour, the principal must, as soon as reasonably possible, notify the students' parent(s)/caregiver(s). The notification must include the following:

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

The school principal is required to disclose more information beyond simply the fact that measures have been taken, but this disclosure does not require particular details. This may mean disclosing, in general terms, that one or more of the following actions were taken:

- an ongoing intervention plan has been or will be developed
- a staff member has had a discussion with the student
- the student's parent(s)/caregiver(s) have been involved
- the student has had privileges removed
- the student was suspended

The information shared regarding the nature of the actions taken in response to the behaviour must be limited to what is necessary to meet the statutory requirement of subsection 47.1.1(3) of the PSA, while protecting to the extent possible students' personal information, and generally should not contain any personal health information about the students, in accordance with The Personal Health Information Act, C.C.S.M. c. P33.5 and The Freedom of Information and Protection of Privacy Act, C.C.S.M. c. F175.

Discussing proactive and preventative measures that protect the students will shift the focus of conversation from a punitive to supportive response, and allow all students involved to access resources.

A principal may need to factor in that some students cannot provide details of an incident to their parent(s)/caregiver(s) (e.g., a student with limited communicative abilities may not be able to tell their parent/caregiver the name of a child who has harmed them). It may be necessary for the principal to make the determination to do this on the child's behalf.

Some students who are part of the 2SLGBTQIA+ community may not have disclosed or shared their identity beyond the school community. Discretion must be exercised to protect students from harm in disclosing gender identity or sexual orientation.

Please see ***Supporting Transgender and Gender Diverse Students in Manitoba Schools*** (Manitoba Education and Training).

Approach to Behaviour Intervention and Response

At times, students may engage in behaviour that does not meet expectations. Such behaviour can be viewed as a message or need being communicated by the student. These are instances that can be framed as opportunities to support student learning and growth.

Across Manitoba, schools strive to support the development of positive behaviours through evidence-based approaches that include fostering a positive school climate and classroom culture, implementing positive school-wide programming, applying strengths-based practices, and engaging in school support team planning, involving community agencies as necessary.

All schools are expected to engage in preventative practices—in other words, the use of instruction and sustained school-wide programs that focus on social responsibility and positive behaviour—rather than the need for negative consequences. This includes teaching the Manitoba curriculum and using such approaches as outlined in *Safe and Caring Schools: A Whole-School Approach to Planning for Safety and Belonging* (Manitoba Education and Training) or one of a variety of programs that focus on strengths while building character and a sense of social responsibility. Such approaches emphasize the collaborative effort between school and parent(s)/caregiver(s), the development and teaching of clear expectations for behaviour, and rewarding students for meeting expectations through personal growth.

There are several strengths-based approaches that promote students' personal growth. Creating opportunities for learning and practice based on experiences that are trauma-informed, culturally responsive, related to social emotional learning (SEL), focused on positive behaviour supports, and rooted in restitution are more likely to bring about change than relying solely on punishment.

In short, providing students with strategic programming may curb behaviour that does not meet expectations before it occurs. If it does occur, the response should be one of support and care to maintain the relationship with the student and to focus on positive growth and development.

For more information on strengths-based approaches, please see the *Companion Guide for Safe and Caring Schools: A Policy Directive Enhancing Proactive Supports to Minimize the Use of Suspension* (Manitoba Education and Early Childhood Learning).

Collaborating with Parent(s)/Caregiver(s)

Teaching positive behaviour is a shared responsibility based on a cooperative relationship between parent(s)/caregiver(s) and the school. Students will feel safe when they see the adults from different parts of their lives come together to focus on their interests. When adults communicate regularly and work collaboratively, they are more likely to develop a trusting relationship.

Parent(s)/caregiver(s) and schools may disagree on behaviour intervention, response, and consequence strategies. When positive approaches to resolving disagreements are used, there are opportunities to build strong working relationships and to set positive examples for students. Parent(s)/caregiver(s) are encouraged to contact their school when they have a concern regarding a behaviour intervention or response matter. A process for appealing certain decisions must be included in the school code of conduct (see [Appeal Process](#)).

For further guidance, please see *Appropriate Educational Programming in Manitoba: A Formal Dispute Resolution Process* (Manitoba Education, Citizenship and Youth).

