



SUSPENSION and EXPULSION POLICY AND PROCEDURES

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SUSPENSION & EXPULSION POLICY and PROCEDURES

Policy Objective

That all students and staff have the right to procedural fairness and to learn and teach in an environment free from disruption, intimidation, harassment, and discrimination.

There may 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 or completely. Suspension and expulsion are the options available to the principal in these situations. In such cases of unacceptable behaviour, parent(s) or carer(s) should not be asked to keep students at home without the formal imposition of a suspension unless this is for the remainder of a school day as part of an approved behaviour management program.

Esslemont College acknowledges that:

Procedural fairness is a basic right of all when dealing with authorities.

Procedural fairness refers to what is sometimes described as the 'hearing rule' and the 'right to an unbiased decision'.

The 'hearing rule' includes the right of the person against whom an allegation has been made to:

- know the allegations related to a specific matter and any other information which will be taken into account in considering the matter.
- know the process by which the matter will be considered.
- respond to the allegations.
- know how to seek a review of the decision made in response to the allegations.

The 'right to an unbiased decision' include the right to:

- impartiality in an investigation and decision making.
- an absence of bias by a decision-maker.

The review mechanism adds to the fairness of the process."

1. ESSELMONT COLLEGE GENERAL BEHAVIOUR / DISCIPLINE POLICY

- 1.1 Students are required to abide by the School's Rules and to follow the directions of teachers and other people with authority delegated by the school.
- 1.2 Where a student disregards rules, disobeys instructions or otherwise engages in conduct which causes or may cause harm, inconvenience or embarrassment to the School, staff members or other students, the students may be subject to disciplinary action.
- 1.3 The disciplinary procedures undertaken by the school vary according to the seriousness of the alleged offence. Where the allegation, if proved, may result in suspension or expulsion, the student and parents will be informed of the allegations and procedural steps to be followed in dealing with the matter. In relation to all matters to be investigated, students will be informed of the nature of the allegation and given an opportunity to respond to the allegations.
- 1.4 The penalties imposed vary according to the behaviour and the prior record of the student. At the lower end of the scale, an admonition or detention may be appropriate. At the upper end of the scale, the behaviour could result in suspension or expulsion.
- 1.5 The School prohibits the use of corporal punishment in disciplining students attending the school.
- 1.6 The School doesn't not explicitly or implicitly sanction the administering of corporal punishment by non-school persons, including parents, to enforce discipline at the school.

The following are options to be used by Esslemont College when determining when and how to apply processes that might result in the suspension or expulsion of a student, and what review and appeal rights, if any, are afforded to students in such situations.

- 1.7 Where the offending behaviour is of such a nature that it may result in suspension or expulsion, the student will be:
 - a. informed of the alleged infringement by the principal.
 - b. informed as to who will make the decision on the penalty.

- c. informed of the procedures to be followed which will include an opportunity have a parent or guardian present when responding to the allegations; and
- d. afforded a right of review of appeal.

2. PROCEDURES

2.1 Suspension

This is the temporary removal of a student from all classes that a student would normally attend for a set time. The school may make the decision for a child to have an 'internal suspension' where the child still attends school but does not attend classes. This may occur if the supervision of the child at home is unsuitable.

The school may also use suspension as a disciplinary measure to allow a student time to reflect on their behaviour, to acknowledge and accept responsibility for that behaviour, and to change their behaviour in the future. Suspension also allows time for the school to plan appropriate support for the student to assist with successful re-entry.

The Principal or the Principal's delegate may immediately suspend a student to provide the school with a proper opportunity to investigate and consider a situation of alleged serious inappropriate behaviour and manage any risks arising.

The School Principal may suspend immediately if a student:

- is physically violent.
- is in possession of a firearm, prohibited weapon, or knife.
- uses, or is in possession of, a suspected illegal substance or supplies a restricted substance.
- uses an implement as a weapon or threatens to use a weapon.
- exhibits serious criminal behaviour related to the school; or
- exhibits persistent misbehaviour.

The decision to suspend a student will be made by the Principal, or, in the Principal's absence, the Principal's delegate.

Generally:

- the student will be given details of the allegations about their behaviour by the Principal and will be given an opportunity to respond.
- investigations will be carried out by a person nominated by the Principal, who will make a recommendation to the Principal.
- the Principal will review the recommendation and form a preliminary view about the allegations and the proposed disciplinary action.
- the principal will meet with the student and their parents and/or guardians and inform them of the Principal's preliminary view and provide them with an opportunity to respond, seek a review or provide additional information before the Principal makes a final decision.

The Principal will provide written notification to the student's parents of any decision to suspend or expel the student. This notification will be copied to the class teacher and the Esslemont College Board.

All documentation related to the suspension will be included in the student's file.

There may be circumstances in which some of the steps set out above are not appropriate and the School will determine on a case by case basis the appropriate steps to be taken.

2.2 Expulsion

Expulsion is the permanent removal of the student from the school. This means that the enrolment of the student is terminated.

- 2.2.1 In serious circumstances of misbehaviour, the Principal may expel a student of any age from the School.
- 2.2.2 In all cases where consideration is being given to expelling a student, the gravity of the circumstances requires that particular emphasis be given to procedural fairness issues.

2.2.3 When considering the expulsion of a student for misbehaviour, the School Principal will:

2.2.3.1 ensure, except as a result of a serious incident, all appropriate student welfare and discipline strategies have been implemented.

2.2.3.2 arrange a formal disciplinary interview with the student and parent/guardian and will ensure that the student is given explicit information about the nature of the allegation(s) and is given the opportunity to consider and respond to the allegation(s).

2.2.3.3 ensure that the key features of the interview are documented in writing.

2.2.3.4 in writing, notify the student and parents that expulsion is being considered giving reasons for possible action.

Having reached a decision to expel a student from the School, the Principal will:

Inform the student and the parent(s) or carer(s) in writing. This formal advice will also restate the right to appeal against the decision.

Exclusion

Exclusion is the act of preventing a student's admission to a number of schools. Exclusion is not an intended behavioural sanction at Esslemont College.

Esslemont College will make this Policy publicly available on its website.

Related Documents

- Student Behaviour Policy
- Discipline Policy
- Complaints Policy and Procedures