



Catholic Schools Office Diocese of Lismore

Suspension and Expulsion of Students Policy & Procedures

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Evaluation and Review:

Related Documentation:

Catholic Education in the Diocese of Lismore Foundational Beliefs and Practices - The Essential Framework, 2007

Parish School Behaviour and Pastoral Care policies

Board of Studies Registration Systems and Member Non-government School (NSW) Manual, 2004

Disability Discrimination Act, 1992, Disability Standards, 2005

Diocese of Lismore Student Records Policy 2010

Diocese of Lismore Violence in Schools Support Package 2011

Statement of policy

Once students are enrolled in a parish school they and their parent(s)/carer(s) become part of the parish and the system of Catholic schools in the Diocese of Lismore.

This policy embodies and guides the living out of *Catholic Education in the Diocese of Lismore, Foundational Beliefs and Practices – The Essential Framework in Parish School Communities*.

Any decision to remove a student on a temporary basis from the full life of the school will be as a result of a documented and transparent process. This process will give due consideration to the confidentiality of all parties. Procedural fairness, consultation and appropriate pastoral and educational support will inform all decisions.

Scope

This policy and these procedures apply to students enrolled in parish schools in the Diocese of Lismore.

Principles

- Enrolment in a parish school involves mutual rights and responsibilities of the principal and staff, the parent(s)/carer(s), and the student.
- The parish school values the worth of every individual student and has a focus on student wellbeing and pastoral care.
- Restorative practices that focus on the rebuilding of relationships are important.
- The decision to suspend a student rests with the parish school principal. The principal will take into account the fact that students have different levels of maturity and understanding.
- The promotion of quality teaching and learning is a fundamental obligation of all who are involved in Catholic education.
- Parish schools are educational communities and all members are entitled to a safe environment conducive to quality teaching and learning.
- Procedural fairness is demonstrated in the decision making process.
- Confidentiality is an essential consideration when dealing with matters of suspension.
- Matters that have resulted in any suspension need to be attended to as soon as possible so a return to school plan can be enacted.
- The expulsion of a student is an option considered only in exceptional circumstances.

Definition

Procedural fairness

Procedural fairness includes the right to be heard, the right to be treated without bias, the right to be informed of complaints being made and to be provided with an opportunity to respond to them and the right to information regarding the status of the complaint.

In matters relating to suspension it is important that all involved are accorded procedural fairness.

Investigation and decision making

While separating the two steps of investigation and decision making may not always be possible it is advisable to do this as far as it is practicable. A suspension decision should not be made until all the facts are known, the student has had the opportunity to respond, the parents are involved and, in serious cases, the student has had an opportunity to obtain advice.

Further advice on investigation and decision making can be found in the appendix to this policy.

Suspension

There are two forms of suspension:

1. In school suspension. The school changes the formal learning arrangements of the student so that the student does not attend regular class and school activities for the duration of the in school suspension. Appropriate supervision and work are provided during this period in a space separated from the student body. Generally the student would not participate in special school events held during the in school suspension period.
2. Out of school suspension. The principal has the delegated authority from the Director of Catholic Schools to suspend a student from school. While the principal is on the school premises the responsibility is not delegated to other staff. If the principal is off the school premises the responsibility can be delegated to the Assistant Principal or the next senior person on staff. A principal must inform the person prior to departing the premises that they have the responsibility to act on behalf of the principal.

Out of school suspension is designed to allow a period of time when the school, parent(s)/carer(s) and the student involved can work together on the resolution of the problem that has led to the student's suspension. In such cases the parish priest and Catholic Schools Office should be informed and a record kept. Therefore, the student's right to attend school has been withdrawn for a defined period of time. Responsibility for the student's safety and welfare during this time is transferred to the parent or caregiver. The student is not to be on the school premises during this period.

Duration of suspension

The duration of any suspension is an important decision. Factors that must be considered include issues such as any previous suspension, the age of the student, family and personal circumstances, recognised disability, the behaviour in question and its impact on others.

Suspensions of 1-3 days can be determined by the principal without reference to the Education Consultant. Suspensions over 3 days are considered very serious and can be determined by the principal only after consultation with the Education Consultant. A suspension of 10 days or more is considered exceptional and can only be determined by the principal after consultation with the Director of Catholic Schools.

A complete record which includes the student's name, reason for suspension, the type of suspension and length of suspension must be kept at the school in all cases (see Appendix 2). In the case of long term suspensions (over 3 days) notification to the Assistant Director Education Services on the correct form is required within 24 hours. This information will be required by the Catholic Schools Office as part of diocesan compliance.

The school has a responsibility for the educational wellbeing of the student while on suspension and must put in place appropriate measures to ensure the student's learning needs are catered for during this period.

