St Anne's Kew East

Suspension of Students Policy

St Anne's is a school which operates with the consent of the Catholic Archbishop of Melbourne and is owned, operated and governed by Melbourne Archdiocese Catholic Schools Ltd (MACS).

Introduction

St Anne's approach to behaviour support is underpinned by the belief that all students should maintain a level of behaviour that respects their rights and the rights of others to:

- be safe and feel safe
- learn to the best of their ability
- express themselves
- take responsibility for their choices.

To this end, St Anne's commits to working in partnership with families, parents, carers and guardians and is guided by values of justice, equity, integrity, respect and compassion.

All students and staff have the right to be treated fairly and with dignity in an environment that is safe, and free from disruption, intimidation, harassment and discrimination.

St Anne's Student Behaviour Policy details related expectations and procedures for fulfilling the School's responsibilities in promoting positive student behaviour and responding to challenging student behaviour. There will, however, be cases of unacceptable behaviour where it will be in the best interests of the School community and/or the student involved for the student to be removed from the School for a period of time.

Context

Suspension occurs when a student's attendance at school is temporarily withdrawn, on the authority of the Principal or delegate, for a set period of time.

Suspension allows the parties involved to reflect on and enter into dialogue about the behaviour and circumstances that have led to the suspension, and to plan and/or review learning and behaviour supports to assist a student to engage positively with school and learning.

There are two forms of suspension:

1. **Internal suspension**

   The student is excluded from the standard instruction or educational opportunities being provided to other students, but can still undertake educational activities on the School premises for the period of the suspension in the form of:

   - In-school suspension: This occurs when the student may be present at school, but not participating in/attending scheduled classes or activities for a specified period of time.

   Internal suspensions should focus on encouraging the student to exhibit more positive behaviours, to increase their level of participation and, where appropriate, to learn problem-solving and/or conflict resolution skills.

2. External (out-of-school) suspension

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/guardians/relevant persons. The student is not to be on the School premises during the period of suspension.

An external suspension is designed to allow a period of time when the School, parents/carers/guardians/relevant persons and the student involved can work together on the resolution of the problem that has led to the student's suspension. This may include reviewing systems of support in place to mitigate risks.

In all suspension cases, St Anne's will ensure a continuation of educational opportunity by providing the student with meaningful work, and monitor the completion of that work, until the period of suspension concludes.

The enrolment agreement explicitly records at the time of acceptance of the enrolment of a student that unacceptable behaviour by a child may result in suspension or termination of the child's enrolment.

Procedures for suspension

Authority for suspension

Only the St Anne's Principal or their delegate has the authority to suspend a student from the School.

The Principal should be notified of the suspension as soon as practicable.

St Anne's Principal is responsible for ensuring all procedures associated with suspension are followed correctly.

Grounds for suspension

The St Anne's Principal or delegate has authority to suspend a student if the student:

- behaves in such a way as to pose a danger whether actual, perceived or threatened to the health, safety or wellbeing of any person
- causes significant damage to or destruction of property
- commits, attempts to commit or is knowingly involved in theft of property
- possesses, uses or sells, or deliberately assists another person to possess, use or sell illicit substances or weapons
- fails to comply with any clear and reasonable instruction of a staff member so as to pose a danger whether actual, perceived or threatened to the health, safety or wellbeing of any person
- consistently engages in behaviour that vilifies, defames, degrades or humiliates another person
- consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student.

Application

Suspension only applies if the student is engaged in the behaviour referred to above while at school, travelling to or from school, is identifiable as a member of the school community or while engaged in any school activity away from school (including travel to and from that activity).

Criminal offences

Some wrongful behaviours of a serious nature are by definition criminal offences. These may include criminal damage of property, possession of a weapon, theft, assault with weapons, use, possession or distribution of drugs. The grounds for suspension are indicative only and not exhaustive.

When a Principal determines that a serious criminal offence has occurred, they will be mindful of the School's and MACS' duty of care, including those owed to students who are victims or offenders, and staff.

The incident will be reported to the police at the earliest opportunity.

Process

1. Procedures for suspension

1.1 In determining whether a student should be suspended, the St Anne's Principal or delegate will ensure that suspending the student is appropriate to:

a) the behaviour for which the student has demonstrated

b) the educational needs of the student

c) any disability the student may have

d) the age of the student

e) the residential and social circumstances of the student.

