

# Suspension & Expulsion

## Introduction:

St Augustine's Primary School is committed to providing a safe and secure educational environment for all students and staff members. The school understands that all students have the right to feel safe and respected in an environment free from bullying and intimidation. They also have the right to be treated fairly and with dignity.

[The Education & Training Reform Act 2006, Ministerial Order 1125](#), July 2018, defines the grounds and process for suspensions, expulsions and appeals relating to all students within Victorian schools. The Ministerial Order must be complied with in a manner which is consistent with the Charter of Human Rights and Responsibilities Act 2006.

This policy and accompanying procedure outlines the process for the suspension or expulsion at St Augustine's Primary School on rare occasions, where an individual student's behaviour may compromise the health, safety and wellbeing of other students and staff at the school.

## Scope:

This policy and associated procedure applies to all students, parents & carers at St Augustine's Primary School and must be read in conjunction with the school's Behaviour Management and Restrictive Intervention Policy.

## Definitions:

**Suspension:** The temporary removal of a student from all classes that they would normally attend at school for a set period of time.

**Expulsion:** Is the permanent removal of a student from a particular school.

## Rights & Responsibilities:

### Students:

Rights:	Responsibilities:
<ul style="list-style-type: none"> <li>» To learn;</li> <li>» Be treated fairly, courteously and with respect</li> <li>» Ask for and receive support from teachers, administration, parents/ carers and where appropriate students</li> <li>» A safe, clean and healthy school environment</li> </ul>	<ul style="list-style-type: none"> <li>» Attend all classes punctually, in uniform and with correct equipment;</li> <li>» Respect others' opinions and be cooperative, committed and engaged;</li> <li>» Respect school and other students' property;</li> <li>» Care for others, physically, verbally and behave in a socially acceptable manner.</li> </ul>

**Staff Members:**

Rights:	Responsibilities:
<ul style="list-style-type: none"> <li>» To teach or fulfil requirements of their employment;</li> <li>» Be treated fairly and courteously with respect by students, parents / carers and colleagues;</li> <li>» Ask for and receive support from the Principal, members of the school Leadership Team, colleagues, administration, parents / carers and students.</li> </ul>	<ul style="list-style-type: none"> <li>» Maintain a comprehensive knowledge of the curriculum and how students learn;</li> <li>» Communicate clear expectations;</li> <li>» Model respect, fair treatment and problem solving behaviour;</li> <li>» Model professionalism, participate in meetings, share ideas, support colleagues;</li> <li>» Promote a positive and cooperative school atmosphere.</li> </ul>

**Parents & Carers:**

Rights:	Responsibilities:
<ul style="list-style-type: none"> <li>» Be fully informed of their child's progress;</li> <li>» Have access to relevant staff members through appropriate channels;</li> <li>» Be provided with information on general school activities;</li> <li>» Be involved in the decision-making processes as they relate to their child.</li> </ul>	<ul style="list-style-type: none"> <li>» Actively participate in their child's education by sending them to school;</li> <li>» Work with the school to support every aspect of their child's education;</li> <li>» Attend required meetings and information sessions;</li> <li>» Assist their child with work and with study habits where appropriate;</li> <li>» Maintain close communication with the school and support school programs and policies.</li> </ul>

**Suspension:**

Suspension is a serious disciplinary measure and is best reserved for incidents when other measures have not produced a satisfactory response.

A principal may suspend a student from the school if, whilst attending school, travelling to and from school or engaging in any school related activity away from school (including when travelling to or from that activity) the student:

- » Behaves in such a way as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person;
- » Causes significant damage to or destruction of property;
- » Commits or attempts to commit, or is knowingly involved in the theft of property;
- » Possesses, uses, sells or deliberately assists another person to possess, use or sell illicit substances or weapons;
- » Fails to comply with any clear and reasonable instruction of a staff member so as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person;
- » Consistently engages in behaviour that vilifies, defames, degrades or humiliates another person based on age; gender; identity; impairment; industrial activity; lawful sexual activity; marital status; parent/carer status or status as a carer; physical features;

political belief or activity; pregnancy; race; religious belief or activity; sex; sexual orientation; personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes;

- » Consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student.

Before considering a suspension, the school will seek to understand the reasons for a student's behaviour and consider alternative educational and wellbeing supports and interventions that can be provided to the student to effectively address the reasons.