Behaviour That Requires Intervention and Response

There are many behaviours that warrant an intervention and response rooted in caring and support. Some of these behaviours include but are not limited to the following:

- bullying/cyberbullying behaviour
- 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
- 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
- self- or peer exploitation
- threats and/or harm to self

There is no prescriptive response to the actions listed beyond approaching both the student engaged in such behaviour and those impacted with care and concern, while also balancing the need for safety of students and staff.

The Safe and Caring Schools document series along with *Best Practices in School-Based Suicide Prevention: A Comprehensive Approach* (Healthy Child Manitoba) provide schools with the tools necessary to support all students with specialized care as required.

Student-Centred Behaviour Intervention and Response Strategies

The following interventions emphasize positive and proactive strategies that foster student learning. Consequences may be necessary when other approaches to behaviour are unsuccessful; however, they are not effective when overused.

The principal must ensure interventions for, responses to, and consequences for non-observance of the school code of conduct are consistent with this document. The principal maintains the authority to determine which intervention, response, or consequence is appropriate.

Appropriateness may be determined by the frequency and severity of the code of conduct non-observance, the student's age and state of development, and the student's degree of social-emotional and mental wellness. A student's diverse needs will be considered when decisions are made regarding behaviour intervention, response, and consequence. Reasonable accommodation is required for students with diverse needs that affect their behaviour. The response to behaviour will need to consider the student's diverse learning needs and abilities,

including the student's ability to access the information, the student's understanding of the policy or rules, and whether the response used for the majority of students is appropriate for the individual student.

Interventions, responses, and consequences may be applied, changed, and adapted as appropriate to the school and divisional context, and they do not need to be applied in the order they appear in this document. Schools may expand upon the list of appropriate interventions, responses, and consequences as long as the additional items are consistent with this policy directive.

Options will be considered based on the individual needs of the student. School staff will be sensitive to both a student who is impacted by behaviour that does not meet expectations, as well as the student who engages in the behaviour. As such, the responses listed below may apply to multiple students in any given situation.

Discussion with a Trusted Adult

A trusted adult meets with the student to discuss behaviour and strategies to support the student moving forward in a positive way. This meeting could occur once or multiple times. A trusted adult may include a teacher, administrator, school counsellor, resource teacher, or, where appropriate, a division or school Elder or Knowledge Keeper. Parent(s)/caregiver(s) may be contacted in some circumstances. Students who are 18 years of age or older must give their consent to contact parent(s)/caregiver(s).

For guidance, please see *Elders and Knowledge Keepers in Schools: Guidelines* (Manitoba Education and Early Childhood Learning) and *Mamàhtawisiwin: The Wonder We Are Born With—An Indigenous Education Policy Framework* (Manitoba Education and Early Childhood Learning).

Parental/Caregiver Involvement

Contact is made with parent(s)/caregiver(s) to discuss the student's specific behaviour and strategies that may be helpful in shifting behaviour in a positive way. It is important that the student, parent(s)/caregiver(s), and school staff understand their individual responsibilities to ensure success moving forward. The contact could vary from a telephone conversation to a formal meeting at the school with parent(s)/caregiver(s), the student, and school staff. All parental/caregiver contact must be documented.

Formal Meeting

A meeting is held with the student, parent(s)/caregiver(s), and other relevant members of the student's circle of support, which may include teacher(s), administrator(s), school counsellor, resource teacher, or clinician. Elders and Knowledge Keepers may be in attendance where appropriate, and when they are supporting students, families, and schools in this capacity. A plan may be developed to enhance engagement in positive behaviour. Schools may wish to conduct a functional behavioural assessment as a tool for learning more about the student and their behaviour, leading to possible interventions based on a function of that behaviour. The school team, along with the student and parent(s)/caregiver(s), may determine that a student-specific plan is required.

Restoring Community/Restitution

When a student damages school or division property through an intentional or negligent act, the student and/or parent(s)/caregiver(s) are required to compensate for the damages incurred. Compensation may be monetary and can also include actions that acknowledge responsibility and rebuild a sense of community.

Positive Behaviour Agreement

A positive behaviour agreement is a collaborative agreement between a student and school staff that clearly describes classroom and school behaviour expectations and sets the student up for success. Expectations are developed by school staff, the student, and parent(s)/caregiver(s). The agreement usually comprises several elements, including a list of behaviour expectations, positive outcomes for engaging in positive behaviour, what will happen as a result of not meeting behaviour expectations, and specific goals set by the student. The key to such an agreement is allowing students to monitor their own progress while building the essential skills necessary for managing their behaviour. The student, parent(s)/caregiver(s), and school staff sign the agreement, and it can be modified over time as necessary.

