

Subject: Positive Learning Environment
Effective: April 1, 1999
Revised: September 1, 2001

1.0 PURPOSE

This policy provides a framework for activities of the Department of Education, school districts and schools which will create positive learning and working environments in the public education system by:

- proposing a vision which is shared by all partners in education;
 - establishing a process for fostering positive learning and working environments;
 - identifying best practices for discipline when a positive environment alone is not enough; and
 - setting limits for behaviour and identifying the responsibilities of all partners in the school system.
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2.0 APPLICATION

The behaviour standards defined in this policy and in the School Positive Learning Environment Plan apply to all participants in the public school system, on school property, on school buses and other school system-organized transportation, at school-sponsored events, whenever the school is responsible for a pupil, whenever an individual is acting on behalf of or is representing the school and in all communications related to school events (e.g. meetings, phone calls and written correspondence between parents and staff, e-mails sent by pupils using school system resources, contacts with the public when fund-raising, out-of-school interactions based on in-school relationships, etc.).

Additional standards for the behaviour of adults who have contact with pupils in the New Brunswick public school system are defined in [Policy 701](#).

3.0 DEFINITIONS

None

4.0 LEGAL AUTHORITY

[Education Act](#) – Section:

6(b.2) The Minister may establish provincial policies and guidelines related to public education within the scope of this Act.

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5.0 GOALS / PRINCIPLES

A positive learning and working environment is one in which:

- every person is valued and all individuals, including staff¹, pupils, and parents² are treated with respect and treat others with respect;
- pupils have the right to be taught and to learn without being disrupted by others and have the responsibility not to disrupt the learning of others;
- pupils are responsible for their behaviour in accordance with their stage of development and to the extent to which their behaviour is voluntary. When disruptive behaviour is due to exceptional characteristics of a pupil and he/she is unable to control this behaviour, solutions must take the needs of the pupil and the pupil's classmates into account;
- adults and pupils in the public school system have the right to work and to learn in a safe, orderly, productive, respectful and harassment-free environment;
- parents, pupils, staff and the community together have defined goals for the learning environment of the school, have agreed on a plan for reaching those goals and are communicating and applying the plan consistently at home, in school and in the community;
- great value is placed on effective teaching so that pupils have a sense of belonging, feel they are supported by staff in their efforts to succeed, and have a positive relationship with at least one adult in the school system;
- successes, appropriate behaviour and accomplishments are emphasized and celebrated;
- parents, staff and the community understand that social skills, self-discipline, compassion and ethics continue to be learned throughout life and each partner in education plays a role in teaching these things through instruction and by example; and
- administrators at the school, the district and the Department of Education support effective teaching and behaviour management.

6.0 REQUIREMENTS / STANDARDS

PART 1: FOSTERING A POSITIVE LEARNING ENVIRONMENT

6.1 The School District Positive Learning Environment Plan

Superintendents will ensure the development of an overall plan of assistance for fostering positive learning environments in their districts in consultation with their District Education Councils.

¹ Staff includes: educators, support staff, bus drivers, resource staff and volunteers.

² Parents includes guardians.

6.2. The School Positive Learning Environment Plan

6.2.1 Each school community will develop a School Positive Learning Environment Plan consistent with the [Education Act](#) and this policy. Elements of the school plan which are identified as priority areas for the school will be incorporated into the School Improvement Plan. The development process will be a cooperative effort among pupils, parents, the Parent School Support Committee (PSSC), teachers, administrators, resource and support staff, bus drivers and school volunteers. The Director of Education will approve each school's School Positive Learning Environment Plan prior to implementation and every two years thereafter. The School Positive Learning Environment Plan will be reviewed with the PSSC prior to implementation and whenever it is revised. A process permitting staff, pupils, parents and volunteers to review and to modify the School Positive Learning Environment Plan should be in place.

6.2.2 Principals hold overall responsibility for their school's effectiveness in developing and implementing the School Positive Learning Environment Plan.

School district staff and Department of Education staff will provide support through: ongoing development of resource materials reflecting current research and best practices, developing provincial and local protocols for coordination of services with other departments and agencies, fostering contacts with service providers for referral and assistance at the district level, making appropriate professional development opportunities available as well as providing human and other resources and communicating with parents and the public in support of the School Positive Learning Environment Plan.

