Catholic Schools
Parramatta Diocese

Suspension, Expulsion and Exclusion Procedure

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1. Introduction and Purpose

1.1. CSPD is committed to developing an educational and organisational culture based on mutual trust and respect that assists young people to recognise and develop their personal capabilities. This is based on the inherent dignity of the human person as the foundation of all Catholic social teaching and central to the ministry of Catholic education.

1.2. Essential to this is the creation and maintenance of a respectful, safe and supportive learning environment that promotes student wellbeing, enables school communities to engage a diverse range of learners in an inclusive manner and provides a safe and healthy working environment for staff.

1.3. As a Catholic community, we are committed to examining and challenging inequity in all its forms, including in the ways that we respond to challenging behaviours.

1.4. Part 5A of the Education Act (NSW)1990 and the Guidelines associated with Part 5A provide the guiding principles for action to keep schools safe and free from violence.

2. General Principles

2.1. CSPD provides a student behaviour policy and wellbeing framework within which schools must operate.

2.2. As part of the student behaviour policy and wellbeing framework, there will be some instances where a student's behaviour is such that, in the best interests of the student and/or the community, it is appropriate to suspend a student from the school for a period of time; or expel a student from a school and transfer the student to a different educational setting within the CSPD network of schools, or exclude a student from all CSPD schools.

2.3. The decision to exclude a student from all CSPD schools will only be

used once all other steps in the CSPD Student Behaviour Policy have been exhausted.

2.4. Whilst exclusion of a student may arise from the student's behaviour, some exclusions may be the result of serious concerns about the partnership between parents/carers and CSPD and therefore a breach of the enrolment contract as per the Family School Partnership Principles. Exclusion may also be required due to the inability of CSPD to meet the medical, psychological or educational needs of the student.

2.5. It is important to deal with all situations on a case by case basis taking into consideration the student's background, the impacts of disadvantage and any disability that the student lives with.

2.6. The safety and wellbeing of students, parents and staff of CSPD are always paramount.

2.7. Decisions regarding suspensions, expulsion 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.

2.8. The language and communication needs of the student's parents carers must be established by the school and taken into consideration in all engagements: by phone, in person and in writing.

2.9. CSPD will assist as appropriate should liaison or interpreter services be required.

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3. Scope

This procedure applies to all Catholic Schools Parramatta Diocese schools.

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4. Definitions

Behaviour Team refers to the CSPD specialist team in the Student Support Directorate that supports schools in their management of complex student behaviours.

CSPD means the Catholic Schools Parramatta Diocese and includes the CSPD Support Teams and schools.

CSPD Support Teams means Catholic Schools Office at CSPD. It applies to the central offices and office-based staff

Exclusion refers to permanently removing the student from the school and excluding the student from enrolment in any other CSPD school.

Expulsion refers to permanently removing a student from the school.

In school suspension refers to temporarily removing a student from usual school activities but not removing the student from school grounds.

Long suspension means an external suspension of longer than 5 days that has been approved by the EGM Student Support.

Pastoral absence means an agreement between the parents/carers and the school that a student should be absent from school (usually for less than 5 days) with leave for their own wellbeing. This is not an alternative to suspension, and can only be applied with the parents' consent, as they are requesting leave for their child.

Procedural Fairness means the rights of all students when dealing with authorities and the fairness of the procedures. Procedural fairness involves 2 key concepts: a) the 'hearing rule' - the right to hear the allegations and provide a response, and b) the 'right to an unbiased decision', ensuring all information is considered in a balanced way and that the person making the decision is different from the person undertaking the investigation.

Risk of Harm refers to the assessment made by professional staff that there is a reasonable concern that a student poses a significant risk to her/his own safety and/or the safety of the community.

Short suspension means an external suspension of between 1 and 5 days. This may also include partial days (e.g., a student is sent home early due to their behaviour).

Suspension refers to temporarily removing a student from all their normal classes.

Transfer means moving the student from one CSPD school to enrol in another CSPD school with the assistance of CSPD as a result of the student being expelled from a CSPD school.

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5. Purpose of Suspension

5.1. A Suspension from school is intended to:

I. manage risk of harm

II. establish consequences for a student for misconduct or challenging behaviour

III. provide an opportunity for further investigation of an incident

IV. provide an opportunity to plan how best to support the student when they return.

5.2. Suspension allows a period of time when the school, parents/carers and the student can work together on the resolution of the problem that has led to the student's suspension.

5.3. Principals have the delegated authority to suspend students for up to 5 school days.

5.4. Principals will generally suspend a student for one to three school days, but may suspend for up to five (5) days in response to more serious behaviours.

