

Related Policies

Discipline
Exclusion, Expulsion and Transfer of Students
Legal Responsibilities and Authority
Managing Student Behaviour
Restraint of Students

Purpose

This policy sets out the processes that are undertaken when determining that a student is to be suspended from school for disciplinary or other reasons.

Policy

Schools follow this policy and policies and procedures for suspension that reflect values of the CECG and respects the dignity of students. Alternatives to suspension should be considered in the first instance.

Suspension of students enrolled in CECG schools may be used as a consequence for student behaviour where all reasonable action taken by the school to engage the student has been unsuccessful.

Students under the statutory leaving age are legally required to attend school.

This policy is applied to all students whether under or over the statutory school leaving age.

The school must provide the student with meaningful school work during the suspension.

Definitions

Suspension

A student is required to leave a school for a specified period of time and that the student's return is subject to specified conditions.

Statutory leaving age ACT

- A child who has completed Year 12; or
- has reached 17 years of age

has attained the school leaving age.

Statutory leaving age NSW

- A child who has reached 17 years of age; or
- has completed Year 10 and is above 15 years of age and engaged in paid work or a combination of approved education or training and paid work

has attained school leaving age.

Process

Legislative differences between ACT and NSW mean that different practices are adopted in each state.

1. Purpose of Suspension

The purpose of suspension is to:

- maintain or restore a safe and supportive learning environment for students and staff
- allow the school time to review its practice and establish support plans for the student
- communicate the significance of the behaviour and for the student to accept responsibility for behaviour change.

2. Length of Suspension

In ACT, suspension is limited to twenty (20) days.

No limit is specified in NSW.

Archdiocesan Principals are authorised to suspend students for up to five (5) consecutive days. Any consideration of suspension longer than five (5) days must be authorised by the Director.

In ACT, students who are suspended for seven (7) or more school days in a term (whether consecutive school days or not) must be given reasonable opportunity to access appropriate counselling.

3. Reasons for Suspension

The Principal must be satisfied that all reasonable alternatives have been considered or have been unsuccessful and that such action is warranted, if a student:

- demonstrates persistent and wilful non-compliance
- acts violently or threatens violence
- threatens good order of the school or the safety or wellbeing of themselves, another student attending the school, member of staff of the school or anyone else involved in the schools operation
- displays behaviour that is disruptive to the students learning or that of other children.

Principals must suspend in accordance with this policy and allowing for procedural fairness any student who:

- is physically violent: Any student who is physically violent, resulting in injury, or whose violent behaviour seriously interferes with the safety and wellbeing of others, is to be suspended immediately
- is in possession of a firearm, prohibited weapon. Any student in possession of a prohibited weapon, firearm or a knife (without reasonable cause), is to be suspended immediately. The matter must be reported to the NSW or ACT Police Force
- uses, supplies, or is in possession of, a suspected illegal substance (not including alcohol or tobacco) or supplies a restricted substance: Suspension is to occur immediately if the substance is being represented by the student as an illegal substance, or on confirmation that the substance is, in fact, illegal. Students who assist other students to obtain illegal substances or supply restricted substances, such as prescription drugs, are also to be suspended.

4. Counselling

In the ACT, a suspended student is given a reasonable opportunity for counselling after seven (7) school days suspension (not necessarily consecutive) in a single term. Counselling can be offered before this time at the discretion of the Principal.

In NSW no legal requirement is in place. Principals should consider the option of counselling as part of a management program aimed at supporting students.

5. Procedural fairness

In the ACT, no explicit mention is made of procedural fairness.

The NSW treatment of procedural fairness is followed in all situations for both NSW and ACT school.

Procedural fairness involves:

- provision of relevant policies and procedures to involved parties
- provision to these parties of the details of any allegations
- provision to these parties of the right to respond to allegations and, if appropriate, to appeal any decision
- the right to an impartial decision.

6. Action by the Principal in Circumstances Requiring Suspension

- ensure that appropriate personalised learning and support strategies and discipline options have been applied and documented
- Consider if the incident gives rise to a requirement to make a mandatory report to the Child Protection Hotline.
- Consider if the suspension of the student represents a risk to themselves, other student or staff, and if so ensure that steps are taken to assess that risk and develop any strategies consistent with CECG policies. This process should be commenced at the same time as the disciplinary action commences.
- Give the student a fair hearing and discuss the implications and consequences of the behaviour with the student before a decision is reached as to the course of action to be followed.
- Notify and provide the parents or guardians the opportunity to consult with the school on the issue. Depending on the seriousness of the situation, this may need to occur after the decision to suspend a student has been taken.
- Having been informed of their suspension, students under statutory leaving age do not leave the school until the end of the school day unless parents have arranged supervisory responsibilities that ensure the safety of the student. The suspension period begins on the following day.
- Parents or guardians of the suspended student must be made aware, orally and in writing, that the school no longer has a responsibility for a suspended student until the student returns to school. Written communication with the parents is posted to the parent's home address.
- When a student returns to the school following a period of suspension, the school provides appropriate support and developmental programs which will enable the student to re-establish his or her reputation in a positive way and resume normal activities as a full

member of the school community. In keeping with Catholic ethos, all subsequent dealings with a student illustrate the school's commitment to reconciliation.

- Before resuming normal classes, the student is interviewed by the Principal or delegate and the developmental program of support outlined. In most instances it is appropriate for the parents to be involved in this interview.
- The period of suspension is normally not to exceed five (5) consecutive school days.

If a Principal suspends a student, immediate notification of this suspension is made to the Head of School and Family Services at the Catholic Education Office. Principals are required to use the ACT Student Suspension Notification or NSW Student Suspension Notification forms to do this.

References

Education Act 2004 (ACT)
Education Act 1990 (NSW)
NSW Board of Studies. Registration Systems and Member Non-Government Schools (NSW) Manual
NSW Department of Education Short Suspension Checklist
NDW Department of Education Long Suspension Checklist
Suspension and Expulsion of School Students –Procedures 2011

Forms

Student Suspension Notification Record Sheet.

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