



## **STUDENT MANAGEMENT: SUSPENSION, TRANSFER AND EXCLUSION POLICY**

### **1.0 RATIONALE**

Catholic schools, which work within well-developed pastoral care frameworks, seek to create environments that are respectful, secure and in which students can flourish. Principals, school leaders and school staff are well-informed professionals who are committed and dedicated to the welfare of all students.

*"The person of each individual human being, in his or her material and spiritual needs, is at the heart of Christ's teaching: this is why the promotion of the human person is the goal of the Catholic school. For this reason the Catholic school, in committing itself to the development of the whole person, does so...in the awareness that all human values find their fulfillment and unity in Christ."*

*The Catholic School on the Threshold of the Third Millennium*

Informed by pastoral care frameworks, appropriate student management processes developed at each school focus on:

- 1.1 creating a school climate that ensures that the dignity and worth of each individual is respected and nurtured through a sense of belonging,
- 1.2 ensuring an environment that provides high quality teaching and learning and effective discipline, and where there are high expectations of the individual student's overall performance,
- 1.3 ensuring an environment that is safe and caring, approaches student management positively, treats all in a fair and just manner, and is focused on acknowledging the impact of behaviour on others and rebuilding relationships within a framework of restorative practices.

As part of the continuum for student management it is recognised that there will be some instances where student behaviour is such that, in the best interests of the student and/or the community, it is appropriate to suspend the student from the school for a temporary period of time; or transfer the student to a different educational setting within the Archdiocesan system of schools; or, in some instances, to exclude the student from the Archdiocesan system of schools. The safety and wellbeing of the students, parents, and staff of the school is always paramount.

Principals have the authority, in accordance with the procedures outlined below, to suspend a student, recommend a student transfer to a different school, or recommend exclusion from the system of schools. This policy is to be implemented within the context of the 'Pastoral Care Guidelines for Students in Catholic Schools' and the 'Students with Challenging Behaviours Guidelines' (Primary and Secondary).

## **2.0 GUIDING PRINCIPLES**

This policy is designed to support Principals and system leaders to make well-informed judgments that take account of the safety and wellbeing of all staff and students.

- 2.1** The quality of the relationships among all those in the Catholic education community is particularly important.
- 2.2** The processes of suspension, transfer and exclusion are regarded as serious sanctions that can be applied by the Principal and the system to support the safety and good order of the school community for which they are responsible.
- 2.3** Every sanction applied under this policy requires an appropriate level of discernment and reflection, with careful consideration of the facts and circumstances of the situation.
- 2.4** Decisions regarding suspension, transfer and exclusion require the acknowledgement and consideration of the health and safety of all members of the school community, as well as their educational, physical and emotional needs.
- 2.5** Students of a school that is a member of the system of Catholic schools of the Archdiocese of Sydney are enrolled in both the individual school and the school system.
- 2.6** This policy applies equally to all students, including those of post-compulsory age.
- 2.7** Collaboration and open dialogue between parents/caregivers, staff and students are essential in the development of effective student management processes.
- 2.8** Students, staff, parents/caregivers and the Parish Priest are to be included in the processes leading to suspension, transfer or exclusion, wherever this is appropriate and possible.
- 2.9** Students and parents/caregivers have an entitlement to be heard and are entitled to a reasonable decision, having regard to the facts and circumstances.
- 2.10** Schools will ensure that all legal requirements are met and that mandated notifications are made.
- 2.11** All disciplinary matters and investigations will be thoroughly documented according to the relevant prescribed process.

## **3.0 POLICY**

### **3.1 Suspension**

- 3.1.1** Suspension in this policy refers only to external suspension (see explanatory notes).
- 3.1.2** The Principal or the Principal's delegate has the authority to suspend students from their school, according to the procedures outlined in this policy.

- 3.1.3 The Regional Consultant has the authority to approve the suspension of a student for a period of time that exceeds the level of authority available to Principals, according to the published procedures (see 4.2.3 and 4.3.3).
- 3.1.4 Suspension falls within three distinct categories:
  - 3.1.4.1 suspension for the purposes of investigation,
  - 3.1.4.2 suspension for a student on Step 3 of the 'Guidelines for the Management of Students with Challenging Behaviours' ( Primary and Secondary),
  - 3.1.4.3 suspension for serious misconduct.

