

# Suspension, Transfer and Exclusion **Policy**



**Policy Number:** 703.6.001  
**Released:** 15 September 2020  
**Review by:** September 2021  
**Document Owner:** Catholic Education Diocese of Wagga Wagga (CEDWW)  
**Relevant Contact:** Education Services Team  
**Related Documents:** Complaints Handling Policy

# Catholic Education Diocese of Wagga Wagga:

## Suspension, Transfer and Exclusion Policy

### 1. Introduction and Purpose

Catholic schools in the Catholic Education Diocese of Wagga Wagga (CEDWW) are committed to being “welcoming, compassionate and inclusive communities of faith, learning, care, service and stewardship”.<sup>1</sup> All students enrolled in a Catholic systemic school in the CEDWW have a right to feel safe and supported at school in an engaging and purposeful learning environment where diversity is affirmed and individual differences are respected. Students are guided and encouraged to develop a sense of responsibility, self-worth and self-control, as well as to develop the ability to extend support and empathy to their peers. The schools in CEDWW seek to educate students to resolve conflicts and seek reconciliation in line with Catholic faith and belief. This document has been developed to support the principles and purposes as outlined above and support Principals, teachers and system leaders to make informed decisions that take into account the safety and wellbeing of staff and students.

### 2. Scope

This document applies to all schools in CEDWW. Schools have internal procedures and policies with respect to student management and discipline that supplement this document. It is also important that schools would move through various steps prior to enacting this policy.

### 3. Policy Statement

- 3.1.** All schools in CEDWW must have strategies in place to maintain a safe and supportive learning environment that are available to all school community members.
- 3.2.** The Principal must make available the student management policy and procedures to students, parents, caregivers, members of the school staff and, where applicable, the Parish Priest.
- 3.3.** The Principal, or their delegate, is responsible for leading the development, implementation and evaluation of school-based guidelines and procedures regarding student management and discipline that supplements this policy and is informed by principles of procedural fairness<sup>2</sup>, school pastoral responsibilities and duty of care.
- 3.4.** Action to suspend, transfer or exclude a student is a serious matter and should be carried out in a fair and equitable manner, taking into account the school’s responsibilities to the student and to the whole community.
- 3.5.** The Principal, or their delegate, has the authority to suspend a student, in accordance with the procedures and guidelines outlined in this document.
- 3.6.** The Principal may make a recommendation to the Director of Schools for the exclusion of a student from the system of schools.
- 3.7.** The procedures and guidelines outlined in this document may apply to the behaviour of students:
  - 3.7.1** At school, on the way to and from school and while away from school on school-endorsed activities;
  - 3.7.2.** Outside of school and off the school premises, where there is a clear and close connection between the school and the conduct of students. This may include serious incidents conducted online or through the use of technology.
- 3.8.** School leaders must consult, investigate and communicate with all relevant parties in a timely manner.

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<sup>1</sup> Bishop Hanna’s Mandate to all involved in Catholic Schools

<sup>2</sup> Procedural fairness is based on the right to be heard and the right to an unbiased decision-making process that is evidence based.

- 3.9.** School leaders must consider and implement processes that are reflective of:
- (a) fair and unbiased decision-making process that is evidence-based;
  - (b) contemporaneous document and record keeping practices;
  - (c) verbal and written notification to parents and carers;
  - (d) notification of parent and carer's responsibility for the care and safety of the student during the time of suspension; and
  - (e) provision of school work, learning and study expectations during the time of suspension.
- 3.10.** Principals, teachers and system leaders must ensure that wellbeing support is made available to students, where appropriate. This includes, but is not limited to, providing a pastoral mentor, devising and implementing a behaviour support plan, referral for counselling or to a health professional and collaboration with external support agencies.

## **4. Procedures and Guidelines**

### **4.1. Suspension**

- 4.1.1.** The Principal or their delegate may make a decision to suspend a student when the behaviour of a student places the student or others at risk of harm, cause ongoing and serious disruption to learning, or put the school and CEDWW's reputation at risk.
- 4.1.2.** Behaviours that may result in suspension, include, but are not limited to:
- (a) Violent and abusive behaviour;
  - (b) threatening serious physical harm to another person;
  - (c) sexual harassment or abuse of others;
  - (d) persistent bullying and harassment of others in person and/or online using technology;
  - (e) possession of illegal drugs;
  - (f) possession of a prohibited weapon as defined by the *Weapons Prohibition Act 1998* (NSW);
  - (g) involvement in behaviour of a criminal nature;
  - (h) acute or extreme anti-social behaviour;
  - (i) continued pattern of significant disruption of learning and teaching; or
  - (j) posing a risk to the safety of another person, including work health safety. This includes instances where a student engages in conduct where there are concerns in relation to their mental health and wellbeing that poses a significant risk to them and to others.
- 4.1.3.** Principals and school leaders must determine whether an internal or external suspension is more appropriate for the student and context on a case by case basis, taking into account the needs of the student/s and school, levels of risk and any other relevant or contributing factors. In instances where an internal suspension is imposed, the Principal or their delegate must ensure appropriate duty of care, supervision and provision of school work in a safe environment.
- 4.1.4.** Where the student behaviour resulting in suspension, also requires mandatory reporting to the Department of Communities and Justice in accordance with *Children and Young Persons (Care and Protection) Act 1998* (NSW) or to the NSW Police, the Principal or their delegate must ensure the matter is reported in a timely manner and direction sought from the statutory body with respect to any additional actions. Such matters must also be reported to the CEDWW Child Protection Team.
- 4.1.5.** Suspension may be for a set short or extended period of time, as follows:
- (a) short suspension: external suspension for 1 to 3 school days;
  - (b) extended suspension: external suspension for 4 or more days, up to a maximum of 20 school days.
- 4.1.6.** Prior to imposing an extended suspension, Principals are required to notify and consult with the Director of Schools or their delegate.

