



SUSPENSION, NEGOTIATED TRANSFER AND EXPULSION OF STUDENTS FRAMEWORK

24th March 2021



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FRAMEWORK

Suspension, Negotiated Transfer and Expulsion of Students

24th March 2020

1. Vision

The vision for Catholic Education Sandhurst Limited (**CES Limited**) is to provide, in partnership with our families, stimulating, enriching, liberating and nurturing learning environments in each of the Catholic school communities within the Diocese. At the heart of this vision is our commitment to the ongoing duty of care that we have for the safety, wellbeing, and inclusion of all children and young people.

We believe:

- that the values of the Gospel are central to who we are, what we do, and how we act
- in leadership encompassing vision, innovation and empowerment.

2. Introduction

Sandhurst Catholic schools offer a broad, comprehensive curriculum imbued with an authentic Catholic understanding of Christ and his teaching, as well as a lived appreciation of membership of the Catholic Church.

Parents and guardians, as the first educators of their children, enter into a partnership with Catholic Education Sandhurst (CES) Limited to promote and support their child's education. Parents and guardians have a responsibility for maintaining this partnership by supporting the school in furthering the spiritual and academic life of their children. As the governing authority of Sandhurst Catholic Schools, CES Limited honours this duty through striving to provide Catholic schooling for all those seeking this for their children and who are willing to support the values and purposes of CES Limited.

All CES Limited schools must ensure the Suspension, Negotiated Transfer and Expulsion of Students policies and procedures that are implemented at school level are consistent with this CES Limited Framework.

3. Purpose

The Suspension, Negotiated Transfer and Expulsion of Students Framework outlines Catholic Schools Sandhurst Board approved grounds and processes for suspensions, negotiated transfer, expulsions and associated appeal processes relating to the expulsion of students.

This Framework, and incorporated Policies and Prescribed Processes, reflects the mandatory requirements imposed on Catholic schools under the Minimum Standards for School Regulation pursuant to the [Education and Training Reform Act 2006 \(Vic\)](#) and Education and Training Reform Regulations 2017 (Vic). These requirements are set out within the [Guidelines to the Minimum Standards and Requirements for School Registration](#) as developed by the [Victorian Regulation and Qualification Authority \(VRQA\)](#).

Working in partnership with parents and guided by values of justice, equity, integrity, respect and compassion, approaches to behaviour support in Sandhurst Catholic Schools are underpinned by the belief that all students require 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.

4. Scope

This Framework and incorporated Policies and Procedures apply to all Sandhurst Catholic Schools.

Each Sandhurst Catholic school is required to implement the Suspension, Negotiated Transfer and Expulsion of Students policy and procedures as prescribed in this Framework.

5. Contents of Framework

- Appendix 1: Student Absence Learning Plan
- Appendix 2: Return to School Plan - Suspension
- Appendix 3: Notice of Suspension
- Appendix 4: Flowchart for Suspension
- Appendix 5: Checklist for Suspension
- Appendix 6: Notice of Negotiated Transfer
- Appendix 7: Flowchart for Negotiated Transfer
- Appendix 8: Checklist for Negotiated Transfer

- Appendix 9: Expulsion: Information for Parents and Carers
- Appendix 10: Notice of Expulsion
- Appendix 11: Expulsion Appeal – Information and Form
- Appendix 12: Expulsion Report
- Appendix 13: Flowchart for Expulsion
- Appendix 14: Checklist for Expulsion
- Appendix 15: Return to School Plan- Expulsion

6. Definitions

CECV	Catholic Education Commission of Victoria
CES Limited Office	Catholic Education Sandhurst Office is the leadership and management arm of CES Limited
CES Limited	Catholic Education Sandhurst Limited, the owner and operator of Sandhurst Catholic schools
CES Limited Board	The Board of Catholic Education Sandhurst Limited (CES)
ETR Act	<u>Education and Training Reform Act 2007 (Vic)</u>
ETR Regulations	<u>Education and Training Reform Regulations 2017 (Vic)</u>
Executive Director	The person holding the position of Executive Director of Catholic Education in CES Limited
Expulsion	<p>Expulsion involves the termination of the contract entered into at the time of the enrolment by the parent(s)/carer(s)/relevant person.</p> <p>Expulsion occurs when, following consultation with the CES Limited Assistant to the Director: Pastoral Wellbeing, a student's attendance at their current school is permanently withdrawn by the Principal.</p> <p>The School's 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.</p> <p>The Principal, wherever possible, will work with the student and their parent(s)/carer(s)/relevant person to arrange enrolment with another school in accordance with this Framework.</p>
Guidelines	Recommendations and guidance to support the implementation of this Board approved Framework and related Policies, which may be developed and approved by the Principal of a Sandhurst Catholic School for operation in a particular School in accordance with this Framework.