## **3.2 Transfer**

- 3.2.1 Students are enrolled in both the school that they attend and the system of Catholic schools in the Archdiocese of Sydney.
- 3.2.2 There are occasions where a Principal will consider it in the best interests of the parties involved to collaborate with a colleague Principal and the Regional Consultant to arrange for the transfer of a student from the current school to another systemic Catholic school in the Archdiocese of Sydney. The Regional Consultant will give final approval for such transfers.
- 3.2.3 The transfer of a student will generally only be considered where the level of unacceptable behaviour has risen to the level where the continued enrolment of that student is not in his/her educational interests, or the interest of others in the school community.
- 3.2.4 A student and his/her family will be consulted on appropriate alternate school settings wherever possible, but the final decision will be made under the authority of the Regional Consultant.
- 3.2.5 A student and his/her family who rejects the offer of an alternate school placement may forfeit the right to a place in any school in the System of Catholic Schools of the Archdiocese of Sydney.
- 3.2.6 Occasions for transfer include, but are not limited to:
  - 3.2.6.1 continuing unacceptable behavior,
  - 3.2.6.2 consideration of the pastoral needs of a student,
  - 3.2.6.3 a student on Step 4 of the 'Guidelines for the Management of Students with Challenging Behaviours' (2011),
  - 3.2.6.4 consideration of a Risk Assessment following a serious incident,
  - 3.2.6.5 following suspension for an investigation,
  - 3.2.6.6 in conjunction with a suspension, if the re-entry cannot be appropriately managed within the current educational setting.

### **3.3 Exclusion from systemic Catholic schools in the Archdiocese of Sydney**

- 3.3.1 Decisions regarding exclusion of a student from the system of Catholic schools in the Archdiocese of Sydney are made under the authority of the Regional Director.
- 3.3.2 The gravity of the circumstances that exist when consideration is being given to an exclusion are such that particular emphasis will be given to providing opportunity for the student and parent/caregivers to respond to the proposed action.
- 3.3.3 Consideration for exclusion will generally only be given after the procedures for suspension and transfer have been exhausted.
- 3.3.4 Occasionally, serious situations arise where immediate exclusion is required, in order to assure community safety and wellbeing.

### **3.4 Role of the Parish Priest**

On occasions, from a pastoral perspective, the Parish Priest may contribute to the Principal's discernment process on whether sanctions will be applied to a particular student, through sharing information and perspectives with the Principal, or as a support person for the student or their family. In particular, the Parish Priest is to be included in the processes leading to the extension of suspension (4.5), transfer (4.7) or exclusion (4.8), whenever this is appropriate and possible.

## **4.0 PROCEDURES**

### **Suspension**

#### **4.1 Consideration of a suspension**

- 4.1.1 In considering whether or not to suspend a student, all relevant aspects should be considered.

Relevant aspects may include, but not be limited to: the safety of the school community, the impact on the student and the broader school community, whether the student will be safe, whether appropriate supervision is available, how supportive the student's family is of the proposed action, and cultural aspects in some ethnic communities.

- 4.1.2 Suspension for investigation

In some circumstances, procedural fairness requires that a student not be present in the school during an investigation where serious allegations have been made, or if the student's presence could compromise the investigation.

- 4.1.3 Students on Step 3 of the 'Guidelines for the Management of Students with Challenging Behaviours'(2011)

Suspension may be considered where appropriate student management strategies have already been applied and recorded, including an Individual Positive Behaviour Plan (IPBP) and Risk Assessment where necessary, and the goals have not been met.

Prior to consideration of a suspension, the Principal or the Principal's delegate should:

- 4.1.3.1 ensure that there is clarity regarding behaviour expectations for the student including, where applicable, an IPBP in accordance with the 'Guidelines for the Management of Students with Challenging Behaviours' (2011), to assist the student to develop appropriate behaviour(s),
- 4.1.3.2 clearly record and document all prior actions taken. In accordance with the 'Guidelines for the Management of Students With Challenging Behaviours' (2011), it is essential to ensure that relevant Regional personnel and external agencies or specialist services have been involved at appropriate points in the process(es),
- 4.1.3.3 ensure that discussion has occurred with the student and parents/caregivers regarding the specific behaviour(s) which may lead to suspension.

#### 4.1.4 Suspension for Serious Misconduct

In some circumstances, the Principal or the Principal's delegate may determine that a student should be suspended immediately, particularly where there may be concerns of risk of harm to self or others, and for the health, safety and wellbeing of staff or students.