5.5. Suspension can be either in school suspension (where a student is removed from their learning environment but still attends the school) or external, where a student is required to remain at home under the supervision of his or her parents/carer.

5.6. Suspensions of more than five (5) days will only be administered in consultation with the Executive General Manager (EGM) Student Support.

5.7. Suspension is a penalty for serious misbehaviour. It is one strategy that can be used to manage inappropriate behaviour.

5.8. The management of behaviour that leads to a suspension must be conducted in accordance with the CSPD Student Behaviour Policy and with the school's student management and wellbeing

framework.

5.9. Suspensions (including internal suspensions) must be correctly documented in a formal letter to the parents / carers at the time of suspension, i.e. on the same day the student is instructed to remain away from school and the parents/carers are informed by phone.

5.10. If necessary, the school will access translation services, a community liaison officer or a member of the Jarara team to ensure equitable and respectful access to these processes and meetings.

5.11. The school and the student's teacher remain responsible for the learning of the student during the suspension period. Online learning (or other methods of remote learning), including teacher contact and feedback, is to be made available to the student.

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6. In School Suspension Principles

There are a number of circumstances where an in school suspension may be warranted.

Principals will use their discretion based on consideration of student needs, severity and seriousness of the behaviour and available school resources.

In school suspension must not impact access to learning by the suspended student. Students must have reasonable access to toilet facilities and alternative supervised meal breaks.

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7. Long Suspension Principles (6-10 days)

7.1. A Principal may recommend the application of a Long Suspension if a Short Suspension has not resolved the behaviour issue or if the misbehaviour is a serious incident to warrant a longer period where the student is removed from the school environment.

7.2. This recommendation is made to the EGM Student Support.

7.3. Reasons for a long suspension may include:

7.3.1. repeated serious misconduct

7.3.2. physical violence which has resulted in injury or which has seriously interfered with the safety or wellbeing of other students or staff

7.3.3. use or possession of a prohibited weapon, firearm or knife. (Please note, if a student has brought a weapon of any kind onto the school site or to a school event, the CSPD Weapons Procedure must be followed and the police informed)

7.3.4. possession, supply or use of a suspected illegal substance

7.3.5. serious criminal behaviour related to the school. These circumstances must be discussed with the EGM Student Support.

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8. Before implementing a suspension

8.1 Before suspending a student, Principals must ensure:

8.1.1. The student has been provided with and understands the schools behaviour policy and procedures.

8.1.2. all behaviour incidents have been fairly investigated and documented

8.1.3. the student has had an opportunity to respond to the concerns raised, preferably in a written incident report

8.1.4. appropriate personalised learning and behaviour plans and support strategies have been consulted, implemented and documented where appropriate

8.1.5. school based supports and student services staff have been involved where necessary

8.1.6. the principal or their delegate has discussed the specific behaviour with the student and their parents/carers.

8.2 There may be circumstances where an immediate suspension is warranted due to the severity and seriousness of the behaviour. Principals will use their discretion in relation to student behaviour that warrants an immediate short suspension. All other processes must be followed and, at least, a phone discussion with the parents / carers

must take place

8.3 The principles of procedural fairness must always be applied.

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9. Short suspension process

9.1. Principals have responsibility for suspending a student. This responsibility can be delegated to a senior leader in the school (such as an Assistant Principal.)

9.2. The student must be interviewed prior to the principal or their delegate deciding to impose a short suspension. Principals must ensure that the student is given information about the behaviour of concern or the nature of allegation(s), and given an opportunity to respond, preferably in writing.

9.3. Following investigation of the incident, the Principal or their delegate must inform the student of the decision to impose a short suspension, including the start and end date of the suspension and the reason for the suspension.

9.4. Parents/carers must be verbally notified of the decision to impose a short suspension, including the start and end date of the suspension.

9.5. Parents / carers must be provided with written notification of the suspension on the day the suspension is applied.

9.6. The suspension letter must include:

9.6.1. the details of the student

9.6.2. the reason for the suspension

9.6.3. the length of the suspension and the return to school date

9.6.4. any instructions for a return to school meeting with school leadership

9.6.5. directions for parents / carers to locate this Suspension, Expulsion and Exclusion Procedure on the school's website

9.6.6. a reminder that the parents / carers are responsible for

the student's supervision and safety during the suspension.

9.6.7. the process for seeking a review of the decision to suspend the student.

9.7. Provision must be made for the student to continue his or her learning during the suspension.

9.8. If a parent seeks a review of the decision to suspend, the review is to be conducted by a senior staff member not involved in the original investigation or decision.