The following considerations will be taken into account when determining the nature and length of suspension:

- » The behaviour for which the student is being suspended;
- » The educational needs of the student;
- » Any disability or mental illness of the student;
- » The age of the student;
- » The residential and social circumstances of the students.

As part of the decision making process the Principal, in consultation with the Leadership Team will ensure that:

- » The student has been given ample opportunity to be heard;
- » Any documentation provided by the student and or their parents or carers has been taken into account in making the decision;
- » Other forms of action to address the behaviour which may lead to suspension have been considered.

In addition, when determining whether to suspend a student with a disability, the Principal must be sure that *reasonable adjustments* have been made to assist the student to manage the behaviours when this is a manifestation of disability.

#### Arrangements & Communication:

Once the suspension discernment process has been completed, the following arrangements need to be made and communicated to the student and their parent or carer:

- » The reason for suspension;
- » The school days on which the suspension will occur (no greater than 5 consecutive school days);
- » Contact details of support services if appropriate;
- » The designated contact point (Staff Member) for the student, their parents & carers.

Note: The maximum continuous period of time a student may be suspended at any one time is 5 school days. In addition, a student cannot be suspended for more than 15 days in a school year without written approval from the relevant Executive Director of Catholic Education or their nominee.

A Notice of Suspension is to be generated and forwarded to parent/carer. Where the student's parents are separated, all reasonable attempts must be made to inform both parents. A copy of the Victorian Department of Education's DET [Suspension Information for Parents and Carers](#) will also be provided.

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Appropriate schoolwork is to be arranged and provided to the student, their parents or carers prior to the commencement of the suspension period.

- » Where the student is suspended for *three days or less* meaningful work will be arranged.
- » Where the student is suspended for *more than three days* a student learning plan must be developed.

A record of suspension is to be entered into the student's record.

#### Post Suspension & Follow Up Actions:

In all cases of suspension, it is important to consider the student's transition back into school and any disruption to their learning. In many cases, the student will require additional educational or other supports to help address the reasons for the incident and/or any underlying behavioural issues.

The Principal will convene a student support group meeting with the student, their parents or carers, and any other staff members or professionals involved in the care of the student. The purpose of such a meeting will be to discuss the student's behaviour that led to the suspension, and to discuss a range of strategies to address the concerns and prevent further occurrences of such behaviour. A Return to School Plan will also be developed.

#### Expulsion:

The decision to expel a student will only be considered where their behaviour is of such magnitude that the need to maintain the health, safety and wellbeing of staff members and students at the school and the continued effectiveness of the school's educational programs far outweighs the need for the student to receive an education.

The following process must be undertaken before the expulsion of a student can be authorised:

- » The Executive Director of Catholic Education is notified of expulsion as being a possible course of action.
- » The Executive Director of Catholic Education appoints a nominee, usually an educational consultant, to review with the Principal all current support mechanisms in place and to explore additional options for the student.

These would include:

- » A review of the Behaviour Management Plan to explore ways in which it can be modified or developed;
- » A review of existing support programs to explore additional means of assisting the student;
- » The identification of additional sources of professional advice, e.g. CEO personnel, psychologist, etc.
- » The possibility of a negotiated transfer, where a change of school or a move to an alternative setting may be judged the most appropriate means by which a student's wellbeing can be responsibly supported or restored.
- » Formal opportunities for the student and/or parents/guardians to respond to the circumstances, to outline their hopes for the future and to explore further options.
- » Review of the restorative practices that are in place in the community.

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In circumstances where all of the above have been explored, expulsion can only proceed in consultation with the Executive Director of Catholic Education's nominee and the Parish Priest.

A student who is aged 8 years or less cannot be expelled without approval from the Executive Director of Catholic Education.

Notification of Expulsion:

A formal Notice of Expulsion will be provided to the parents or carers of the expelled child. This is formally recorded on the school files. The Notice of Expulsion is to be issued before or on the day when the expulsion is to commence. Where the student's parents are separated, all reasonable attempts must be made to inform both parents.

The notice needs to include:

- » The reason(s) for the expulsion;
- » The commencement date of the expulsion;
- » Details of the Appeal process.

Appeal Process:

Parents and Carers may within ten (10) days of the decision made to expel a student, lodge a formal appeal.

Valid grounds for appeal are that:

- » Proper procedures were not followed by the school in matters related to the expulsion decision;
- » The full details of the case were not investigated at the time (additional details to be provided);
- » The decision was too severe;
- » The decision was unjust.