This includes, but is not limited to:

- 4.1.4.1 physical and/or threatened violence, where a student and/or member of staff is/are injured, or where there is threatened action that is assessed as a credible threat to the safety and wellbeing of students, staff and others,
- 4.1.4.2 possession of a prohibited weapon (as defined by the Weapons Prohibition Act 1998),
- 4.1.4.3 use or possession of illegal substances or, where a substance is reasonably suspected of being an illegal substance, for the period required to test and confirm the status of the substance,
- 4.1.4.4 acute or extreme anti-social behavior, such as; harassment, offensive language, or persistent disruption of other students' learning.

## 4.2 Suspensions in primary schools

- 4.2.1 In the case of serious misconduct, written statements as to the facts and circumstances should be taken. These documents should be signed and dated by those providing the information.
- 4.2.2 In the case of serious misconduct that leads to, or may potentially lead to, criminal charges, the Principal or Principal's delegate should contact their Police Liaison Officer and/or the relevant NSW Police Officer/s to ensure that investigations are conducted in a coordinated and appropriate manner.

- 4.2.3 A Principal or Principal's delegate will generally suspend a student for a period of up to three school days, but may suspend for up to five days under their own authority. All suspensions will be notified to the Regional Consultant. In exceptional circumstances the Regional Consultant may extend the period that a student is suspended from school.
- 4.2.4 Communication should take place between the school, student and parents/caregivers in relation to the decision. The student and parents/caregivers should be provided with explicit information regarding the nature of the allegation (whether a single specific issue, or a behaviour that forms part of a previously discussed pattern) and given sufficient time to consider and respond to the matters raised.
- 4.2.5 In making arrangements for the student to leave the school, the Principal should consider all aspects of the school's duty of care to the student.
- 4.2.6 If contact and notification have been made, parents/caregivers are requested to make the necessary arrangements for the departure of the student from the school site.
- 4.2.7 When no contact can be made with the parents/caregivers, the student will remain on internal suspension until the end of the school day.

### **4.3 Suspensions in secondary schools**

- 4.3.1 In the case of serious misconduct, written statements as to the facts and circumstances should be taken. These documents should be signed and dated by those providing the information.
- 4.3.2 In the case of serious misconduct that leads to, or may potentially lead to, criminal charges, the Principal or authorised representative should contact their Police Liaison Officer and/or the relevant NSW Police Officer/s to ensure that investigations are conducted in a coordinated and appropriate manner.
- 4.3.3 A Principal or Principal's delegate will generally suspend students for a period of up to five days, but may suspend for up to ten days under their own authority. All suspensions exceeding five days will be notified to the Regional Consultant. In exceptional circumstances the Regional Consultant may extend the period that a student is suspended from school.
- 4.3.4 Communication should take place between the school, student and parents/caregivers in relation to the decision. The student and parents/caregivers should be provided with explicit information regarding the nature of the allegation (whether a single specific issue, or a behaviour that forms part of a previously discussed pattern) and given sufficient time to consider and respond to the matters raised.
- 4.3.5 In making arrangements for the student to leave the school, the Principal or the Principal's delegate should consider all aspects of the school's duty of care to the student.

- 4.3.6 If contact and notification have been made, parents/caregivers are requested to make the necessary arrangements for the departure of the student from the school site.
- 4.3.7 When no contact can be made with the parents/caregivers, the student will remain on internal suspension until the end of the school day.

#### **4.4 Notification of suspension to parents/caregivers (all schools)**

In the first instance, notification of suspension of a child to parents/caregivers may be given verbally. However, this must be followed in a timely manner by a written notification.

This notification must include:

- 4.4.1 notice of the suspension,
- 4.4.2 date and duration of the suspension,
- 4.4.3 category and reason for the suspension,
- 4.4.4 expectations regarding study whilst on suspension,
- 4.4.5 advice to parents/caregivers that responsibility for the student whilst on suspension is theirs,
- 4.4.6 information concerning the Requests for Review process.

#### **4.5 Extension of a suspension (all schools)**

- 4.5.1 A Principal may apply to the Regional Consultant for approval to extend a suspension beyond his/her nominated authority.
- 4.5.2 On rare occasions, due to delays in investigations or due to appeal processes, the period of suspension may need to be extended, but efforts will be made to resolve matters expeditiously in all circumstances.