1.2 The St Anne's Principal or delegate is required to notify the MACS Regional Office.

1.3 Before implementing a suspension, the St Anne's Principal or delegate will ensure that principles of procedural fairness are followed in the decision-making process, including that:

a) the principal has put to the student the allegations or reasons why the particular decision is under consideration

b) the student has had the opportunity to be heard

c) any information or documentation provided by the student or their parent/guardian/carer/relevant person has, where necessary and as soon as reasonably practicable, been taken into account in making the decision regarding suspension

d) other forms of action to address the behaviour for which the student is being suspended have been considered.

1.4 When providing procedural fairness to a student in accordance with paragraph 1.3, the principal will ensure that they do so in a manner which does not prejudice any relevant investigation on the request of Victoria Police.

1.5 Prior to an internal or external suspension taking effect, or on the day of implementing a suspension with immediate effect, the St Anne's Principal or delegate will:

a) identify the family/parent/guardian/carer/relevant person

b) give verbal notification to the student and notify the family/parent/guardian/carer/ relevant person via telephone or in person of the reason/s for the suspension, the School days on which the suspension shall occur and where the suspension will occur. This will be followed by notification in writing or email within 24 hours

c) provide contact details for additional support services to the student and their family/parent/guardian/carer/relevant person, as appropriate

d) provide meaningful school work when the student is to be suspended for three days or less

e) develop a *Student Absence Learning Plan* and *Suspension of Students – Return to School*

Plan when the student is to be suspended for more than three days

f) provide the student and their family/parent/guardian/carer/relevant person with a *Notice of Suspension of Students* which must include:

- the reason/s for suspension
- the School days on which the suspension shall occur

g) provide the student and their family/parent/guardian/carer/relevant person with copies of the *Student Absence Learning Plan* and *Suspension of Students – Return to School Plan* (if required).

1.6 The St Anne's Principal or delegate may implement a suspension with immediate effect if the student's behaviour is such that they are putting the health, safety and wellbeing of themselves or any other person at significant risk.

1.7 Where the St Anne's Principal or delegate implements a suspension with immediate effect, the Principal may determine to expel the student while the student is on suspension.

1.8 Where the St Anne's Principal or delegate implements a suspension with immediate effect, the Principal or delegate will provide supervision of the student:

a) until the student is collected by the family/parent/guardian/carer/relevant person or a person chosen as an emergency contact for the student

b) if the student is in out-of-home care or if the student cannot be collected by the parent, until the student is collected by an adult who is residing with and providing care to the student

c) until the end of the School day

d) in the case of a school camp or excursion, if paragraphs (a) or (b) do not apply, until the end of the camp or excursion.

1.9 Where requested, the School should provide access to counselling for the student and/or their family/parents/guardians/carers/relevant persons.

2. Period of suspension

2.1 The maximum continuous period of time a student can be suspended at any given time is five school days, unless a longer period is approved by the MACS Regional Office.

2.2 A student cannot be suspended for more than 15 school days in a school year without approval from the MACS Regional Office.

2.3 If a student is suspended for a period which is longer than the days left in the term, the St Anne's Principal will consider the likely disruption to the student's learning before imposing a suspension that will continue into the following term.

2.4 If a student has been suspended for 15 school days in a school year, an expulsion is not an automatic consequence.

3. Return to school meeting

3.1 A return to school meeting will be conducted with the family/parents/guardians/carers/ relevant persons before the student's return to school. The student should be present.

3.2 The St Anne's Principal will inform the family/parents/guardians/carers/relevant persons who will be in attendance at the return to school meeting.

3.3 The family/parents/guardians/carers/relevant persons may request that a support person attend the return to school meeting with them. The support person may provide emotional

support and reassurance. They are not an advocate. The support person's details must be provided to the Principal prior to the meeting.

3.4 The St Anne's Principal may decide to extend the suspension if the return to school meeting does not meet the desired outcomes.

4. Record keeping

4.1 The St Anne's Principal is responsible for ensuring all records pertaining to any incident involving a suspension are carefully recorded, filed and retained on the School records, including information on the number, reasons and frequency of suspensions pertaining to the student in order to be able to track the occurrence and nature of suspensions at any point in time.

Responsible director	Director, Learning and Regional Services
Policy owner	General Manager, Student Wellbeing
Approving body/individual	MACS Board
Risk Rating	High
Approval date	April 2022
Date of next review	April 2024

POLICY DATABASE INFORMATION	
Assigned Framework	Suspension, Negotiated Transfer and Expulsion of Students
Related documents	Checklist for Suspension of Students Expulsion of Students Policy (School) Flowchart – Suspension of Students Negotiated Transfer of Students Policy (School) Notice – Suspension of Students Return to school plan – Suspension of students Roles, responsibilities and reporting – Suspension, negotiated transfer and expulsion of students
Superseded documents	School Suspension of Students Policy – v1.0 - 2021
New policy	