



Related Policies

Discipline
Suspension

Purpose

This policy sets out the processes to be followed in situations when it is necessary to remove a student permanently from the school.

Policy

To support good order and purposeful learning, schools should develop a policy of student management that reflects their spiritual values and appeals to a student's innate dignity. This policy should be understood by teachers and students and adhered to.

In cases where suspensions have proved ineffective and where consultations with the Parish Priest, parents, counsellors or other procedures have produced no improvement in the student's behaviour, the Principal may have to decide to recommend to the Director the permanent removal of the student from the school as a last resort. (The decision is made by the Director.)

Definitions

Exclusion

In ACT, the term *exclusion* means excluding a student from all Catholic systemic schools. In NSW, *exclusion* means preventing a student's admission to a number of schools; in extreme circumstances, this can involve all the schools in a single system or from other schools.

Expulsion

In ACT, the term *expulsion* is no longer used; the closest reference is to "transfer to another Catholic systemic school". In NSW, *expulsion* means the permanent removal of a student from one particular school.

This policy covers two issues:

- a) the permanent removal of a student from an Archdiocesan Catholic school;
- b) the permanent removal of a student from the Archdiocesan Catholic school system.

Procedures

1. Procedures that precede a decision to remove a student from a school.

Step 1: The student should be counselled by senior staff members. The Principal should maintain records of all interviews, reports of incidents and complaints.

Step 2: The Parish Priest of the family, and where appropriate, the school chaplain, should be informed and involved in discussions as the spiritual welfare of the student and family could be at stake. This involvement could also be of benefit to the solution of the student's behavioural problems.

Exclusion or Expulsion

- Step 3:** Centacare and/or other Catholic welfare or secular agencies with psychologist and social worker resources should be involved (if available) with parental consent and the support and co-operation from the school, so that a multi-disciplinary approach to the student's behaviour can be taken.
- Step 4:** The Principal should contact parents to inform them of the student's misconduct and to seek their assistance. It should be clearly explained to them that the serious nature of the misconduct could warrant exclusion if the student persists in undermining the welfare of other students and the school. Parents would then have the opportunity at this stage to withdraw their child and transfer him/her to another school to provide the student with an opportunity to start anew without the stigma of exclusion.

In keeping with our Christian ethos, any decision to remove a student from a school must comply with the requirements of procedural fairness.

In ACT legislation, no mention is made of procedural fairness. The NSW treatment of this matter should be followed in all situations.

Procedural fairness involves:

- provision of relevant policies and procedures to involved parties;
- provision to these parties of the details of any allegations;
- provision to these parties of the right to respond to allegations and, if appropriate, to appeal any decision; and
- the right to an impartial decision.

2. Procedures to Recommend Exclusion

Step 5: Parents are to be notified that a recommendation to exclude the student is to be made to the Director of Catholic Education. They have the opportunity of withdrawal and transfer to another school.

Step 6: A recommendation to exclude a student **under the statutory leaving age** is made by the Principal to the Director of Catholic Education. Together with the recommendation, the Principal must provide all the facts of the situation including an outline of all measures taken prior to the decision to recommend exclusion.

Such cases would necessarily involve clearly documented evidence over a period of time that:

- the student was not profiting from continued attendance; and/or
- the student was affecting adversely the education of other students; and/or
- the school's resources, both material and personnel, were being wasted or abused by the student.

Step 7: The Director will make a decision about exclusion within five (5) working days after receiving the documentation and will advise the Principal. The Principal will then advise the student and the student's parents of the decision including details of the appeal process outlined in 3.

Exclusion or Expulsion

Step 8: Where students are **over the statutory leaving age** and are judged to have breached in serious ways the nature of the relationship with the school, the Principal is empowered to reach agreement with the Director, the parents or the student (in the case of a student over 18 years of age) that the student should leave, in his or her best interests and those of the school.

Step 9: If the student is excluded from the school, the Principal must give the Registrar written notice of the exclusion.

3. Appeal Procedures

Step 10: In order to answer any possible allegations of prejudice or unfair treatment, an Appeal Panel may conduct a hearing. If a parent or student wishes to question an exclusion, an appeal against the decision, in writing, may be lodged with the Vicar of Education within seven (7) days of the notification of the exclusion. This procedure must be outlined in the notification of exclusion to the student and parents.

Step 11: The appeal will be heard by the Vicar for Education, who will normally be the Chairperson of the Appeal Panel, a parent member of the Catholic Education Commission and another Principal (or their delegates). A student may be requested to attend part of the appeal hearing deemed to be relevant by the Chairperson of the appeal panel as may their parents. Agreement for this to occur will be considered on a case by case basis by the Panel Chairperson. The school concerned may also request a representative to attend.

Step 12: The Appeal Panel will make a decision within three (3) days of the appeal hearing and the result of the appeal will be conveyed in writing to the school, the student and the parents.

References

Nil

Forms

Nil

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