#### **4.6 Re-entry to school after suspension (all schools)**

- 4.6.1 Prior to convening a re-entry meeting, the Principal or the Principal's delegate should engage with the appropriate school and/or CEO personnel, to consider the need to conduct, and/or implement a Risk Assessment, and to formulate a basis for re-entry of the student. This re-entry planning may frequently take the form of an IPBP.
- 4.6.2 At the conclusion of the period of suspension, the Principal or the Principal's delegate must convene a meeting with the student and the parents/caregivers. Where a parent isn't available within a reasonable period of time, the Principal may make a decision to meet with students and parents separately.
- 4.6.3 Records of re-entry plans must be kept on file and copies provided for students and/or caregivers.

## **4.7 Transfer**

- 4.7.1 When considering recommending a transfer, the Principal must:
  - 4.7.1.1 discuss the matter with the school's Regional Consultant,
  - 4.7.1.2 notify the student and the parents/caregivers in writing that a transfer from the school is being considered, giving reasons for the possible course of action, and including sufficient documentation for a clear understanding of the issues. The implications of a transfer must be clearly set out,
  - 4.7.1.3 provide an opportunity for parents/caregivers to meet with him/her to discuss the issue/s and respond. Generally up to five working days should be allowed for parents to attend this meeting, or to respond in writing to the proposed transfer,
  - 4.7.1.4 take account of the response of the parents/caregivers and the student.
- 4.7.2 If a transfer is to proceed the Principal must:
  - 4.7.2.1 collaborate with the Regional Consultant in making the decision. The Regional Consultant gives approval for the transfer and assists the Principal in facilitating the student's relocation to another suitable school,
  - 4.7.2.2 advise the parents/caregivers and the student in writing of the decision to transfer, and the procedures for submitting a request for a formal review of the decision,
  - 4.7.2.3 liaise with the receiving Principal to ensure that an IPBP and/or Risk Assessment is in place for the receiving school.

## **4.8 Exclusion**

- 4.8.1 When considering a recommendation to the Regional Director for exclusion, the Principal and Regional Consultant must:
  - 4.8.1.1 notify the parents/caregivers that exclusion from the System of Catholic schools in the Archdiocese of Sydney is being considered, giving reasons for the possible course of action, and including sufficient documentation for a clear understanding of the issues,
  - 4.8.1.2 Notify the Parish Priest to provide an opportunity for his pastoral contribution to the discernment process,
  - 4.8.1.3 provide an opportunity for parents/caregivers to meet with the Principal and the Regional Consultant to discuss the issue/s and respond. Generally up to five working days should be allowed for parents to attend this meeting, or to respond in writing to the proposed exclusion,
  - 4.8.1.4 consider the response of the parents/caregivers and the student (where applicable) as part of the decision making process,



- 4.8.1.5 provide an opportunity for a further meeting between the parties if requested.
- 4.8.2 After receiving a formal recommendation for exclusion, the Regional Director must:
  - 4.8.2.1 give regard to the reasons for this possible course of action, any previous action taken to modify the student's behaviour, and the substance of any response from the parents/caregivers and student,
  - 4.8.2.2 if proceeding, advise in writing of the decision to exclude and the appropriate procedures for submitting a formal review of the decision,
  - 4.8.2.3 arrange for the school to offer assistance to the family to find a placement in an alternative educational setting.

#### **4.9 Review of Decisions**

Decisions about suspension, transfer and exclusion may be reviewed if parents/caregivers consider that correct procedure has not been followed, or that an unreasonable decision has been reached.

- 4.9.1 A Request for Review is to be made in writing and is to state the grounds on which the review is being based.
- 4.9.2 Parents/caregivers should be notified in the official documentation of the sanction being applied, and of their right to request a review of the particular decision.
- 4.9.3 Any Request for Review should be submitted to the appropriate officer within ten days of receipt of formal communication of a decision from the school. Reviews may be made to the appropriate officer as follows:
  - 4.9.3.1 A Regional Consultant who has not previously been involved in the decision to suspend the student,
  - 4.9.3.2 the Regional Director regarding the decision to transfer a student,
  - 4.9.3.3 the Executive Director of Catholic Schools regarding the decision to exclude a student from systemic Catholic schools in the Archdiocese of Sydney.
- 4.9.4 In assessing a review, the officer may request independent advice and assistance from internal or external agents not directly associated with the matter under review.
- 4.9.5 Every effort will be made to deal with reviews promptly so as to ensure that periods of absence from school are not unnecessarily prolonged.
- 4.9.6 The outcome of a review will be advised in writing to the parties, including the specific reasons for reaching the decision.

