Developing and Reviewing
Codes of Conduct: A Companion
to the

Provincial Standards for Codes of Conduct Ministerial Order

and

Safe, Caring and Orderly Schools: A Guide (2004)

This document is a companion to the *Provincial Standards for Codes of Conduct Ministerial Order* and the *Safe Caring and Orderly Schools: A Guide.* It does not contain and should not be construed as legal advice. Boards of education are encouraged to seek legal counsel with respect to the *BC Human Rights Code*, the *School Act*, and the *Provincial Standards for Codes of Conduct Ministerial Order*.

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Ministry of
Education

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Background

This Facilitators' Companion has been created to assist boards of education in meeting their obligation to ensure that codes of conduct in their districts meet the provincial standards and comply with the *School Act* and the *Provincial Standards for Codes of Conduct Order*. It offers information to assist boards to meet their responsibilities under the law and work to make the schools of our province as safe, caring and orderly as possible.

In 2004, the Ministry of Education, in consultation with education partner groups, published the handbook *Safe, Caring and Orderly Schools: A Guide* and provided it to all BC schools. This helpful guide included expectations for codes of conduct and suggestions for how schools can create learning environments that are safe and welcoming for all students and staff. The Guide can be found at: www.bced.gov.bc.ca/sco/

In 2007, the *School Act* was amended to make it mandatory for boards to have codes of conduct. In addition, a Ministerial Order entitled *Provincial Standards for Codes of Conduct Order* was enacted in the summer of 2007 that sets the standards for codes of conduct.

Other Recommended Resources include:

Diversity in BC Schools: A Framework	*BC Performance Standards Social Responsibility: A Framework*
BC Ministry of Education (2004 Edition)	BC Ministry of Education (2001)
http://www.bced.gov.bc.ca/diversity/diversity_framework.pdf	http://www.bced.gov.bc.ca/perf_stands/social_resp.htm

Boards of education must consider the *BC Human Rights Code* when developing codes of conduct in their school districts.

The *BC Human Rights Code* deals with various forms of discrimination. The section dealing with discrimination in services lists grounds that might apply for the purposes of codes of conduct for schools.

Most relevant for the purposes of developing codes of conduct, it prohibits discrimination on the basis of an individual's or a group's race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, or sexual orientation.

How does the *BC Human Rights Code* apply to codes of conduct?

The *BC Human Rights Code* states that two of its purposes are to

- "foster a society in British Columbia in which there are no impediments to full and free participation in economic social political and cultural life of British Columbia" and

- "promote a climate of understanding and mutual respect where all are equal in dignity and rights."

Students' feelings of safety and belonging, including freedom from discrimination, can seriously affect their ability to learn in school. As the *Safe Caring and Orderly Schools: A Guide* states, schools should be places where students are free from harm, where clear expectations of acceptable behaviour are held and met, and where all members feel they belong. For example:

Safe schools
- make it easy and safe for students and their parents to inform school authorities of safety concerns

Please refer to Safe Caring and Orderly Schools: A Guide

Pages 9 – 13

- make a "big deal" about bullying, harassment and intimidation

Caring schools
- enable parents to advocate for their children's well-being

- enable students to help each other

- promote appropriate adult-student relationships

Orderly schools
- plan for things to "go right" and are ready to respond appropriately if or when things "go wrong"

- minimize distractions from purposeful learning activities

- are characterized by a climate of mutual respect and responsibility

Schools should be environments where students experience freedom from harm, which includes freedom from discrimination based on any of the grounds listed above. For example, a student who is experiencing harassment by other students may be unable to fully participate in his or her educational program and be a successful learner.

For schools and boards of education, the prohibitions under the *BC Human Rights Code* that are of particular relevance are *discriminatory publication* and *discrimination in services*.