Reentry Meeting

A reentry meeting must be conducted before the student's return to school. The principal will inform the parents who will be in attendance at the reentry meeting. The student should be present. The principal may decide to extend the suspension if the reentry meeting does not meet the desired outcomes.

Parent involvement in suspension

See Appendix 1 for information on parent involvement in suspension. Questions relating to the suspension can be made in the first instance to the Principal. If the issue cannot be resolved at that level the student, parent(s)/carer(s) may discuss the matter with the Education Consultant.

Negotiated Transfer

When all other pastoral and discipline measures, including suspension, have failed to resolve an issue of serious inappropriate student behaviour, a negotiated transfer may be considered. Negotiated Transfer means a documented and mutually agreed move to another school is arranged. Generally such transfers are managed by the Education Consultant in consultation with all relevant parties in both schools, including the parish priest, and with the parents of the student involved. A Negotiated Transfer may be considered as a way of giving a student a "fresh start".

Responsibilities

While the actions detailed in this policy will apply to a minority of students, it is essential that parish schools clearly communicate on a regular basis to all parents, carers, students and staff, school policies on student management, complaints handling and behavioural expectations.

Clear documentation and communication play an important role in ensuring that decisions and actions are based on published principles and follow pastoral and consistent processes. Reference to school procedures in matters relating to suspension should be made in school pastoral care / welfare / discipline policies.

Record Keeping

All records pertaining to any incident involving suspension must be carefully recorded, filed and retained according to the Diocesan Student Records Policy. The Catholic Schools Office may seek information from schools on the number, reasons for and frequency of suspension and expulsion decisions.

Expulsion

The expulsion of a student from the community of a Catholic parish school should only be considered in exceptional circumstances. A principal can only expel a student after consultation with the parish priest and the approval of the Director of Catholic Schools.

Parents are notified of the expulsion decision by the principal.

Right of appeal against expulsion

Students and their parent(s)/carer(s) have the right to request a review of the expulsion.

Parents have a right of appeal through the Director of Catholic Schools.

Any review of a decision to expel will reference all relevant records to determine if principles of procedural fairness were followed in the decision making process.

Appendix 1

Investigation and decision making considerations

Before a suspension or expulsion decision is made principals are to ensure that:

1. A methodical and comprehensive investigation of the incident(s) has occurred and all available witnesses have been interviewed.
2. All matters raised in any interview/investigation are recorded in writing and kept according to the Diocesan Student Records Policy.
3. The student has been heard in the matter(s) under investigation and has had the opportunity to respond to the complaint(s).
4. The age, developmental levels and specific needs of the student have been taken into consideration in the investigation. Consideration has been given to extenuating circumstances before any action is taken.
5. The student understands the decision timeline and the steps that will be taken in any investigation.
6. Where possible a second school based adult should be present in interviews where the incident involves the possibility of suspension or expulsion.
7. As far as possible the student's parent(s) have adequate and timely information on the incident, time to assess the information and the opportunity to respond to the complaint(s). Parents have the right to be present for interviews particularly where suspension or expulsion is a possibility.
8. A letter detailing the incident and reasons for suspension is provided to the parent.
9. Parents are aware of the right of appeal mechanism.
10. The principal may decide that immediate suspension is appropriate and at times essential when issues involve possible criminality, intimidation, serious breaches of the school's Code of Conduct or concerns about the safety of staff and students.
11. In the case of an immediate suspension the Parent/Caregiver must be informed. Students are never to leave the parish school premises until parents/caregivers have been notified and arrangements for the student's return home have been confirmed.

Appendix 2

Record Keeping

A yearly record is to be kept at the school which includes the following information

Year:	Detail
Student name	
Class teacher	
Date of suspension	
Length of suspension	
Reason for suspension	
Date of reentry meeting	
This was the student's [] suspension	Number
Location of all correspondence	

The Catholic Schools Office will require schools to produce suspension data.

Student Suspension Record Short term suspension (1-3 days)

Suspensions of 1-3 days can be determined by the principal without reference to the Education Consultant.

Student Suspension Record Long term suspension (4-10 days)

Suspensions of 4 days to 10 days are considered very serious and can be determined by the principal only after consultation with the Education Consultant.

Long term suspensions must be recorded on the appropriate form in the Violence on Schools Package. A copy is to be forwarded to the Assistant Director Education Services within 24 hours and a copy must be kept at the school. Also included in the Violence in Schools Package are copies of correspondence relating to suspension decisions.

Student Expulsion Record

A record is kept at the school of expulsion decisions. The record includes:

Year:	Detail
Student name	
Class teacher	
Date of expulsion	
Reason for expulsion	
Date Director and Parish Priest first notified of concerns	
Location of all correspondence	