



## Catholic Schools Office Diocese of Lismore

# SUSPENSION AND EXPULSION STANDARD OPERATING PROCEDURE

|                               |  |
|-------------------------------|--|
| <b>SOP Number:</b>            | SESOP02:06   |
| <b>Status:</b>                | Ratified   |
| <b>Date Issued:</b>           | May 2017   |
| <b>Evaluation and Review:</b> | May 2019   |
| <b>SOP Contact Officer:</b>   | Assistant Director – Learning Services   |
| <b>Related Documentation:</b> | Catholic Education in the Diocese of Lismore Foundational Values for Catholic Identity and Mission<br><br>Parish School Behaviour and Pastoral Care policies<br><br>NSW Education Standards Authority (NESA) Registration Systems and Member Non-Government Schools Manual, 2017<br><br><i>Disability Discrimination Act 1992, Disability Standards, 2005</i><br><br>Diocese of Lismore Student Records Policy<br><br>Diocese of Lismore Violence in Schools Support Package |

## **RATIONALE**

Once students are enrolled in a parish school they and their parents/carers become part of the parish and the system of Catholic schools in the Diocese of Lismore.

This Standard Operating Procedure and related Policy embodies and guides the living out of *Catholic Education in the Diocese of Lismore, Foundational Values for Catholic Identity and Mission*.

Any decision to remove a student on a temporary or permanent basis from the full life of a parish school will be as a result of a documented and transparent process. Procedural fairness, consultation and appropriate pastoral and educational support will inform all decisions.

## **SCOPE**

This Standard Operating Procedure is required to be implemented in all parish schools, and applies to all employees, parents, caregivers and students in schools in the Diocese of Lismore.

### **1. PRINCIPLES**

In matters involving the suspension or expulsion of a student, the following principles apply:

- I. Enrolment in a parish school involves mutual rights and responsibilities of the Principal and staff, the parents/carers, and the student;
- II. The parish school values the worth of every individual student and has a focus on the pastoral care of students;
- III. Restorative practices that focus on the rebuilding of relationships are important;
- IV. The decision to suspend a student rests with the parish school Principal. The Principal will take into account the fact that students have different levels of maturity and understanding of their actions;
- V. The promotion of quality teaching and learning is a fundamental obligation of all who are involved in Catholic education;
- VI. Parish schools are educational communities and all members are entitled to a safe environment conducive to quality teaching and learning;
- VII. Procedural fairness is demonstrated in the decision making process;
- VIII. Confidentiality is an essential consideration when dealing with matters of suspension;
- IX. Matters that have resulted in any suspension need to be attended to as soon as possible so a return to school plan can be enacted; and
- X. The expulsion of a student is an option considered only in exceptional circumstances.

### **2. PROCEDURAL FAIRNESS**

Procedural fairness includes the right to be heard, the right to be treated without bias, the right to be informed of complaints being made and to be provided with an opportunity to respond to them and the right to information regarding the status of the

complaint. In matters relating to suspension it is important that all involved are accorded procedural fairness.

### **3. INVESTIGATION AND DECISION MAKING**

While separating the two steps of investigation and decision making may not always be possible, it is advisable to do this as far as it is practicable. A suspension decision should not be made until all the facts are known, the student has had the opportunity to respond, where possible the parents/carers are involved and, in serious cases, the student has had an opportunity to obtain advice.

### **4. INVESTIGATION PROCEDURE**

Before a suspension or expulsion decision is made Principals are to ensure that:

- I. A methodical and comprehensive investigation of the incident(s) has occurred and all available witnesses have been interviewed;
- II. All matters raised in any interview or investigation are recorded in writing and kept according to the Diocesan Student Records Policy;
- III. The student has been heard in the matter(s) under investigation and has had the opportunity to respond to the complaint(s);
- IV. The age, developmental levels and specific needs of the student have been taken into consideration in the investigation. Consideration has been given to extenuating circumstances before any action is taken;
- V. The student understands the decision timeline and the steps that will be taken in any investigation;
- VI. Where possible a second school based adult should be present in interviews where the incident involves the possibility of suspension or expulsion;
- VII. As far as possible the student's parents/carers have adequate and timely information on the incident, time to assess the information and the opportunity to respond to the complaint(s). Parents/carers have the right to be present for interviews particularly where suspension or expulsion is a possibility;
- VIII. A letter detailing the incident and reasons for suspension is provided to the parents/carers;
- IX. Parents/carers are aware of the right of appeal mechanism;
- X. The Principal may decide that immediate suspension is appropriate and at times essential when issues involve possible criminality, intimidation, serious breaches of the school's Code of Conduct or concerns about the safety of staff and students; and
- XI. In the case of an immediate suspension, the parents/carers must be informed. Students are never to leave the parish school premises until parents/carers have been notified and arrangements for the student's return home have been confirmed.