The appeal must be in writing to the Executive Director of Catholic Education. Upon receipt of this appeal notice the authority will appoint an independent person (a person of appropriate educational, legal or leadership experience not employed by any school or agency of the Diocese) agreed by both parties to investigate and decide the appeal.

When the process has been completed the independent person will deliver their findings to the Executive Director of Catholic Education who will directly notify the Principal and Parish Priest and the Parent or Carer who made the appeal. If the grounds on which the appeal was made are found true, the expulsion will be repealed. Otherwise the expulsion will remain. The decision will be final and is not subject to further appeal with the Catholic Education Commission of Victoria.

**References:**

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*Victorian Government, Department of Education & Training – Expulsion Policy 2019,*

*Victorian Government, Department of Education & Training – Notice of Suspension 2019,*

*Victorian Government, Department of Education & Training – Notice of Expulsion 2019,*

*Victorian Government, Department of Education & Training - Suspension Information for Parents and Carers 2019.*

*Victorian Government, Department of Education & Training – Suspension Policy 2019,*

*Victorian Government, Education & Training Reform Act 2006 - Ministerial Order 1125,*

# Notice of Suspension

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## School Information:

St Augustine's:	
School Contact Number:	
Contact Person:	
Contact Number:	
Email Address:	

## Student Information:

Student Name:	
Student D.O.B:	
Student year Level	
Student Year Level:	

## Parent / Carer Information:

Parent / Carer Name/s:	
Relationship With Student:	
Residential Address	
Contact Number:	
Email Address:	

## Suspension Information:

From:	To:	Number of Days:
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## Grounds for Suspension:

- Behaving in such a way as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person;
- Causing significant damage to or destruction of property;
- Committing or attempting to commit, or is knowingly involved in the theft of property;
- Possessing, using, selling or deliberately assisting another person to possess, use or sell illicit substances or weapons;

- Failing to comply with any clear and reasonable instruction of a staff member so as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person;
- Consistently engaging in behaviour that vilifies, defames, degrades or humiliates another person based on age; gender; identity; impairment; industrial activity; lawful sexual activity; marital status; parental status; physical features; political belief or activity; pregnancy; race; religious belief or activity; sexual orientation; personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes;
- Consistently behaving in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student.

**Reason/s for Suspension:**

*(Details of student's behaviour (including time and date) and the evidence (and witnesses) relied upon to support the grounds for suspension.)*

**Student has been given the opportunity to be heard:**

*(Include details of any meetings with the student and their relevant person, and any information or documentation provided by the student / relevant person.)*

**Action taken to address the behaviours that have been considered:**

*(Specify details of other strategies or supports that have been considered/implemented to address the behaviour. For additional information on supports available please see the Supports Available to Schools section of the Student Engagement and Inclusion Guidance document.)*



**Date of Post - Suspension Student Support Meeting:**

Date:

Principal's Name:

Principal's Signature:

Date:

# Notice of Expulsion

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This notice is confirmation of our School's decision to expel \_\_\_\_\_.

In making the decision we have taken into account our discussion at the Student Support Meeting on \_\_\_\_\_ and have considered all the information that was provided. We have also considered \_\_\_\_\_'s Behaviour Management Plan, various interventions and support the school has already implemented.

Given the magnitude of the behaviour and the school's responsibility to ensure the health, safety and wellbeing of other staff members and students, as well as, the continued effectiveness of the school's educational programs, we consider expulsion as the only option.

The decision to expel a student is always a last resort and we have not come to this decision lightly.

As discussed at the Student Support Meeting on \_\_\_\_\_ your child is being expelled for the following reasons:

- Behaving in such a way as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person;
- Causing significant damage to or destruction of property;
- Committing, attempting to commit or is knowingly involved in the theft of property;
- Possessing, using, selling or deliberately assisting another person to possess, use or sell illicit substances or weapons;
- Failing to comply with any clear and reasonable instruction of a staff member so as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person;
- Consistently engaging in behaviour that vilifies, defames, degrades or humiliates another person based on age; gender; identity; impairment; industrial activity; lawful sexual activity; marital status; parental status; physical features; political belief or activity;

pregnancy; race; religious belief or activity; sexual orientation; personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes;

- Consistently behaving in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student.

**Additional Background Information Leading to the Expulsion:**

*(Details of student's behaviour (including time and date) and the evidence (and witnesses) relied upon to support the grounds for Expulsion.)*

\_\_\_\_\_ 's expulsion will commence on \_\_\_\_\_.

