

Introduction

For serious offences that may require the suspension, expulsion or exclusion of a student, the following specific steps consistent with the principles of procedural fairness must be followed. It is mandatory that; "Schools have in place and implement policies related to the discipline of students, including but not limited to the suspension, expulsion and exclusion of students that are based on procedural fairness".

(from Registration Systems and Member Non-Government Schools Manual)

3.1 Suspension

Suspension means a temporary withdrawal of a student's right to participation in and attendance at regular school activities. The length of time of suspension will vary depending on the nature of the incident and the purpose of the suspension. (set out in school policy)

It is a serious disciplinary measure and should only be used when other disciplinary measures have not produced a satisfactory outcome. The decision to suspend a student is to be made by the Principal.

In normal circumstances suspension is subject to the following guidelines, however, it is recognised that on occasion an immediate suspension* may have to be imposed.

- That appropriate welfare strategies and discipline options have been applied and documented.
- That appropriate support personnel available within the school and system and externally have been involved.
- That discussion has occurred, prior to suspension, with the student and parent/caregiver regarding specific unacceptable behaviour.
- That records of all discussion and action have been taken.
- That appropriate communication processes are in place, including with the student and the student's parent/guardian.
- A student must not be sent home before the end of the school day until parent/s/guardian/s have been informed, and if necessary, agreement reached about arrangements for the collection of the student from school.

3.1.1 Immediate Suspension*

In some circumstances the Principal may determine that a student should be suspended immediately. This will usually be due to reasons such as

- (i) the safety of students or staff because of unacceptable behaviour, harassment, violence, or threats of violence
- (ii) the presence of knives and/or other weapons or
- (iii) the presence of illegal drugs.

Any student who is violent or threatens serious physical violence against another student or teacher or behaves in unacceptable ways, including any form of harassment against other students or teachers, is to be suspended immediately.

Any student who is in possession of a knife or threatening to use any item or instrument as a weapon, is to be suspended immediately. Principals must contact their school Assistant Director to inform them of the incident and report to Police.

Any student who is in possession of a suspected illegal drug, is to be suspended immediately. Principals must contact their school Assistant Director to inform them of the incident and discuss with them whether the matter is serious enough to be reported to Police.

3.1.2 Short Suspension

Short Suspension may be served by the student at school during school hours (*internal suspension*) or out of school (*external suspension*). A Principal may impose a short suspension of up to and including four (4) school days.

- (i) *Short Internal Suspension*
 - The Principal or their delegated authority may suspend a student, in accordance with the school's Pastoral Care Procedures.
 - If suspension is served internally, then the student must attend school, but be withdrawn from all normal classes and other usual daily activities.
- (ii) *Short External Suspension*
 - The Principal or their delegated authority may suspend a student, in accordance with the school's Pastoral Care Procedures.
 - A meeting to resolve the suspension, with the student and parent/caregiver, must be convened by the Principal or their delegated authority at the earliest opportunity. Parents have the right to a support person acceptable to both Principal and parent (eg. Aboriginal Education Worker, Special Education Adviser, Counsellor). Students should not be interviewed alone in relation to suspension issues.
 - Where possible, a Principal or delegated authority must have a support person present during all meetings.
 - During this meeting, appropriate pastoral care strategies will be discussed to assist the student. These may include the development of a contract indicating expectations regarding the student's behaviour, specific scheduling or timetabling, and monitoring of student behaviour. The consequences of continued unacceptable behaviour needs to be determined and clearly communicated to student and parents.
 - If the unacceptable behaviour persists after two short suspensions, a longer suspension must be considered.
 - The details of the suspension must be recorded with all relevant documentation retained on file at the school.

3.1.3 Long Suspension

- If short suspensions have not resolved the problem, or the misbehaviour is so serious as to warrant a long suspension, the Principal may impose a long suspension of up to and including twenty (20) school days. The school's Assistant Director must be advised of the suspension including its duration. Given the seriousness of long suspension, particular emphasis must be given to procedural fairness issues.
- A formal disciplinary interview must be held with the student prior to making the decision to suspend. Principals must ensure that the student knows what the suspension is for, and that the student has an appropriate person present at the interview. The main issues of the interview must be recorded. Where a report from the school Counsellor is available, it may be used for this interview.
- A meeting to resolve the suspension, with the student and parent/caregiver, must be convened by the Principal at the earliest opportunity. Parents have the right to a support person acceptable to both Principal and parent (eg. Aboriginal Education Worker, Special Education Adviser, Counsellor).
- Where possible, a Principal must have a support person present during all meetings.
- During this meeting, appropriate pastoral care strategies will be discussed to assist the student upon their return to school. These may include the development of a contract indicating expectations regarding the student's behaviour, specific scheduling or timetabling, and monitoring of student behaviour.
- The further consequences of continued unacceptable behaviour needs to be determined and clearly communicated to the student and the student's parents.