## 5.0 BASES OF DISCRETION

Nil.

## 6.0 EVALUATION AND REVIEW

This policy will be reviewed by December 2016.

## 7.0 EXPLANATORY NOTES AND DEFINITIONS

- 7.1 Risk Assessment:** In considering taking any action under this policy, it is essential that there is careful consideration of the impact that such a decision will have on the life and circumstances of the student and the student's family. This needs to be carefully weighed against the needs of the school community in making a decision.
- 7.2 Related documentation:** The document 'Students with Challenging Behaviours Guidelines; (Primary and Secondary) provides guidance to schools on approaches to proactively managing student behavior. A proactive approach is characterised by an attempt to provide support for students and to recognise situations in advance where the student may have difficulty in coping. These guidelines should be seen as having a close connection to the Suspension, Transfer and Exclusion policy in the management of challenging student behaviour.
- 7.3 Individual Positive Behaviour Plan:** The purpose of an IPBP is for the school and the student's family (wherever possible), to jointly plan a response that addresses the specific needs of a child. The concept of a positive approach is to assist students to repair damaged relationships and learn appropriate skills to help them avoid similar issues in the future, re-establish them as effective learners, and restore the student to good standing within the broader school community.
- 7.4 Principal's delegate (primary and secondary):** In the absence of the Principal from the school site, the person designated as the next most senior staff member on-site is authorised to exercise the prerogative of the Principal in relation to the suspension of students, and becomes the 'Principal's delegate' under this policy.
- 7.5 Principal's delegate (secondary only):** The Principal may nominate a small number of senior staff members (appropriate to the size of the school) to act as 'Principal's delegate' on an ongoing basis, provided the Principal has confidence that they have the required judgement and experience to exercise this discretion.
- 7.6 Definition of External Suspension:** External Suspension is defined as the temporary, full-time, or part-time withdrawal of a student's right to attend school for a period of time.
- 7.7 Definition of Internal Suspension:** Internal Suspension is when a student is required to be in attendance at school, but is not permitted to attend all, or some of their regular classes.

**7.8 Pastoral absence of students:** By the mutual consent of the Principal and a student's parents/caregivers, a student may be absent for short-term absences of a pastoral nature in accord with the provisions of the 'Challenging Behaviours Guidelines'. Students asked to remain at home for pastoral reasons should be recorded on the roll as absent on 'approved leave' and the reason for the absence noted. For Duty of Care purposes, schools need to be able to demonstrate that parents are aware of this arrangement, as it will generally be included in an IPBP. Students asked to remain at home for disciplinary reasons should be treated as formal suspensions and documented according to the procedures in this policy.

**7.9 Compulsory school attendance:** The NSW Education Act prescribes a compulsory school attendance age range, which is a minimum requirement. There are many students enrolled in Catholic schools in the Archdiocese of Sydney who are either older or younger than this mandated age range. At the time of a student's enrolment, parents are asked to commit to their child's school, and in a reciprocal manner, the school commits to educate that student. Consequently, there is no distinction under this policy on how it is applied to pre and post compulsory age students.

## **8.0 SUPPORTING DOCUMENTS, PROCEDURES AND GUIDELINES**

- 8.1** Pastoral Care Guidelines for Catholic Schools, CEO Sydney (2007)
- 8.2** Managing Students with Challenging Behaviours, CEO Sydney (2007)
- 8.3** Child Protection Guidelines, CEO Sydney (2008)
- 8.4** Keep Them Safe Resources for Catholic Schools, CEC NSW (2010)
- 8.5** Dealing with illegal substances in schools, CEO Sydney (2005)
- 8.6** Dealing with prohibited weapons in schools, CEO Sydney (2005)
- 8.7** Countering Harassment of Different Kinds, CEO Sydney (2008)

## **9.0 APPENDICES**

Nil.

## **10.0 POLICY CLASSIFICATION**

- 10.1 Policy No:** 01/2012
- 10.2 Policy Audience:** Public Domain
- 10.3 Policy Review Date:** December 2016
- 10.4 Policy Approval:** This policy was approved by the SACS Board on February 29 2012.
- 10.5 This Policy supersedes all previous policies relating to matters contained herein, including the Pastoral Care Guidelines (Catholic Education Office Sydney, 2007)**
- 10.6 Commencement Date:** 1 January 2012