Discriminatory publication refers to publishing, issuing or displaying--or causing to be published issued or displayed--any statement, publication, notice, sign, symbol, emblem or other representation that indicates discrimination or an intention to discriminate against a person or a group or class of persons, or is likely to expose a person or group or class of persons to hatred or contempt because of any of the grounds listed above. Schools may need to address discrimination of this type displayed in graffiti, student publications, blogs, websites, or other communication methods.

Discrimination in service means to deny a person a service customarily available to the public or to discriminate against a person or class of persons regarding a service customarily available to the public.

What are the processes that must be used in developing and reviewing codes of conduct?

The provincial standards in the *Provincial Standards for Codes of Conduct Order* outline both process and content elements that must, at a minimum, be addressed in the development of all codes of conduct in British Columbia school districts.

Please refer to Safe Caring and Orderly Schools: A Guide

Pages 15 – 17

The standards in the Ministerial Order set out the **processes** that must be followed in the development of codes of conduct:

- involving students, parents and staff in the development and review of codes of conduct;
- ensuring that there is wide knowledge of conduct expectations in school communities; and
- keeping codes up-to-date, to address current school circumstances and emerging issues.

What other processes are also important to make codes of conduct effective?	In addition, the handbook *Safe, Caring and Orderly Schools: A Guide* sets further expectations for processes:

- incorporating the active teaching of conduct expectations into regular classroom learning activities;

- monitoring the implementation of existing codes and improving strategies as needed; and

- consulting with other schools in the district to ensure compatibility of conduct expectations.

Who must be involved in the development and review of codes of conduct?	The Ministerial Order sets a standard for who must be involved in the development and review of codes of conduct. Boards must ensure that students, parents, and employees of the board (school staff) are involved.

In practice, principals often invite representation from the school Parent Advisory Council and Student Council to participate in this work. To be sure that the voices of other students are heard, additional student and parent involvement may also be appropriate; for example, student-led multicultural or gay/straight organization members.

How can schools make sure that everyone in the school community is familiar with the school's code of conduct?	The Ministerial Order states that boards must ensure that schools make codes of conduct available to the public and distribute them to employees, parents and students at the beginning of the school year.

When students enrol during the year, they and their parents must be provided with a copy of the code of conduct. Codes of conduct must be displayed in a prominent location in schools where visitors to the school as well as people who are regularly in the school can read them.

In practice, codes of conduct cannot have a positive impact on the culture of a school unless they are communicated consistently to everyone at least annually. It is also good practice for students and their parents to have an opportunity to discuss the expectations set out in the code with someone on the school staff.

Many schools include the code of conduct in the school handbook, provided to all families at the beginning of each school year. Parent-teacher events or school newsletters may be an opportunity to reinforce the code. Communication methods can not only remind parents and students of the conduct expectations, but also celebrate improvements or exemplary examples of positive school cultures that reflect social responsibility.

School assemblies can help reinforce and refresh school-wide understanding of the expectations in codes. Behavioural expectations should be consistently taught and actively promoted throughout the school year.

Codes can be used to teach and model socially responsible behaviour, and the language and concepts of the codes reinforced through teaching and student leadership. A sense of pride in the code should be part of students' experience. We want every student to feel a sense of belonging and pride in his or her school, that people in the school community are respectful and fair, and that they feel safe.

How can schools be sure that their codes continue to meet the needs of the school community?

The Ministerial Order sets a standard that codes of conduct must be reviewed at least annually.

The expectations in the Guide state that behaviours in the school community should be continuously monitored to ensure that the codes are current and reflect situations that arise. For example, as more technology emerges, codes may need to be adapted with respect to expectations for use of cell phones, web postings, or other emerging technologies.

To make sure that this review takes place in a busy school year, a process to review codes should be regularly scheduled, and should be reconsidered in light of emerging circumstances. For example, an incident that occurs may not be clearly covered in the conduct expectations during a school year. The code may need to be amended to reflect this type of conduct in the future.

What are the content standards that must be included in all codes of conduct?