Student Services Referral

A referral may be made to school or school division student services personnel who, as part of the school team, can support students, parent(s)/caregiver(s), and staff. This involvement may include consultation with outside agencies. Parental/caregiver permission must be obtained for specialized assessments and/or interventions.

Outside Agency/Community Involvement

A referral to an outside agency or a community resource may be necessary to support the holistic needs of a student. Examples of outside agencies may include trauma-informed and culturally safe health and mental health services; harm reduction supports and addictions services; victim services; prevention programs; and other responsive programming and services available in the community. In some cases, parental/caregiver permission may be required. Information sharing between the school and agency may be supported by The Protecting and Supporting Children (Information Sharing) Act, C.C.S.M. c. P143.5.

Risk/Threat Assessment

Schools and school divisions have policies and procedures to foster a consistent response to threats that impact the school. Responses to threats consider the student's age and state of development and may include administrative action, activation of a threat assessment protocol or the critical incident response plan, and a post-incident response plan. Threats are characterized as an expression of intent to do harm or act out violently against someone or something, and may be spoken, written, drawn, posted online, or made by gesture. Student baseline behaviour is considered within the analysis of the threat, and departures from baseline behaviour help determine the level of risk and subsequent actions taken to mitigate these risks. Outside agency and/or police involvement may be requested. Parent(s)/caregiver(s) must be informed.

Police Notification

Police may be notified when serious incidents happen at school, during in- or out-of-school-related activities, or in other circumstances if the incident has a negative impact on the school environment. Schools and school boards must identify the types of incidents that require mandatory and discretionary police notification and ensure that principals are aware of protocols respecting police notification. Notification does not mean that charges are being sought. Parent(s)/caregiver(s) will be informed unless police direct otherwise.

The Use of Exclusionary Practices as a Behaviour Intervention, Response, and Consequence

Regardless of the name used or the intended purpose, exclusionary practices should be exercised with caution. Use of these practices necessitates engagement with the student that addresses their behaviour and contributes to their personal growth and safety for all. Schools and school divisions must develop policy and procedures on the use of exclusionary practices. Depending on the purpose and intent, exclusionary practices may be referred to by various names and applied in varying degrees (Valdebenito et al.). The degree of exclusion for any reason should be commensurate with the least restrictive environment and should not be punitive. Exclusionary practices might typically be viewed on a continuum of severity, and students may not hold the same perception of that severity. Caution must be taken so that students are not faced with undue hardship or feelings of alienation as a result of the exclusionary practice.

Examples of exclusionary practices may include the following:

- withdrawal from the classroom setting for less than half a school day—such withdrawal is usually temporary, and when a prolonged withdrawal is recommended, parent(s)/caregiver(s) will be informed
- detention at the school—if a detention extends beyond regular school hours, parent(s)/caregiver(s) must be informed
- removal of privileges such as access to the playground, cafeteria, library, and/or extracurricular activities under certain circumstances and for a finite period of time
- time out
- removal from school bus ridership, with parent/caregiver notification
- being sent home early, with parent/caregiver notification

Seclusion is a safety response only and must never be used as a consequence for behaviour. Schools and school divisions must follow the guidelines set forth in *Safe and Caring Schools: A Policy Directive Enhancing Proactive Supports to Minimize the Use of Seclusion* (Manitoba Education and Early Childhood Learning).

Student Suspension

Any suspension, in- or out-of-school, must be guided by policies developed in accordance with *Safe and Caring Schools: A Policy Directive Enhancing Proactive Supports to Minimize the Use of Suspension* (Manitoba Education and Early Childhood Learning).

A suspension from the classroom or school building may be determined as an appropriate consequence when a student's behaviour is found to be injurious to the school environment and/or deemed an imminent safety risk to students and staff. Alternatives must be considered before suspension (e.g., classroom strategies, in-school alternatives, school-wide programs, and alternative and/or off-site locations).