### **5. SUSPENSION**

There are two forms of suspension:

- 5.1 **In school suspension.** The parish school changes the formal learning arrangements of the student so that the student does not attend regular class and school activities for the duration of the in school suspension. Appropriate

supervision and work are provided during this period in a space separated from the student body. Generally, the student would not participate in special school events held during the in school suspension period;

- 5.2 **Out of school suspension.** The Principal has the delegated authority from the Director of Catholic Schools to suspend a student from school. While the Principal is on the school premises the responsibility is not delegated to other staff. If the Principal is off the school premises the responsibility can be delegated to the Assistant Principal or the next senior person on staff. A Principal must inform the person prior to departing the premises that they have the responsibility to act on behalf of the Principal.
- 5.3 Out of school suspension is designed to allow a period of time when the school, parents/carers and the student involved can work together on the resolution of the problem that has led to the student's suspension. In such cases the parish priest and Catholic Schools Office Audit and Compliance Officer – Learning Services should be informed and a record kept on Schoolworx. Therefore, the student's right to attend school has been withdrawn for a defined period of time. Responsibility for the student's safety and welfare during this time is transferred to the parents/carers. The student is not to be on the school premises during this period.

## **6. DURATION OF SUSPENSION**

- 6.1 The duration of any suspension is an important decision. Factors that must be considered include issues such as any previous suspension, the age of the student, family and personal circumstances, recognised disability, the behaviour in question and its impact on others.
- 6.2 Suspensions of 1-3 days can be determined by the Principal without reference to the School Service Consultant, however the School Service Consultant must be informed of the matter. Suspensions over 3 days are considered very serious and can be determined by the Principal only after consultation with the School Service Consultant. A suspension of 10 days or more is considered exceptional and can only be determined by the Principal after consultation with the Director of Catholic Schools.
- 6.3 A complete record which includes the student's name, reason for suspension, the type of suspension and length of suspension must be kept at the school in all cases. In the case of long term suspensions (over 3 days) notification to the Audit and Compliance Officer - Learning Services in the correct form is required within 24 hours. This information will be required by the Catholic Schools Office as part of diocesan compliance.
- 6.4 The parish school has a responsibility for the educational wellbeing of the student while on suspension and must put in place appropriate measures to ensure the student's learning needs are catered for during this period.

## **7. REENTRY MEETING**

A reentry meeting must be conducted before the student's return to school. The Principal will inform the parents/carers who will be in attendance at the reentry meeting. The student should be present. The Principal may decide to extend the suspension if the reentry meeting does not meet the desired outcomes.

## **8. PARENTS/CARERS INVOLVEMENT IN SUSPENSION**

Parents/carers should be involved in accordance with **4. Investigation Procedure**. Questions relating to the suspension can be made in the first instance to the Principal. If the issue cannot be resolved at that level the student, parents/carers may discuss the matter with the School Service Consultant.

## **9. NEGOTIATED TRANSFER**

When all other pastoral and discipline measures, including suspension, have failed to resolve an issue of serious inappropriate student behaviour, a negotiated transfer may be considered. Negotiated Transfer means a documented and mutually agreed move to another parish school is arranged. Generally, such transfers are managed by the Principal in consultation with the School Service Consultant and all relevant parties in both schools, including the parish priest, and with the parents/carers of the student involved. A Negotiated Transfer may be considered as a way of giving a student a “fresh start”.

## **10. EXPULSION**

The expulsion of a student from the community of a parish school should only be considered in exceptional circumstances. A Principal can only expel a student after consultation with the parish priest and the approval of the Director of Catholic Schools. Parents/carers are notified of the expulsion decision by the Principal.

## **11. RESPONSIBILITIES**

11.1 While the actions detailed in this Standard Operating Procedure will apply to a minority of students, it is essential that parish schools clearly communicate on a regular basis to all parents, carers, students and staff all school policies and procedures on student management, complaints handling and behavioural expectations.

11.2 Clear documentation and communication play an important role in ensuring that decisions and actions are based on published principles and follow pastoral and consistent processes. Reference to school procedures in matters relating to suspension should be made in school pastoral care/welfare/ discipline policies.

## **12. RECORD KEEPING**

12.1 All records pertaining to any incident involving suspension must be carefully recorded, filed and electronically retained according to the CSO Student Records Policy. The Catholic Schools Office may seek information from schools on the number, reasons for and frequency of suspension and expulsion decisions.

12.2 A yearly record of suspensions is to be kept at the parish school which includes the following information:

- I. Student name;
- II. Class teacher;
- III. Date of Suspension;

- IV. Length of suspension;
- V. Date of re-entry meeting;
- VI. Number of suspensions; and
- VII. Location of all correspondence.

12.3 A record is to be kept by each parish school of expulsion decisions which includes the following information:

- I. Student name;
- II. Class teacher;
- III. Date of expulsion;
- IV. Date Director and parish priest first notified of concerns; and
- V. Location of all correspondence.

### **13. RIGHTS OF APPEAL/REVIEW**

13.1 Students or their parents/carers may request a review of a decision to suspend, expel or exclude. The review will be undertaken by the decision maker's supervisor or in the alternative the CSO will nominate an appropriate person to conduct the review.

13.2 The request for a review must be made as soon as possible from the date of the decision to suspend or exclude, and the request must state the grounds for the request.

## VERSION HISTORY

| <b>Version</b> | <b>Approval Date</b> | <b>Authorised By</b>                       | <b>Notes</b>             |
|----------------|----------------------|--|--------------------------|
| 1              | September 2011       | Assistant Director –<br>Education Services | Originally released      |
| 2              | May 2017             | Assistant Director –<br>Learning Services  | Reviewed,<br>reformatted |