Please refer to Safe Caring and Orderly Schools: A Guide

Pages 15 – 17

The standards in the *Provincial Standards for Codes of Conduct Order* state that codes of conduct must include the following elements:

- Statement of purpose

- Conduct expectations—both acceptable and unacceptable conduct; for example, disruptive behaviours and serious misconduct like bullying, harassment and intimidation

- Rising expectations as students mature and considerations for students with special needs

- Consequences for unacceptable conduct

- An explanation that the board will take all reasonable steps to prevent retaliation by a person against a student who has made a complaint of a breach of a code of conduct.

Suggestions for
Purpose Section

Statement of purpose: Effective codes of conduct should go beyond a list of rules to include a rationale for the expectations set in the codes. It is important for members of the school community and the public to understand the reasons for the code; for example, to make the school a safe, caring, and orderly environment for learning and working. The statement of purpose should clarify the need for an appropriate balance between individual and collective rights, freedoms, and responsibilities.

This purpose section should also clarify the circumstances in which the expectations in the code of conduct applies; for example, behaviour both on school premises and during activities that are off school premises and that are organized or sponsored by the school, and behaviour beyond these times when it affects the safe, caring or orderly environment of the school. Such expectations can be set regarding website postings, "blogs" text messages by or about students or staff using electronic devices, and other means that negatively affect other members of the school community and student learning.

Suggestions for
Conduct
Expectations

Conduct expectations—acceptable behaviour: Codes of conduct describe how students are expected to conduct themselves at school, while attending a school function, or when engaging in other conduct that negatively impact the safe, caring or orderly nature of the school.

Examples of areas that should be addressed in the conduct expectations include:

- respecting self, others and the school

- helping to make the school a safe, caring and orderly place

- informing a "tellable" adult in a timely manner (in advance, if possible) of incidents of bullying, harassment or intimidation

- engaging in purposeful learning activities in a timely manner

- acting in a manner that brings credit to the school

Conduct expectations—unacceptable behaviour:

Codes of conduct should describe clearly what is considered to unacceptable conduct. It is a good idea to include at least one statement that communicates that all behaviours are not listed in the code, but that those cited are examples. Otherwise, quibbling about unacceptable behaviour that is not explicitly listed may occur.

Examples of behaviour that should be considered include:

Behaviours that

- interfere with the learning of others, including their emotional well-being

- interfere with an orderly environment

- create unsafe conditions

Acts, such as

- bullying, harassment or intimidation

- physical violence

- retribution against a person who has reported incidents

Illegal acts, such as

- possession, use or distribution of illegal or restricted substances

- possession or use of weapons

- theft of or damage to property

Suggestions for Consequences Section

Consequences for unacceptable conduct: As stated in the standards of the *Provincial Standards for Codes of Conduct Order*, codes of conduct must contain one or more statements about the consequences for unacceptable behaviour. These statements must take into account students' age, maturity, and special needs.

The *Safe, Caring and Orderly Schools: A Guide* sets the following expectations for characteristics of consequences:

- Responses to unacceptable conduct should be pre-planned, consistent, and fair

- Disciplinary action, wherever possible, consequences should be preventative and restorative, rather than merely punitive

- As often as possible, students should be encouraged to participate in the development of meaningful consequences for violations of the code of conduct

How can codes of conduct address age and ability differences in students?

Students have varying levels of understanding as they grow older and more mature. Some students with certain types of special needs are unable to understand conduct expectations or rationally control their conduct.

Conduct expectations for students in the primary grades may be very different than what we would expect of a student in Grade 6 or Grade 11. Such differences in maturity levels should be reflected in both expectations and consequences for conduct.

Codes also need to be sensitive to the fact that some students have disabilities that interfere with their ability to understand or follow the school's code of conduct expectations. For example, a student who has an intellectual disability may not be able to understand or remember school rules and routines. Students affected by some syndromes have uncontrollable behaviours.