9.9. The outcome of the review must be communicated in writing within 14 days of the request.

These points refer to internal CSPD - there is no external access to these documents.

9.10. Principals complete the Compass Suspension Chronicle.

9.11. The student's absence is recorded in the roll using the 'E' code.

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10. Longer suspension process

10.1. When imposing a longer suspension, Principals must follow the steps outlined in Section 8 of this Procedure.

10.2. There may be exceptional circumstances where a longer suspension is warranted even if a short suspension has not been previously imposed. These circumstances include serious physical violence, use or possession of a weapon or possession, supply or use of a suspected illegal substance(s). These circumstances must be discussed with and approved by the EGM Student Support.

10.3. The student must have had the opportunity and appropriate support to follow any behaviour management plans agreed to previously.

10.4. Principals must gain the approval of the EGM Student Support for longer suspensions (> 5 days) and forward a copy of the suspension letter to both the EGM Student Support and Head of Student Engagement.

10.5. EGM Student Support will consider the reason for and context of the longer suspension and provide an outcome to the request in writing to the principal.

10.6. The student's absence is recorded in the roll using the 'E' code.

11. Re-entry following a suspension

11.1. A return to school meeting is an important means by which the school can reinforce behaviour expectations, restore relationships and explain the management plan. It also builds the partnership between the school and the parents/carers and offers the student an opportunity to express remorse and their reflection on their learning.

11.2. Upon the end of the suspension period, the Principal or delegate conducts an interview with the student with their parent/carer(s) present.

11.3. A Principal or their delegate will develop a management plan prior to convening the re-entry interview. The student and their parents/carers will be asked to agree to this management plan before the student's re-entry into school.

11.4. Records of the re-entry and management plan must be maintained by the schools by appending the correspondence to the Compass suspension chronicle entry previously created.

12. Pastoral absence of students

12.1. In consultation with the student's parents/carers, the Principal may ask a student to remain away from school for a period of time due to pastoral reasons. This decision will be reviewed every five days, with the reasons for continuing the leave documented and communicated to parents/carers in writing after each review.

12.2. Students remaining at home for pastoral reasons should be recorded on the roll as absent on 'approved leave - Code L' and the reason for the absence noted.

12.3. If an assessment is made that the school cannot adequately assure

the student's safety and wellbeing at school (for example, due to persistent and serious self-harm) the principal may insist that the parent/carer keep the student away from school in order to source appropriate professional care. Depending on the circumstances, this may be entered into the roll as sick leave 'S' or pastoral leave 'L'.

12.4. 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 a Behaviour Management Plan.

12.5. It must be made clear to the student and parent/carer that this absence is not a behavioural sanction or punishment.

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13. Principles of expulsion and transfer

13.1. An expulsion may be considered by the Principal in consultation with the Head of Student Engagement and EGM Student Support.

13.2. An expulsion would only be considered when all other options for managing a student have been attempted and documented.

13.3. Schools will follow the principles of procedural fairness.

13.4. The student's parents or carers will be informed of the specific allegations giving rise to the consideration of expulsion.

13.5. The student's parents or carers will be given access to the procedures to be followed by the school in determining the validity of the allegations.

13.6. The school staff member undertaking the investigation of the allegations will be different from the staff member making the decision to expel.

13.7. The student's parents or carers will be given the opportunity to respond to the allegations

13.8. The student's parents or carers will be informed of their right to seek a review of the expulsion decision and the process by which they may request a review.

13.9. The enrolling parents will be notified that the enrolment at the school will be terminated and the student expelled on an effective date, and that, if the family wishes to continue Catholic education for their child in a CSPD school, a meeting will be arranged. At this meeting, a discussion about a potential transfer to another suitable CSPD school will take place.

13.10. The principal, in the first instance, should coordinate the transfer with the principal of an alternative school in proximity to the student's home.

13.11. If this is not possible, the Head of Student Engagement or EGM Student Support will attempt to find an appropriate CSPD school and discuss the transfer with that principal.

13.12. The transfer should give the student the best possible chance of success at an alternative CSPD school.

13.13. The student and his/her parents/carers will be consulted on appropriate alternative school settings wherever possible.

13.14. A student and his/her parents/carers who reject the offer of an alternate school placement may forfeit the right to a place in any school in CSPD. This is at the sole discretion of the EGM Student Support.

13.15. If a parent seeks a review of the decision to expel, the review is to be conducted by a senior staff member not involved in the original investigation or decision.