As outlined in sections 7 and 8 of the *Appropriate Disciplinary Consequences in Schools Regulation*, M.R. 92/2013:

- A teacher may suspend a student from the classroom for not more than two days.
- A principal may suspend a student from the school for not more than five days.
- A superintendent may suspend a student from the school for not more than six weeks.*
- A parent/caregiver and/or student may request to appear before the school board to make representations to appeal a suspension. A school board may, upon receiving such representation, confirm or modify the suspension, or reinstate the student.

* Week: A week shall be considered one school week; six weeks shall be considered six school weeks. If the time limit expires on a day when the school is not open for any reason during its regular hours of business or because it is a holiday, the time is extended to the next day the school is open or to the day following a holiday (Manitoba Education and Early Childhood Learning, *Policy Directive Enhancing Proactive Supports to Minimize the Use of Suspension* 2).

Student Expulsion

The PSA and the Appropriate Disciplinary Consequences in Schools Regulation, M.R. 92/2013, allow school boards to expel students. Policy related to expulsion must be developed by the school board.

If a student engages in severe behaviour that is injurious to the school environment and/or is an imminent safety risk to students and staff, it may be determined that the student must be away from the school environment on a long-term basis, and is therefore, expelled. 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 school division entirely. If a student is expelled, the expulsion will last only until the school board rescinds the expulsion or the end of the current school year, whichever comes first.

A case management approach is required to coordinate any supports needed and to provide a stable point of contact to establish and maintain relationships with students who are expelled and their parent(s)/caregiver(s). As such, the principal must designate a case manager to respond to and work with the student and their parent(s)/caregiver(s). Throughout the expulsion, a mechanism for daily contact with the student must be developed to support their continued learning, safety, and well-being as well as to maintain a connection to the school community. This contact may be the responsibility of the case manager or another trusted adult at the school. Examples of daily contact include a phone call or virtual meeting, an email or text message, or a message through an educational platform used by the school.

More about the case management process is identified in *Supporting Inclusive Schools: A Handbook for Resource Teachers in Manitoba Schools* (Manitoba Education and Advanced Learning).

The school division will be required to provide data on expulsions to the department.

During an expulsion, the school division is required to provide the student with alternative programming.

Alternative programming includes the following:

- (a) providing the student appropriate supports to perform schoolwork at home
- (b) permitting the student to enrol in a different school in the school division or school district, or a different program in the same or a different school

- (c) facilitating the student's participation in an activity or program that is an approved activity or program under the Activities and Programs—Learning to Age 18 Regulation, Manitoba Regulation 139/2011
- (d) facilitating the student becoming enrolled in an adult learning centre or in remote learning options administered by the department

When the expulsion comes to an end, a plan for review and re-entry must be developed by the school. If the student is re-entering the school, please see *Safe and Caring Schools: A Policy Directive Enhancing Proactive Supports to Minimize the Use of Suspension* for the re-entry process. If the student will be finishing the school year under an expulsion, the review and re-entry process must take place before the end of the current school year, enabling the student to begin the new school year with their peers the following September.

If the student is entering a natural transition, either to a new school or out of school entirely, the school must follow the same transition process outlined in local school and/or divisional policies and procedures.

If, at any point, it is decided an expelled student will not return to their current school, the school and school division must engage in a managed move process in order to support the student's continued learning.

Managed Move

School boards are required to provide appropriate educational programming to all students within their schools. There must be reasonable accommodation of students' special needs unless they demonstrably give rise to undue hardship due to cost, risk to safety, impact on others, or other factors (Appropriate Educational Programming Regulation, MR 155/2005). While attending the catchment school is appropriate for most students, there are times when it may not be. When feasible, schools and school divisions may wish to engage in a managed move, a supportive and collaborative practice whereby students are transitioned from one school to another school or program. Developing a process for such a practice is important to ensure this option is available to all students, as the resources of the school and school division permit.

A managed move may occur for multiple reasons and may offer the student the opportunity to move to a new school or program. The transfer to the new school or program is carefully planned, taking into account the student's diverse learning and behaviour needs, and ensuring the student is fully supported by both the outgoing school and receiving school or program.

The managed move process differs from school of choice in that the move is initiated by the outgoing school or division and must involve the student, parent(s)/caregiver(s), both the outgoing and receiving schools, and any relevant support agencies.

Funded independent schools will engage in the same managed move process once parent(s)/caregiver(s) have secured placement for the student at a new school, whether it be another funded independent school or a public school.