The standards in the Ministerial Order mandate that codes of conduct include statements that make it clear that their application will not discriminate against a student who can not meet a behavioural expectation because of a disability. For example, stern consequences for repeated swearing by a student who is affected by a nervous system disorder for which uncontrollable verbal outbursts and swearing is a symptom would be inappropriate. Rather, support that assists such students to master the behavioural expectations should be part of their Individual Education Plan goals and consequences should take into account the needs of the students.

How can codes of conduct address student conduct that occurs outside the school yet has a negative impact on the school community?

The standards in the *Provincial Standards for Codes of Conduct Order* state that codes of conduct must address unacceptable conduct that has a negative impact on the school environment.

As codes are developed and reviewed, it is expected that they will specifically address behaviour that intimidates or exposes students or staff to physical harm, ridicule, hatred, or contempt. This type of conduct can have a significant negative impact on the school environment, even if the incidents begin outside the school building and grounds or school day. For example, postings to internet sites that encourage contempt for students or staff based on their sexual orientation, religion, or race can have a significant impact on the victims and the whole school community.

There is a growing concern about conduct called colloquially "cyber-bulling" that has had a profound negative impact not only on students' ability to learn in school but also the school's status as a caring and orderly learning and working environment.

Students, staff and parents should know that school officials have a responsibility to advise other parties of serious breeches in codes of conduct. Although this is not stated directly in the Ministerial Order, boards may wish to include statements that explain these responsibilities.

Some examples of individuals or agencies that may need to be informed include: a student's parents, the parents of other students who were involved (for example when a student is disciplined for bullying behaviour, the parents of the student who was bullied), school district officials, where the conduct of the student contravenes district policy (for example, destruction of school property), the police or other agencies, where the law requires, or the parents of all students in the school, when the whole school community needs to be reassured that a serious situation is being addressed.

Definitions

The following definitions may be useful in the development of codes of conduct so that everyone in the school community shares a common understanding of terms that appear in the codes. They are not legal definitions, but have been commonly used in the school system.

Bullying behaviour: a pattern of repeated aggressive behaviour, with negative intent, directed from one person to another where there is a power imbalance.

Bullying behaviour is a type of harassment and intimidation. This aggressive behaviour includes physical or verbal behaviour, and is an intentional and purposeful act meant to inflict injury or discomfort on the other person. There are three critical conditions that distinguish bullying from other forms of aggressive behaviour including:

1. *Power*: involves a power imbalance. Individuals who bully acquire their power through physical size and strength, including status within the peer group, and/or by recruiting support of the peer group.

2. *Frequency*: is repeated over time. Bullying is characterized by frequent and repeated attacks. It is this factor that brings about the anticipatory terror in the mind of the person being bullied that can be so detrimental and can have the most debilitating long-term effects.

3. *Intent to harm*: is intended to hurt. Individuals who bully generally do so with the intent to either physically or emotionally harm the other person.

Cyber bullying: bullying behaviour which is carried out through an internet service such as email, chat room, blog, discussion group or instant messaging. It can also include bullying through mobile phone technologies and new internet technologies in the future.

Harassment: any unwelcome or unwanted act or comment that is hurtful, degrading, humiliating, or offensive to another person is an act of harassment. Of particular concern is such behaviour that persists after the aggressor has been asked to stop.

Any of the following behaviours could be considered harassment:
- condescending treatment that undermines another's self-respect, name-calling, teasing, disrespectful comments
- gossiping, spreading malicious rumours, "dirty" looks, social ridicule, public embarrassment
- social isolation ("freezing out" or rejecting others), exclusion from a group, threatening to withdraw friendship
- repeated unwanted communication
- unwelcome jokes, innuendoes, insults, or put downs; taunts about a person's body, disability, religion, attire, age, economic status, ethnic or national origin
- insulting graffiti directed at an individual or group
- unwanted and uninvited sexual attention, particularly when it is intimidating, hostile, or offensive to the recipient.

Intimidation: Intimidation is the act of instilling fear in someone as a means of controlling that person.