13.16. The outcome of the review must be communicated in writing within 14 days of the request.

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14. Principles of a student transfer following expulsion

14.1. The expulsion and potential transfer of a student will only be considered where:

14.1.1. the incident that triggered the original suspension is very serious, and/or

14.1.2. current school strategies and interventions have been exhausted, and/or

14.1.3. there is insufficient progress and continued enrolment at the school is not in the best interests of the student, and/or

14.1.4. the continued enrolment compromises the school's ability to provide a safe and supportive learning environment for all students.

14.2. When recommending an expulsion of a student, the Principal must ensure:

14.2.1. the issues have been discussed with both the student and their parents/carers

14.2.2. alternative options have been explored

14.2.3. Where a behaviour management plan has been in place for the student

14.2.3.1. they have been given the appropriate support and opportunities to comply with the plan

14.2.3.2. the Behaviour Team has been consulted and they have given support to the student

14.2.3.3. the Head of Student Engagement has been consulted.

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15. Exclusion Principles

15.1. Only the Chief Executive Officer can approve the exclusion of a student from the CSPD system of schools.

15.2. In serious circumstances of misbehaviour the Principal may recommend excluding a student from all CSPD schools. Such circumstances include, but are not limited to the following:

15.2.1. in extreme circumstances where the student's behaviour represents a significant risk of harm to other students, teachers or the school community

15.2.2. if a student has significant attendance issues and efforts to re-engage the student have been unsuccessful. This would include more than 12 months of chronic absenteeism with

ongoing support and intervention from the Attendance Team

15.2.3. if there is a significant breach in the enrolment contract between the school and the parents/carers. This could include an inability to resolve a significant dispute between the parents/carers and the school or where the school cannot fulfil their duty of care and educational requirements.

15.2.4. A student will usually have been given all possible school based and system support before an exclusion is recommended to the Chief Executive Officer.

15.3. Due to the gravity of the circumstances that exist when consideration is being given to an exclusion, particular emphasis will be given to providing a reasonable opportunity for the student and parents/carers to respond to the proposed action.

15.4. Students that have been excluded from a particular school for misbehaviour may not re- enrol in a CSPD school without the approval of the Chief Executive Officer.

15.5. An exclusion can be reviewed at the discretion of the Chief Executive Officer.

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16. Exclusion Process

16.1. When considering a recommendation of Exclusion, the Principal must consult and involve the Head of Student Engagement and the EGM Student Support.

16.2. The Principal must:

16.2.1. notify the parents/carers in writing that Exclusion from CSPD is being considered, giving reasons for the possible course of action, and including sufficient documentation for a clear understanding of the issues

16.2.2. provide an opportunity for parents/carers to meet with the Principal and Head of Student Engagement or delegate to discuss the issue/s and respond. Generally, up to five (5) working days should be allowed for parents to attend this meeting, or to respond in writing, to the proposed Exclusion

16.2.3. consider the responses of the parents/carers and the student (where applicable) as part of the decision making process

16.2.4. provide an opportunity for a further meeting between parties, if requested

16.2.5. ensure the principles of procedural fairness are followed.

16.3. The Principal must formally recommend an Exclusion to the Head of Student Engagement and EGM Student Support in writing, with all relevant documentation attached.

16.4. After receiving formal notification of a recommendation for exclusion, the EGM Student Support or their delegate will give regard to the reasons for this possible course of action, any previous action taken, and the substance of any response from the parents/carers and student.

16.5. If the EGM Student Support agrees with the recommendation, the EGM Student Support will advise the Chief Executive Officer in writing of the recommendation to exclude.

16.6. The Chief Executive Officer is the decision maker in relation to exclusion and will approve an exclusion be imposed after receiving formal notification of endorsement of the exclusion from the EGM Student Support.

16.7. The Principal and the EGM Student Support will advise parents/carers in writing of the decision to exclude which will include the reasons for this possible course of action, any previous action taken, and the substance of any response from the parents/carers and student.

16.8. The formal notification will also include the appropriate procedures for submitting a formal review of the decision.

16.9. The Student Support Directorate will give assistance to the students and their parents/carers to find a placement in an alternative educational setting, if this is requested.

16.10. The Principal will inform the Department of Education of the student's new educational setting, or 'Destination Unknown' if this cannot be identified.

17. Related Documents

- Student Wellbeing Policy
- Family School Partnership Principles
- Student Behaviour Policy
- Complaint Management Procedure
- Procedure for Excluding Students due to safety concerns or non-attendance (internal CSPD procedure document)

18. Further Information

Further information on this procedure can be directed to the CSPD Help Centre (internal) or the Contact Us page (external).

Complex matters should be discussed with the relevant Executive General Manager.