It is essential that your child remains engaged in education. To ensure that this occurs, I will oversee \_\_\_\_\_ transition to a new setting in collaboration with the Executive Director of Catholic Education's nominee and the Parish Priest.

You are entitled to appeal your child expulsion within ten (10) days of this decision being made.

Valid grounds for appeal are that:

- » Proper procedures were not followed by the school in matters related to the expulsion decision;
- » The full details of the case were not investigated at the time (additional details to be provided);
- » The decision was too severe;
- » The decision was unjust.

The appeal must be in writing to the Executive Director of Catholic Education. Upon receipt of this appeal notice the authority will appoint an independent person (a person of appropriate educational, legal or leadership experience not employed by any school or agency of the Diocese) agreed by both parties to investigate and decide the appeal.

Yours Sincerely

Principal Name

# Return to School Support Plan

A Return to School Support Plan assists in the reintegration of a student after an extended absence or hospitalisation. This plan is developed with the student, their parents & carers to promote engagement and ownership over the plan. If the student is returning to school after a hospitalisation or a significant medical event, the school will ensure that an up to date risk assessment has been completed as this should guide the development of this plan.

Student's Name:		Year:		Date of Meeting:	
Attendees at meeting:					
Objectives of meeting:					
E.g. <i>to support ... to return to school feeling safe and supported.</i>					
Background					
..... has been absent from school due to....					
Support person & time to check in					
Name:			Check in time & place:		
Changes to attendance					
<i>Collaborate with the student, parent/carers and others to decide on a plan for when the student will return and how many days/periods they will be at school. Plan to gradually increase student attendance of the first week or fortnight. Consider the benefits of late starts/early leaving. Consider allowing the student to temporarily work independently in a supervised area (e.g. the library or staff block). Highlight the times/periods the student will be attending on a timetable and attach to this plan. Ensure all attendees have their own copy of this revised timetable.</i>					
Changes to work					
<i>Collaborate with the student, parents/carers and others about tasks and content that it is essential for the student to catch up. Be mindful of overwhelming the student. Consider reducing expectations. E.g. the student focuses on core or favourite subjects only for a period of time or doesn't complete some missed assessment tasks. Consider if special provisions for tests and exams required.</i>					
Signs that _____ is feeling overwhelmed.			Things _____ can do to feel better & places he/she can go.		
Things the school will do to support my return					
Consider:					
<ul style="list-style-type: none"> <li>» <i>What can teachers do in the classroom to support the student (e.g. not call on them, allow them go to for a drink, let them listen to music, allow the student to go to first aid for some quiet time). Make sure all teachers are aware of these supports</i></li> <li>» <i>Ensuring teachers are aware of and support any changes to the student's timetable &amp; workload</i></li> <li>» <i>Discussing with the student what they will tell peers about their absence</i></li> </ul>					

- » *Identify supports amongst the student's peers and offer support for these students if required*
- » *Which staff need to be made aware of this plan & what details they need to know, being mindful of the student's right to privacy*
- » *Being flexible around attendance and work requirements*
- » *Providing a safe place and person for the student*
- » *Providing a withdrawal card to the student so they can leave class discreetly*
- » *Creating a calm plan or safety plan for students who are anxious or experiencing suicide ideation*

.....'s parents will take the following actions to help ..... return to school

Amongst other things, consider:

- » *Morning and bedtime routines*
- » *Technology in the bedroom*
- » *Communication with the school*
- » *Accessing support from community agencies*
- » *Support with homework*
- » *A visit to the family GP for a check-up*

The plan will be monitored in the following way:

Amongst other things, consider:

- » *Attendance data*
- » *Tasks completed*
- » *Participation in class*
- » *Student observations*
- » *Parent observations*
- » *School/Wellbeing observations*

Implementation start date:

Review date:

Other factors to consider:

- *The important role relationships play in increasing connectedness/engagement*
- *Identify a supportive staff member who can check in with the student*
- *Some kind of reward system or a way of acknowledging the students efforts to improve their attendance*
- *Student visits to first aid as a way of avoiding class or going home*
- *Providing an alternative to just leaving school e.g. checking in with wellbeing or working independently in a supervised area like the library*
- *Participation in specialist classes like PE that the student may be avoiding*
- *Any student concerns around using the school toilets or change rooms*
- *Building social connections & ensuring the student feels safe in the yard*
- *Comprehensive learning assessments and additional supports or adjustments if required*
- *Additional family support via community services*