For example, any of the following behaviours could be considered intimidation:
- verbal threats: threatening phone calls, threats of violence against a person or property
- physical threats: showing a weapon, jostling, threatening to punch, stalking or following
- defacing or stealing victim's property
- daring or coercing victim to do something dangerous or illegal
- extortion (demanding payment or goods for a victim's safety)
- inciting hatred toward a victim
- setting up a victim to take the blame for an offence

Safe schools: schools in which members of the school community are free of the fear of harm, including potential threats from inside or outside the school. The attitudes and actions of students, staff and parents support an environment that is resistant to disruption and intrusion, and enables a constant focus on student achievement.

Caring schools: schools where it is known that a sense of belonging and connectedness – not just for students, but for everyone in the school community – is a necessary element in the creation and maintenance of a safe learning environment. Caring schools are ones in which members of the school community feel a sense of belonging and have opportunities to relate to one another in positive, supportive ways. All aspects of school life embrace and reflect diversity. The school is an inviting place for students, staff, parents and visitors. Staff members make conscious and concerted efforts to help other members of the school community feel connected.

Orderly schools: schools that are free from chaos and confusion, and alive with the sights and sounds of purposeful learning activities. Routines for repetitious activities are well established so students' minds and bodies are free to focus on the learning and development work at hand. A businesslike atmosphere exists, yet there is creativity and fun in abundance. Everyone in the school has work to do and does it in a timely way – and in a way that doesn't interfere with the learning and development of others. Everyone feels a sense of meaningful accomplishment, and feels the school is a good place to be. All members of the school community are informed about and exercise their rights and responsibilities as school citizens.

CODES OF CONDUCT CHECKLIST

PROCESS ELEMENTS	Meets Provincial Standard	
Processes are in place to include students, parents and staff in the development and review of codes of conduct. ……………………………………………………………	Yes ( )	No ( )
Students, parents and staff have participated in the development and review of codes of conduct. …………………………………………………………………………........	Yes ( )	No ( )
Refer to: Facilitators' Companion page(s) 4-6 *Safe, Caring and Orderly Schools: A Guide page(s) 9-13, 15-17, 25-33, 35-37*		
Processes are in place to make expectations regarding acceptable conduct known to all students, parents and school staff, as well as to temporary staff or visitors. ……………..	Yes ( )	No ( )
Expectations regarding acceptable conduct have been made known to all students, parents and school staff, as well as to temporary staff or visitors. ………………………	Yes ( )	No ( )
Protocols have been established to guide the conduct of students, parents, coaches and involved members of the greater community while acting as ambassadors of the school...	Yes ( )	No ( )
Protocols regarding conduct while acting as ambassadors of the school are made known to students, parents, coaches and involved members of the greater community. ………..	Yes ( )	No ( )
Refer to: Facilitators' Companion page(s) 4-6 *Safe, Caring and Orderly Schools: A Guide page(s) 9-13, 15-17, 25-33*		
Strategies have been developed for the active teaching and promotion of behavioural expectations outlined in codes of conduct. ……………………………………………..	Yes ( )	No ( )
Behavioural expectations outlined in codes of conduct are consistently taught and actively promoted. ………………………………………………………………………	Yes ( )	No ( )

Refer to: Facilitators' Companion page(s) 5-6
    Safe, Caring and Orderly Schools: A Guide page(s) 15-17, 25-33, 35-37
    BC Performance Standards 'Social Responsibility': A Framework		