6.2.3 The School Positive Learning Environment Plan will reflect the school community's vision for the learning environment it wishes to achieve.

6.3 The following behaviours, exhibited by any person, will not be tolerated in the New Brunswick public school system. This means intervention, as agreed upon in the School Positive Learning Environment Plan, is consistently required when these behaviours occur:

- harassment, intimidation and violence;
- discrimination based on gender, race, colour, national or ethnic origin, religion, culture, language group, sexual orientation, disability, age or grade level;
- dissemination of hate propaganda including hate literature;
- use or possession of alcohol or illegal drugs;
- possession/use/selling of illegal substances or weapons;
- theft or intentional property damage;
- any behaviour which threatens the health or safety of any person. (e.g. arson, bomb threats and tampering with safety equipment such as fire alarms);

- accusations involving falsehood or malicious intent; and
- creating or attempting to create a disturbance, using threatening or abusive language and speaking or acting in such a way as to impair the maintenance of order and discipline on school property. This is contrary to the [Education Act](#) and is an offence punishable under the [Provincial Offences Procedure Act](#). Any person behaving in such a way can be removed from school grounds by staff members or those instructed to act on their behalf.

6.4 Serious misconduct by pupils which will result in automatic penalty

6.4.1 A pupil whose conduct poses an immediate threat to the safety of others will be removed from the situation at once and will be permitted to return when safety can reasonably be assured. This may range, depending on the situation, from a brief “cool-down” period to initiation of a suspension procedure.

6.4.2 In the case where a student is intoxicated or there is potential for him/her to endanger him/herself or others, parents must be notified and the student shall not be left without appropriate adult supervision until the student is released to his/her parents or other authority.

6.4.3 The following behaviours are viewed as extreme and unacceptable in the New Brunswick public school system. They may result in immediate suspension without the normal sequence of interventions. They may also require police involvement

- **possession/use/selling of weapons** (A weapon is any object used, designed to be used, or intended to be used to cause injury or death, or to threaten or intimidate a person. Discipline decisions will take into account the inherent or perceived danger of the object involved.)
- **possession/use/selling of illegal or dangerous substances or objects** (Examples include the use of illegal drugs and alcohol, possession of drug paraphernalia and possession of explosives.)
- **physical violence** (The use of force or inciting others to use force to cause physical injury.)
- **criminal harassment** (Causing a person to fear for their safety or the safety of a person known to them by: (a) repeatedly following from place to place, (b) repeatedly communicating directly or indirectly (e.g. by leaving notes or other indications of having been present, calling on the phone, etc. (c) stalking or (d) engaging in threatening behaviour.)
- **uttering threats** (Communicating intent to: cause bodily harm or death, destroy or damage property or to kill or injure an animal.)
- **any other behaviour which contravenes the [Criminal Code of Canada](#)**

PART 2: INTERVENING IN PUPIL MISCONDUCT

6.5 Behaviours which pose a pervasive threat to the positive learning environment are the more minor but daily disruptions such as: defiance, refusal to work or to comply, disrespectful language and gestures, name calling, ridiculing, missing school or arriving late and physical acting-out including, in the early years, biting, hitting and kicking. Some of this behaviour may be curbed through the collaborative effort of the home, the school system and the community resulting from the development of the School Positive Learning Environment Plan. For some pupils, individual interventions will be required. When disruptive behaviour is substantial and persistent, a formal plan of intervention shall be put in place.

A very small number of pupils will not be able to comply because compliance is beyond their physical, mental or emotional capability. Disruptive behaviour of these pupils must be addressed through a formal plan of intervention or within their individual education plans.

When it has been determined at a case conference and approved by the superintendent or his/her designate, that all available interventions have been exhausted and that the needs of a pupil cannot be met in a regular classroom setting, alternative arrangements will be made, in keeping with school district resources. Such a case conference shall involve: the pupil, if appropriate, parents, school administrators, appropriate district staff, resource staff and other professionals involved with the provision of service to the pupil. The goal of any alternate placement will ultimately be to return the pupil to the regular classroom.

