



# EXTERNAL SUSPENSIONS, TRANSFERS AND EXCLUSIONS (2014)

Note: Adapted from the CEO Sydney document: *Student Management: Suspension, Transfer and Exclusion* (2012)

## EXTERNAL SUSPENSIONS

- Suspension falls within three distinct categories:
  1. suspension for the purposes of investigation
  2. suspension for a student on step 3 of the *Guidelines for the Management of Students with Challenging Behaviours*
  3. suspension for a student for serious misconduct

### 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.

### 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.

### **Consideration of a suspension**

- 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.

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

- 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),
- 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),

- ensure that discussion has occurred with the student and parents/caregivers regarding the specific behaviour(s) which may lead to suspension.

### 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:

- 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,
- possession of a prohibited weapon (as defined by the Weapons Prohibition Act 1998),
- 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,
- acute or extreme anti-social behavior, such as; harassment, offensive language, or persistent disruption of other students' learning.

### **Suspensions in secondary schools**

- 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.
- 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.
- *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.
- 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.
- In making arrangements for the student to leave the school, Principal or the Principal's delegate should consider all aspects of the school's duty of care to the student, including the supply of class work from teachers.
- 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.
- When no contact can be made with the parents/caregivers, or for a valid reason, supervision cannot be provided in the home, the student will remain on internal suspension until the end of the school day.

### **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 (see Appendix I). □

This notification must include:

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

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

- A Principal may apply to the Regional Consultant for approval to extend a suspension beyond his/her nominated authority.
- 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.

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

- 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.
- 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.
- Records of re-entry plans must be kept on file and copies provided for students and/or caregivers.

## **TRANSFER**

- Students are enrolled in both the school that they attend and the system of Catholic schools in the Archdiocese of Sydney.
- 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.
- 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.
- 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.

- 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.
- Occasions for transfer include, but are not limited to:
  - continuing unacceptable behavior,
  - consideration of the pastoral needs of a student,
  - a student on Step 4 of the *'Guidelines for the Management of Students with Challenging Behaviours'* (2011),
  - consideration of a Risk Assessment following a serious incident,
  - following suspension for an investigation,
  - in conjunction with a suspension, if the re-entry cannot be appropriately managed within the current educational setting.

#### **When considering recommending a transfer, the Principal must:**

- discuss the matter with the school's Regional Consultant,
- 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,
- 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,
- take account of the response of the parents/caregivers and the student.

#### **If a transfer is to proceed the Principal must:**

- 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,
- 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,
- liaise with the receiving Principal to ensure that an IPBP and/or Risk Assessment is in place for the receiving school.

### **EXCLUSION**

- 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.
- 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.
- Consideration for exclusion will generally only be given after the procedures for suspension and transfer have been exhausted.
- Occasionally, serious situations arise where immediate exclusion is required, in order to assure

community safety and wellbeing.

### **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.

### **When considering a recommendation to the Regional Director for exclusion, the Principal and Regional Consultant must:**

- 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,
- Notify the Parish Priest to provide an opportunity for his pastoral contribution to the discernment process,
- 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,
- consider the response of the parents/caregivers and the student (where applicable) as part of the decision making process,
- provide an opportunity for a further meeting between the parties if requested.

### **After receiving a formal recommendation for exclusion, the Regional Director must:**

- 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,
- if proceeding, advise in writing of the decision to exclude and the appropriate procedures for submitting a formal review of the decision,
- arrange for the school to offer assistance to the family to find a placement in an alternative educational setting.

## **REVIEW OF SUSPENSION, TRANSFER AND EXCLUSION 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.

- A Request for Review is to be made in writing and is to state the grounds on which the review is being based.
- 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.
- 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:

- A Regional Consultant who has not previously been involved in the decision to suspend the student,
  - the Regional Director regarding the decision to transfer a student,
  - the Executive Director of Catholic Schools regarding the decision to exclude a student from systemic Catholic schools in the Archdiocese of Sydney.
- 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.
  - Every effort will be made to deal with reviews promptly so as to ensure that periods of absence from school are not unnecessarily prolonged.
  - The outcome of a review will be advised in writing to the parties, including the specific reasons for reaching the decision

### Checklist

Have the College's External Suspensions, Transfers and Exclusions policy been consulted?	
Has permission to suspend been given by the principal?	
Has a parent/carer been informed?	
Have arrangements been made for the student to leave the college after consulting with a parent/carer?	
Has a letter (as per sample below) been prepared, approved by the principal and issued?	
Has the appropriate code been entered on the roll?	
Has a record of the entire incident been added to the student's file on Sentral?	
Have his/her teachers been informed that the student is suspended?	
Have his/her teachers been asked to keep work flowing to the student during the duration of the suspension?	
Has a re-entry interview been organised and calendared?	
Have efforts been made to provide education / support to address the behaviour that led to the suspension?	

**APPENDIX I:**  
**SAMPLE LETTER OF SUSPENSION**

*Letterhead*

*(Date)*

Mr and Mrs *(Name)*  
*(Address)*

Dear Mr & Mrs *(name)*

This is to inform you that today I have suspended your *(daughter/son)* *(student's name)* for *(date and duration)*. *(Student's name)* has been suspended for *(give explicit reason and indicate which of the 3 categories the student is suspended for\*)*. I believe that this action is consistent with Catholic Education Office and College guidelines.

Please contact Mr Michael Lewis (Assistant Principal) as soon as possible on 9821 1822 to arrange a meeting to discuss this suspension. At this meeting we will discuss the behaviour that gave rise to the suspension and ways to ensure that the behaviour is corrected. Should this meeting be successful, *(Student's name)* will be allowed to resume normal classes at the end of the suspension period.

Please note that you are responsible for the care and safety of your son while he is on suspension. The College expects that *(student's name)* will continue with his studies while suspended. His teachers will endeavour to inform him of work that needs to be covered during the period of suspension.

Should you feel that this decision needs review, please see the guidelines attached.

Yours sincerely,

Mr David Fetterplace  
PRINCIPAL

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