Processes are in place to monitor conduct to ensure codes reflect current and emerging situations and contribute to school safety. ……………………….........……………………..	Yes ( )	No ( )
Conduct is consistently monitored to ensure codes reflect current and emerging situations and are contributing to school safety………………………………………………………	Yes ( )	No ( )
Refer to: Facilitators' Companion page(s) 4 *Safe, Caring and Orderly Schools: A Guide page(s) 9-13, 25-33, 35-37, 45-51*		
Processes are in place to revisit and revise codes of conduct as part of a regular policy review cycle. ………………………………………………………………………...	Yes ( )	No ( )
Codes of conduct are revisited as part of a regular cycle of policy review. …………........	Yes ( )	No ( )
Refer to: Facilitators' Companion page(s) 4-5 *Safe, Caring and Orderly Schools: A Guide page(s) 25-33, 35-37*		
Processes are in place to align codes of conduct between schools in the community and across elementary, middle and secondary levels. …………………………………............	Yes ( )	No ( )
Codes of conduct are compatible between schools in the community and across elementary, middle and secondary levels. ………………………………………………………	Yes ( )	No ( )
Refer to: Facilitators' Companion page(s) 5 *Safe, Caring and Orderly Schools: A Guide page(s) 9-13, 15-17, 25-33*		

CONTENT ELEMENTS	Meets Provincial Standard	
Statement of Purpose – codes of conduct include one or more statements that provide a rationale for the code of conduct and explain its goals. ………………………………… *Refer to: Facilitators' Companion page(s) 6-7* *Safe, Caring and Orderly Schools: A Guide page(s) 9-13, 25-33*	Yes ( )	No ( )

Reference to the *BC Human Rights Code* – codes of conduct include one or more statements that address the prohibited grounds of discrimination set out in the *BC Human Rights Code* in respect of discriminatory publication and discrimination in accommodation, service and facility in the school environment. …………………………......
 	
Refer to: Facilitators' Companion page(s) 3-4
         Safe, Caring and Orderly Schools: A Guide page(s) 9-13, 25-33
         Diversity in BC School: A Framework page(s) 23-26
	Yes
	( )
		No
		( )

Conduct Expectations – regarding acceptable conduct, unacceptable conduct, and rising expectations. *Refer to: Facilitators' Companion page(s) 7-10, 10-12* *Safe, Caring and Orderly Schools: A Guide page(s) 9-13, 15-17, 25-33*		
▪ *Acceptable conduct* – codes of conduct include one or more statements that convey clearly and concisely how students are expected to conduct themselves at school and while attending any school function at any location. …….……...……..……...	Yes ( )	No ( )
▪ *Unacceptable conduct* – codes of conduct include one or more statements that convey clearly and concisely what is considered to be unacceptable conduct. ……...	Yes ( )	No ( )
At least one statement is included to explain that special considerations may apply to students with special who are unable to comply with expectations due to having a disability of an intellectual, physical, sensory, emotional or behavioural nature. …...	Yes ( )	No ( )
▪ *Rising expectations* – codes of conduct include one or more statements that outline a progression of expectations held for students as they become older, more mature and move through successive grades. ………………………………………………..	Yes ( )	No ( )
Consequences – codes of conduct include one or more statements about the consequences of unacceptable conduct, which take account of the age and maturity of students and special needs, if any, in determining appropriate disciplinary action. ……………………...	Yes ( )	No ( )
At least one statement is included to explain that whenever possible and appropriate, consequences for breaches of a code are restorative in nature rather than punitive. .... *Refer to: Facilitators' Companion page(s) 8-10* *Safe, Caring and Orderly Schools: A Guide page(s) 9-13, 15-17, 25-33*	Yes ( )	No ( )
Notification – codes of conduct include one or more statements to explain that school officials may have a responsibility to advise other parties of serious breaches of the code of conduct. (e.g., parents, school district officials, police and/or other agencies) …………. *Refer to: Facilitators' Companion page(s) 10* *Safe, Caring and Orderly Schools: A Guide page(s)) 15-17, 19-22*	Yes ( )	No ( )
Retaliation Prevention – codes of conduct include an explanation that the board will take all reasonable steps to prevent retaliation against a student who has made a complaint of a breach of a code of conduct. ……………………………………………......................... *Refer to: Facilitators' Companion page(s) 7* *Safe, Caring and Orderly Schools: A Guide page(s) 9-13, 17-22, 35-37*	Yes ( )	No ( )