

Suspension and Expulsion Policy

Purpose:

To ensure that the school community is supported in its right to learn and to work in an environment where they feel safe – physically, psychologically and culturally.

To ensure that the Daylesford Dharma School complies with the relevant legislative requirements when it enacts its student suspension and expulsion procedures.

Summary:

- The Education and Training Reform Act 2006 requires that any school policies relating to the disciplining of students are to be based on principles of procedural fairness and must not permit corporal punishment. This is supported by our School ethos of Non Harm, that all school community members are required to abide by.
- The grounds and processes for suspension and/or expulsion must also comply with and be consistent with the Charter of Human Rights and Responsibilities Act 2006.
- Only the Principal has the authority to make the decision to expel a student and this authority cannot be delegated.
- This policy outlines the detailed procedural considerations and requirements for the suspension and expulsion process and ensures that the Principal complies with procedural fairness in enacting this decision.
- This policy is available to all School community members on the website.

Background:

Suspension or expulsion may occur as a consequence of a serious breach of the School's rules, or serious disobedience and dangerous behaviour.

A suspension is a temporary removal of a student from all classes that a student would normally attend at school for a set period of time.

Expulsion is the permanent removal of a student from the school. It may be considered when a student's behaviour is of such magnitude that the safety and wellbeing of other students and staff at the school, and the ability to maintain the effectiveness of the school's educational programs, are threatened beyond the regard for the need of a student to continue to receive their education at the School.

It is the Daylesford Dharma School's policy that the processes for the suspension or expulsion of a student are based on the principles of procedural fairness. This Policy sets out the procedures to be followed when making a decision about the suspension or expulsion of a student.

Responsibilities:

Only the Principal has the authority to make the decision to expel a student.

Where any teacher or staff member decides that an action, or the behaviour of a student may warrant suspension or expulsion, the teacher or staff member must refer the matter to the Principal.

In serious circumstances, a student may be summarily suspended, pending a final decision under this policy. In this case, a meeting with the student and their parents/carers to review the suspension must be convened as soon as is practicable.

All Suspension and Expulsions are recorded on the Suspension and Expulsions Register that is maintained by the Principal. The register records student and parent/carer details, staff involved and third parties, hyperlinks to evidence documented under the procedural fairness process and relevant background information, and the period of suspension or date of expulsion.

Grounds for expulsion:

The Principal may expel a student from the school if, whilst attending school, travelling to and from school, or engaging in any school related activity away from school, the student:

1. Behaves in such a way as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person.
2. Causes significant damage to or destruction of property.
3. Commits or attempts to commit or is knowingly involved in the theft of property.
4. Possesses, uses or sells or deliberately assists another person to possess, use or sell illicit substances or weapons.
5. 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.
6. Consistently engages in behaviour that vilifies, defames, degrades or humiliates another person or group of people.
7. Consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student or persons.

Procedure for expulsion:

When a behavioural incident(s) is of such magnitude that an expulsion is considered, it is important that a transparent, fair and supportive process is in place for all parties involved.

It is the preference that interventions and supports will be implemented and documented, well before an expulsion is considered by the Principal.

It is critical that students involved in expulsion procedures are supported throughout the process. Where there has been a history of challenging behaviours, the Principal will consider whether or not sufficient interventions and supports have been implemented, prior to making an expulsion decision.

The requirement for expulsions are a serious disciplinary measure and will only be used as a last resort when all other behaviour management measures, interventions, supports and options have been exhausted.

Procedural Fairness:

Daylesford Dharma School is committed to ensuring procedural fairness when engaged in behaviour management processes with a student. All decisions relating to the disciplining of a student will be conducted in accordance with our student Behaviour Management Policy. Where a decision is being considered to suspend or expel a student, the Principal will inform the student's parents/carers in writing of:

- the reasons that the student is under consideration for being suspended or expelled;
- the relevant rules, policies and standards of behaviour alleged to be breached;
- the relevant allegations said to warrant the suspension or expulsion;
- allow the student and the student's parents/carers to give a response, either in writing or verbally;
- arrange a meeting with the parents/carers and the student;
- ensure that all meetings are documented.

Considerations:

The Principal, after following the procedures set out in this Policy, will make a decision about the facts of the allegations against the student. The Principal will then decide whether to suspend or expel a student based on the following considerations:

- the safety of all students, staff and visitors
- the seriousness of the student's acts
- the response or remorse of the student
- the pastoral care and welfare available to the student
- the student's prospects for behaviour change.

Alternatives to Suspension or Expulsion:

Despite the fact that a student has been referred for suspension or expulsion, other consequences may be considered or imposed. These are outlined in the student Behaviour Management Policy and the Student Behaviour Expectations agreement.

Suspensions and Expulsion:

A decision under this policy may result in the following consequences:

Short Suspension:

A short suspension may be imposed as a consequence of things such as continued disobedience, or aggressive behaviour. The student may be suspended from attending school for a period of five school days or less.

Long Suspension:

A long suspension may be imposed as a consequence of things such as physical violence, possession of a weapon, possession of a suspected illegal substance or serious criminal behaviour. The student may be suspended from attending school for a period of between five to twenty school days. This suspension period provides an opportunity for the student to engage in therapeutic interventions to support the behaviour change required to consider a plan to safely reengage in school activities.

Expulsion:

A student may be expelled from Daylesford Dharma School and will be considered as a last resort. An expelled student will be unenrolled from the Daylesford Dharma School and will not be allowed to re-enrol without the permission of the Principal. A decision to expel a student may only be made by the Principal.

Notification of Decision:

The decision made under this Policy will be communicated in writing to the student and their parents/carers. The Principal will also endeavour to communicate this decision verbally. The student, and the student's parents/carers must abide by the terms and conditions of the decision.

The School maintains a register of suspensions and expulsions. This is maintained by the Principal.

Expulsion appeals:

In keeping with principles of procedural fairness and natural justice, a decision to expel a student can be appealed by the student or their parents/carers. All appeals must be made in writing, setting out the grounds of appeal.

An appeal from a decision to suspend a student must be made to the Principal.

An appeal from a decision to expel a student must be made to the Daylesford Dharma School Board, or an appropriate committee of the Board.

An appeal can be made on the following grounds:

- a student does not have a significant history of behavioural issues, and there is insufficient evidence of prior interventions designed to address the behaviour and support the student
- the grounds on which the student was expelled are considered unfair
- the expulsion process was not followed by the Principal
- other extenuating circumstances.

Implementation:

- staff professional development support for behaviour management
- communicating this Policy to the School community
- monitoring the effectiveness of the Policy
- reviewing and evaluating this Policy annually.

Review Date:

October 2023

Linked Policies:

Conflict Resolution Policy

Behaviour Management Policy

Student Behaviour Expectations agreement

Basis of Discretion:

Not applicable.