The carefully planned transfer of a student may

- occur within schools in a school division
- occur between school divisions
- facilitate the student becoming enrolled in an adult learning centre
- facilitate the student's participation in an activity or program (in or out of division) that is approved under Activities and Programs—Activities and Programs—Learning to Age 18 Regulation, M.R. 139/2011

The managed move will be preceded by information sharing between the in-school teams of the outgoing school and the new school or program and may include data on prior and current academic attainment, academic potential, a risk/threat assessment, advice on effective risk management strategies, and attempted interventions such as, where relevant, multi-agency support or any assessments that were done or explored prior to the managed move. The timely transfer of files will accompany the managed move process. It is also important for the new school to ensure the student is provided with an effective school or program entry strategy through a student-specific plan (SSP) as overseen by a case manager. This may mean developing a Circle of Care, Wraparound, or other systems support process to support student success and family stability.

In cases where the school division, student, and parent(s)/caregiver(s) determine that a managed move is an appropriate course of action, and a student will attend a school or program outside the division, a transportation plan must be developed jointly with the parent(s)/caregiver(s). In many cases, partnerships between school divisions indicate the sending school division is responsible for transportation. Collaboration with the receiving school division will be required.

A managed move may be for a finite period of time, as agreed upon by the outgoing school, receiving school or program, and the student and parent(s)/caregiver(s). It is important that the move be mutually agreed upon by all parties to ensure a supported transition process.

The decision to suspend, expel, or engage in the managed move process is complex just as students' motivations and behaviours are complex. These interventions are often considered only after all other avenues have been exhausted.

Appeal Process

Parent(s)/caregiver(s) who disagree with the placement of their child may access the appeal process. Appeal processes protect the rights of students and parent(s)/caregiver(s), and address differences of opinion regarding the education of students. The appeal process for the school division must be developed and made accessible to parent(s)/caregiver(s). It is important that the partnership between schools and parent(s)/caregiver(s) is strong and that issues are resolved at the local level whenever possible (Manitoba Education and Early Childhood Learning, "Dispute Resolution," *Standards for Appropriate Educational Programming*).

Students and parent(s)/caregiver(s) must follow the school board's established appeal process. Typically, this involves an appeal to the teacher who made the behaviour intervention and response decision, then to the school principal if not resolved, then to the superintendent of schools if not resolved, and finally to the school board. Exceptions are suspensions in excess of five days and expulsions. In these cases, the appeal goes directly to the school board.

In the case of a student who has been suspended more than five days, the school board must permit the student and their parent(s)/caregiver(s) to make representations to the school board about the suspension. The school board may confirm the suspension, modify it, or reinstate the student.

In the case of a student who has been expelled, the school board must permit the student and their parent(s)/caregiver(s) to make representations to the school board about the expulsion. If a student and their parent(s)/caregiver(s) wish to appeal the board's decision, the school or school division's appeal process shall be followed.

Appendices

Appendix A: 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 long-term 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.

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.

Appendix B: Rights and Responsibilities Regarding Behaviour Intervention and Response

Rights and Responsibilities of Students

Rights

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 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

Responsibilities

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

Rights and Responsibilities of Parent(s)/Caregiver(s)

Rights

Parent(s)/caregiver(s) have the following rights:

- 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

Responsibilities

Parent(s)/caregiver(s) have the following responsibilities:

- 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.)

Responsibilities of Teachers

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 taking into account 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

* The duty to report to the principal also applies to employees of a school board, school division, or school district, and persons who have care and charge of one or more students during a prescribed school-approved activity.

Responsibilities of Principals

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

Responsibilities of Superintendents

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 or designate 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 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

Responsibilities of School Boards

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, and AI-generated content (e.g., audio, images, video, or text)
 - cameras, cell phones, and any other electronic or personal communication devices identified by the board
- 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
 - suspended students for reasons that are not justified

Sources: The Public Schools Act, The Education Administration Act, The Parental Responsibility Act, Safe Schools Regulation, M.R. 77/2005, Appropriate Disciplinary Consequences in Schools Regulation 92/2013, and the *Administrative Handbook for Schools* (Manitoba Education and Training)

* Appropriate-use policies may include provisions that prohibit accessing, uploading, downloading, sharing, or distributing information or material that the school board has determined to be objectionable or not in keeping with the maintenance of a safe and caring school environment.

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