

## SUSPENSION AND EXPULSION POLICY AND PROCEDURE

### PURPOSE

This policy document sets out procedures to be applied when the Suspension or Expulsion of a student is being considered.

### POLICY

Suspensions and expulsions are consequences of serious behaviours and must be managed in accordance with processes based on principles of procedural fairness. At the Indie School, we believe that students should learn from their mistakes. All suspensions and expulsions in the most part are for the educational benefit of all students, including the student concerned. Here at Indie School, the need to provide a safe educational environment free of harassment is of high priority. When a student is suspended or expelled, it is important to be doing the utmost for the suspended/expelled student and their educational future. Suspension should be used as a positive learning experience for the student. Whilst on suspension, the student's education should not suffer due to their exclusion/removal from classes. It is of high importance at the Indie School that the student be provided work to complete during their suspension.

#### Grounds for suspension

The Deputy Principal (in consultation with the Principal if the suspension is to be longer than two days), may suspend a student for misbehaviour if that behaviour relates to a school activity or school attendance happening at any time including but not limited to:

- while on school grounds;
- while going to or coming from school;
- during the lunch period, whether on or off the school grounds;
- during, going to, or coming from a school excursion activity.

Students may be suspended for any of the following reasons when it is determined the student:

1. continually breaches the *Student Code of Conduct*; or
2. behaves in such a way as to threaten or constitute a danger to the health, safety or wellbeing of any person; or
3. commits an act of significant violence against a person or causes significant damage to or destruction of property or is knowingly involved in the theft of property; or
4. possesses, uses, or deliberately assists another person to use prohibited drugs or substances; or
5. fails to comply with any reasonable and clearly communicated instruction of a principal, teacher or other staff member; or
6. consistently behaves in a manner that interferes with the wellbeing, safety or educational opportunities of any other student; or
7. consistently engages in behaviour that vilifies, defames, degrades or humiliates another person based on age; breastfeeding; gender identity; impairment; industrial activity; lawful sexual activity; marital status; parental status or status as a carer; 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.

In determining whether to suspend a student/the length of the suspension, the Deputy Principal/ Principal must ensure that this response is appropriate to:

- (a) the behaviour for which the student is being suspended;
- (b) the educational needs of the student;
- (c) any disability or additional learning needs of the student;
- (d) the age of the student; and
- (e) the residential and social circumstances of the student.

### **Procedures for immediate suspension**

***The Deputy Principal may suspend a student immediately*** if the student behaves in such a way that would provide the basis for a suspension ordinarily, and their behaviour is such that ***they are putting the health, safety and wellbeing of themselves, staff or other students at significant risk***. In such cases, the school has a duty of care to provide supervision of the student until they can be collected from school by a parent/carer. If the parent/carer is unable to collect their child, parental consent must be given for the student to find their own way home. Otherwise the student must stay on school premises and be adequately supervised by a staff member until the end of the school day. The Deputy Principal must consult with the Principal if the suspension to be imposed is longer than two days.

#### **The Deputy Principal must:**

1. give immediate verbal or written notification to the student and their parents/carers;
2. notify the student's teachers of the suspension and obtain work as necessary;
3. schedule a meeting with the teacher(s) and involve them in a return to school meeting;
4. for short (in-school or up to two days) suspensions, email the parents confirming the verbal notification of the suspension and outlining the reasons for the suspension; and
5. for long suspensions, provide a letter to the student and their parents/carers notifying them of the term of the suspension and the reasons why the student has been suspended including notification of a return to school meeting.

### **Suspension periods**

The maximum continuous period a student can be suspended at any one time is five (5) school days. A student cannot be suspended for more than twenty (20) school days in any one school year without approval from the Principal.

The school must provide appropriate and meaningful school work to the suspended student during the period of the suspension.

Any suspension must end at the end of the school term in which it was imposed and not continue into the following term. If a student is to be suspended for a period which is longer than the days left in a term the student may be suspended from attending school for the remainder of the term but must return to school on the first day of the following term.

## Suspension types

At the Indie School, there is the possibility of two types of suspension relating to different behavioural issues. The first is short suspension and the second is long suspension.

### **Short Suspension:**

Short suspensions should take into consideration the nature of the behavioural issue the student presents. Short suspensions may be due to:

- Continual misbehaviour;
- Aggression towards members of staff;
- Aggression towards other students; and
- Continual breaches of the *Behaviour Support and Management Policy*, where all other attempts to stop the above behaviours have failed.

These suspensions should be for no longer than two days. Suspension at this stage should also take into consideration the possibility of internal and work suspensions where the student is required to attend school, but be supervised separately to their usual timetabled classes. A work suspension may require the student to complete work in the school under the direction of maintenance or other suitably qualified staff who possess a valid and current Working With Children Check.

### **Long Suspension:**

In the first instance, a long suspension should go for no more than five (5) timetabled school days for the individual student. In the second instance, there is a requirement to seek approval from the Principal to suspend the student for more than individual timetabled school days, up to ten (10) as above. The requirement to suspend a student for any more than ten (10) consecutive timetabled school days would bring the student's enrolment at Indie School into question and be the beginning of the **expulsion** process. A student can only be placed on a **Long Suspension** if the breach of the school *Behaviour Support and Management Policy* puts the health and safety of staff, students or other school participants at risk through behaviours that are exhibited by that particular student.

Behaviours related to long suspension include:

- **Violence** to others, which includes physical assaults, fights and other forms of violence.
- **The use, threat of use or possession of a prohibited weapon** as per the State Weapons Act.
- **Possession of a controlled illegal drug**, the supply of an illegal drug; the supply of prescription drugs or alcohol, or the assistance to others to obtain the above substances.

When considering the use of a long suspension, the effect on the young person's education and previous suspensions must be taken into account before any decision is reached.

### **Parent or Guardian right to appeal of decision to suspend student**

Parents or guardians must be given the right to appeal against any decision about the student's suspension. A meeting needs to be arranged with the parent to provide an opportunity for them to voice their concerns regarding the suspension of their child/ward. During the right to appeal process, a parent may wish to express their concern with the Deputy Principal or the Principal, or formalise their appeal in writing using the Indie School *Complaint Form*, for the consideration of the above. All information must be relayed to the parent/guardian relating to the decision the school made about the suspension of their child/ward.

### **Expulsion from the school**

The following points need to be contemplated by the Deputy Principal/Principal of the Indie School when considering the possibility of a student being expelled from the school:

- Whether the nature of the incident that the student was involved in is of a serious nature and the health and safety of staff, students and other school participants would be drawn into question with the continued enrolment of the student in question.
- If the student has been placed on the required long suspension pending the final decision on the student's future at the school.
- Notification of intention to expel student has been made to the parents/guardian of the student **one (1) week prior** to the expulsion of the student from the school, allowing the parent time to respond/appeal to the decision to the Deputy Principal/Principal by phone conversation or writing.
- A discussion has been had with the parent on the implications of expulsion and the parent has been informed of their right to appeal the suspension, as explained in the *Parent or Guardian right to appeal of decision to suspend student* section of this document.

### **Related Policies:**

- *Discipline Policy*
- *Behaviour Support and Management Policy*
- *Complaints Policy and Procedure*
- *Complaint Form*

## SUSPENSION PROCESS FLOW CHART

Legend: YES → No →