6.5.1 Identification

Superintendents shall ensure school personnel are provided with adequate information, as appropriate for their responsibilities, to recognize signs that a student is in difficulty. Signs indicating that a pupil is at risk of becoming disruptive or being victimized include difficulties with: learning, communication, social skills, self-control, self-esteem, bullying behaviour, and overall functioning in the school environment. In the case of pupils who are victimized, indications may include: reluctance to go to school, to attend certain classes or to be in the school yard or particular areas in the school and may also include behaviours intended to elicit disciplinary action. Exceptional ability may also require particular attention. Early identification will increase the likelihood of appropriate intervention or referral. Care must be taken, however, that identification not lead to stereotyping of pupils.

6.5.2 Parental Involvement

Pupil misconduct at school requires parental involvement just as misconduct outside school hours requires parental involvement. Effectiveness of intervention is significantly influenced by parental collaboration. Parents shall be made aware of problems involving their child and be involved at the earliest stage possible in the development of an appropriate plan of action. Parents are responsible for supporting the agreed upon plan. When parental support is not given, parents must be informed of the constraints

this places on the education system in providing service and the consequences for their child's progress. In extreme cases, a referral will be made to Family and Community Services. Section 31(2) of the [Family Service Act](#) states: "Where the Minister (of Family and Community Services) receives a report or information about any situation that causes him to suspect that the security or development of a child may be in danger, he shall investigate and shall take such steps as he considers necessary to protect the child." The Act considers that the security or development of a child may be in danger when: "the child is in the care of a person who is unable or unwilling to provide adequate care, supervision or control of the child" or "the child is in the care of a person who neglects or refuses to ensure that the child attends school" as well as a number of other conditions.

6.5.3 Components of Discipline

The goal of discipline must be to help pupils to learn appropriate, self-regulatory, productive behaviours which will enable them, increasingly, to meet their needs and to pursue their goals.

6.6. RECORDING AND SHARING CONDUCT INFORMATION

6.6.1 General

The primary purpose of maintaining pupil records is to provide support for the learning of the individual pupil. Decisions regarding the documentation and sharing of pupil conduct information must be made in this context.

6.6.2 Contents of Conduct Records

Teachers and other staff, such as bus drivers, shall keep an accurate, written record of notable incidents of misconduct. The manner in which incidents are handled, subsequent interventions and progress shall also be recorded. Staff shall keep school administrators informed concerning specific and general discipline issues.

6.6.3 Maintenance of Conduct Information

Records documenting pupil conduct shall be kept as long as a pupil poses a threat to him/herself or others or is receiving assistance related to the conduct. Assistance may include: participation in programs, special services and classroom management techniques directed specifically towards the pupil.

Teachers shall review pupil records, including conduct records, at the end of each school year and prior to transfer to another school. At these points, any information which has not been relevant to the provision of service to a pupil for two years or more shall be destroyed.

6.6.4 Sharing of Conduct Information

Information concerning assistance received by a pupil shall be provided to any person who works with the pupil to the extent required for effective delivery of this assistance.

If it is assessed that a pupil poses potential risk to him/herself, to others or to school property, the nature of this risk shall be communicated as soon as possible, on a need-to-know basis to those who work with the pupil, including bus drivers and to the administration of any school to which the pupil may transfer.

7.0 GUIDELINES / RECOMMENDATIONS

Issues which are suggested for inclusion in the School Positive Learning Environment Plan are listed in [Appendix A](#).

Components of effective discipline which reflect best practices in New Brunswick schools and are supported by current research are included in [Appendix B](#).

8.0 DISTRICT EDUCATION COUNCIL POLICY-MAKING

A District Education Council may develop policies and procedures, not inconsistent with this policy, regarding behaviour standards in schools within its jurisdiction.

9.0 REFERENCES

[Policy 701](#) - Policy for the Protection of Pupils in the Public School System from Misconduct by Adults (Pupil Protection Policy)

10.0 CONTACTS FOR MORE INFORMATION

Department of Education – Policy and Planning Branch
(506) 453-3090

Department of Education – Student Services
(506) 453-2816

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