3.1.4 Deciding on, Notifying and Resolving a Suspension

3.1.4.1 Decision

- (i) The decision to suspend must be taken by the Principal, or in the Principal's absence, the acting Principal.
- (ii) The Principal must inform the student of the precise grounds on which suspension is being considered. The student must be given the opportunity to respond. The student's response must be considered before a decision to suspend is made.

3.1.4.2 Notification

- (i) A student will not be sent out of the school before the end of the school day without notification being made to the parent/caregiver, and if necessary, agreement reached about arrangements for the collection of the student from school.
- (ii) Notification of suspension must be made to parents/caregivers in writing.

- (iii) In all cases, it is desirable that the notification includes:
 - notice of the suspension
 - the date and duration of the suspension
 - the reasons for the suspension
 - a program of work, provided by the school, for the student to continue their studies while suspended
 - the importance of parental assistance in resolving the matter.
- (iv) The Principal must inform relevant/appropriate staff, and the school's Assistant Director.
- (v) If consideration is being given to proceeding to expulsion from the school, the notification of suspension should make this intention plain.

3.1.4.3 **Resolution**

- (i) The Principal must convene a suspension resolution meeting, to facilitate the student's return to school, of personnel involved in the welfare and guidance of the student, including the parents/caregivers, school Counsellor.
- (ii) If parents/caregivers are unable or unwilling to attend a meeting, the Principal should consider the individual merits of the case and attempt to ensure that the student is back at school on or before the concluding date of the suspension period.
- (iii) All meetings and interviews are to be recorded with the documentation retained on file at the school.

3.2 **Expulsion**

Expulsion means total exclusion of a student from attendance at the school of enrolment within the diocese of Maitland-Newcastle.

Expulsion is an extreme disciplinary step reserved for cases of gross misconduct, extremely grave breaches of school rules and behaviour that is persistently disruptive and/or dangerous.

In normal circumstances expulsion is subject to the following guidelines, however, it is recognised that, in very limited circumstances of the most serious kind, an immediate expulsion may have to be imposed.

Expulsion is a sanction to be applied as a last resort when other disciplinary measures, including suspension, have not produced a satisfactory outcome. In deciding to expel a student, careful consideration must be given to the welfare of the student and to the overall good and/or safety of the school community.

The Principal should ensure, except as a result of a most serious incident, that all appropriate welfare strategies and discipline options have been implemented and documented, prior to expelling a student from the school because of misbehaviour.

It is essential that the Assistant Director of Schools be involved in this process.

Prior to making a decision to expel, the student must receive at least one formal written warning that such action is being considered.

3.2.1 Deciding on and Notifying an Expulsion

3.2.1.1 Decision

- (i) The decision to expel must only be made by the Principal in consultation with their school Assistant Director.
- (ii) The Principal must inform the student and the school's Assistant Director of the precise grounds on which expulsion is being recommended.
- (iii) The student must be given the opportunity to respond. The student's response must be considered before a decision to expel is made.
- (iv) Prior to a decision being made to expel a student, the Principal must seek advice from relevant and appropriate personnel, eg. Parish Priest of the student, school's Counsellor, school's Assistant Director.
- (v) If the student is under 15 years of age, the Principal will explore enrolment alternatives with the school's Assistant Director prior to finalising the expulsion.

3.2.1.2 Notification

Having reached a decision to expel a student from the school, the following steps must be put in place:

- (i) A student will not be sent out of the school before the end of the school day without notification being made to the parent/caregiver, and if necessary, agreement reached about arrangements for the collection of the student from school.
- (ii) Notification of expulsion must be made to parents/caregivers in writing. In all cases, the notification must include:
 - Notice of the expulsion. This formal advice should also state the student's/parents' right to appeal the decision and the appropriate procedures for submitting an appeal.
 - The reasons for the expulsion.
- (iii) The Principal must inform relevant/appropriate staff, the school's Assistant Director and where warranted, the student's Parish Priest.
- (iv) The Principal should assist the student to find suitable alternative placement in another Catholic school if appropriate, particularly where the student is under 15 years of age.
- (v) Documentation of all steps involved and record of any interview/ correspondence must be completed.
- (vi) Having completed the action outlined above, the Principal must forward a copy of all documentation related to the incident and subsequent expulsion to the Director of Schools, Catholic Schools Office.

3.3 **Exclusion**

As a result of school or schools, after following due process find it necessary to expel a student, it may be deemed necessary for the System to prevent this student from admission to a number or all systemic schools. This will only be by following due process and procedural fairness having been provided, and intensive consultations between Principal, Assistant Director and the Director of Schools.

Reference:
(Registration Systems and Member Non-Government Schools NSW Manual,
Transitional – January 2017 incorporating changes from 2004 to 2017)