- 4.1.7.** Notification of suspension must be provided to parents and/or caregivers in writing in a timely manner following first notification of suspension, which may be verbal. The written notification must include:
- (a) notice of the suspension;
  - (b) date and duration of the suspension;
  - (c) reason for suspension;
  - (d) expectations regarding study whilst on suspension;
  - (e) advice to parents and caregivers that responsibility for the student whilst on external suspension is theirs; and
  - (f) information regarding the review process.
- 4.1.8.** Following a suspension, the school must undertake a risk-assessment and organise a re-entry meeting with the student and their parent or caregiver. Schools may consider developing return to school plans, organise reconciliation or offer mediation support, as appropriate.

## **4.2. Transfer**

- 4.2.1.** Students are enrolled in both the school that they attend and the system of Catholic schools in the Diocese of Wagga Wagga.
- 4.2.2.** There are occasions where a Principal will consider it in the best interests of the parties involved, to collaborate with a colleague Principal and relevant CEDWW leadership staff to arrange for the transfer of a student from the current school to another Catholic school in the Diocese of Wagga Wagga. The Director of Schools or their delegate will give their final approval for such transfers.
- 4.2.3.** The transfer of a student will generally only be considered where the continued enrolment of that student is not in his/her educational interests, or in the interests of others in the school community.
- 4.2.4.** A student and his/her family will be consulted on appropriate alternative school settings, wherever possible. The final decision will be made under the authority of the Director of Schools or their delegate, subject to enrolment policies and procedures.
- 4.2.5.** A student and his/her family who rejects the offer of an alternative school placement may forfeit the right to a place in any school in the System of Catholic Schools in the Diocese of Wagga Wagga.
- 4.2.6.** Occasions for transfer include, but are not limited to:
- continuing unacceptable behaviour
  - considerations of the pastoral needs of a student
  - 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.

## **4.3 Exclusion from CEDWW**

- 4.3.1** Decisions regarding exclusion of a student from the system of Catholic schools in the Wagga Diocese are made under the authority of the Director of Schools.
- 4.3.2** 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.
- 4.3.3** Consideration for exclusion will generally only be given after the procedures for suspension and transfer have been exhausted and the Principal has consulted with the Director of Schools or their delegate.
- 4.3.4** A student who is 17 years and older, who is failing to meet education requirements, may be formally excluded. This will only be done after all efforts to re-engage the student with course work have been exhausted. The student and their parents must be provided with documented evidence of these efforts, including warnings.

**4.3.5** Occasionally, serious situations arise where immediate exclusion is required, in order to assure community safety and wellbeing.

#### **4.4. Request for Review**

**4.4.1.** Where a student has been suspended, transferred or excluded, parents, caregivers, and where applicable, students may request a review of the decision, if they consider that the correct procedure pursuant to this document has not been followed, or that an unreasonable decision has been reached.

**4.4.2** Any request for review should be submitted to the appropriate person within ten days of receipt of written communication from the School or the CEDWW advising of the decision.

**4.4.3.** A request for review regarding a short suspension must be put in writing, setting out the grounds for the appeal and addressed to the Principal of the School and the Director of Schools or their delegate.

**4.4.4.** A request for review in respect of an extended suspension, transfer or exclusion must be made in writing, setting out the grounds for the appeal and addressed to the Principal of the School and the Director of Schools.

**4.4.5.** A review will be undertaken by appropriate members of CEDWW Leadership who are not directly associated with the matter under review.

**4.4.6.** The outcome of the review must be advised in writing, including reasons for the decision, within a reasonable period, and no later than fourteen business days from the date of receipt of the request for review.

(a) In circumstances where the review process will take longer than fourteen business days, the reviewer must communicate the delay and reasons for the delay to the relevant parties.

## **5. Explanatory Notes and Definitions**

**Exclusion** occurs when a student is restricted from enrolling in any systemic Catholic school in the Diocese of Wagga Wagga on the authority of the Director of Schools.

**Transfer** occurs when, after due consideration by the Director of Schools and the Primary Principals concerned, a student transfers from the current school to another Catholic school in the Diocese of Wagga Wagga.

**Internal Suspension** is a suspension where the student attends school but does not attend activities, classes or shared breaks.

**Student** refers to all students in schools administered by CEDWW, including those who are aged 18 years and above.

**Suspension** occurs when a student's attendance at school has been temporarily withdrawn as a disciplinary measure or for safety reasons, on the authority of the Principal or the Principal's delegate for a set short or extended period of time. Suspension can be external or internal depending on the circumstances.