<p>Mature Minor</p>	<p>The CES Limited Board recognises that parents and carers are significant and essential partners with schools in actively supporting and nurturing the educational and wellbeing outcomes of children and young people from early years through adolescence. For this reason, Schools continue to engage parents in schooling matters even after the student has turned 18 and is legally recognised as an adult.</p> <p>Notwithstanding this, for a variety of reasons students under the age of 18 sometimes ask to make decisions on their own behalf, without involvement of their parents. The law recognises that a young person with sufficient maturity and intelligence may reach a stage where they are capable of making their own decisions about a wide range of issues including decisions about their education, healthcare and wellbeing before they are 18 years old. These young people are often referred to as ‘mature minors’.</p> <p>In such scenarios the Principal should consider the circumstances on a case-by-case basis and be satisfied that the young person has sufficient maturity, understanding and intelligence to comprehend the nature and effect of a particular decision. The Principal is, in the first instance, required to refer to the National Catholic Education Commission’s Privacy Compliance Manual and to consult with CES Limited and obtain the approval of the CES Limited Assistant to the Executive Director: Pastoral Wellbeing or CES Executive Director (or the delegate of the CES Limited Executive Director) prior to determining whether a student is a ‘mature minor’.</p>
<p>Negotiated transfer</p>	<p>Negotiated transfer means a documented and mutually agreed move to another school is arranged.</p> <p>Negotiated transfer occurs when all other pastoral and discipline measures, including suspension, have failed to resolve an issue of serious inappropriate student behaviour, a negotiated transfer may be considered. A negotiated transfer ends the enrolment agreement with the first school and requires an enrolment in another school.</p>
<p>Privacy Act</p>	<p>Privacy Act 1988 (Cth.)</p>
<p>Policy</p>	<p>A high level principles-based directive by the Board that must be complied with by each Sandhurst Catholic School as detailed in this Framework.</p>
<p>Procedure</p>	<p>A step by step instruction for the implementation of a CES Limited Framework and related Policies, developed and approved by the Principal of a Sandhurst Catholic School to fulfil the policy requirements in a particular School in accordance with this Framework.</p>
<p>Relevant Person</p>	<p>Relevant Person means:</p> <ul style="list-style-type: none"> • where a student is living with his or her parent/s, is under 18 years of age and is not considered a mature minor –

	<ul style="list-style-type: none"> ○ a parent ○ an adult nominated by the parent ○ an adult from the suitable person list. ● where a student is in out-of-home care – <ul style="list-style-type: none"> ○ a parent ○ an adult who is residing with, and providing care to, the child in the out-of-home care arrangement or ○ an adult from the suitable person list. ● where a student is considered a mature minor – <ul style="list-style-type: none"> ○ an adult nominated by the student ○ an adult from the suitable person list.
Sandhurst Catholic school	Means a school which operates with the consent of the Bishop of the Catholic Diocese of Sandhurst and is owned, operated and governed by CES Limited, where formation and education are based on the principles of Catholic doctrine, and where the teachers are outstanding in true doctrine and uprightness of life
Support Person	<p>Someone that the parent(s)/carer(s)/relevant person can nominate to act in the student's best interests and who may speak on their behalf. A support person cannot make a decision for the student.</p> <p>A support person may assist parent(s)/carer(s)/relevant person:</p> <ul style="list-style-type: none"> ● understand what is going during the meeting ● interpret for the parent if they do not speak or understand English. <p>The support person's details must be provided to the Principal prior to a meeting.</p>
Suspension	<p>Suspension occurs when a student's attendance at school has been temporarily withdrawn on the authority of the principal, for a set period of time.</p> <p>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.</p>
Vulnerable Student and Families	<p>The CES Limited Board requires that the Principal of each school considers the special provisions that may apply where vulnerable students and families are concerned, in determining whether to instigate processes associated with suspension, negotiated transfer or expulsion. Considerations include:</p> <ul style="list-style-type: none"> ● Aboriginal and Torres Strait Islander Students. When considering a suspension, negotiated transfer or expulsion of an Aboriginal or Torres Strait Islander student, a Principal is required

	<p>to notify the Assistant to the Executive Director: Pastoral Wellbeing to support the school and the family to find the best outcome for the student and also connect the school and family to any local or regional resources to assist.</p> <ul style="list-style-type: none"> • Students with Disability. When responding to behaviour concerns associated with a student with a disability, consideration must be given to the requirements of the Equal Opportunity Act 2010 (Vic.), Disability Discrimination Act 1992 (Cth) and Disability Standards for Education 2005 (Cth). The Principal is required to notify the CES Limited Assistant to the Executive Director: Pastoral Wellbeing when considering the suspension, negotiated transfer or expulsion for a student with a disability to discuss supports. • Student from Culturally and Linguistically Diverse Communities (CALD). When considering the suspension, negotiated transfer or expulsion of a student from within a CALD community, the Principal is required to notify the CES Limited Assistant to the Executive Director: Pastoral Wellbeing to discuss supports. • Students in Out-of-Home Care. When considering the suspension, negotiated transfer or expulsion of a student living in Out-of-Home Care, the Principal is required to notify the Regional General Manager and consult with the CES Limited Assistant to the Executive Director: Pastoral Wellbeing to discuss supports. • Students with Mental Health concerns. When considering the suspension, negotiated transfer or expulsion of a student presenting with mental health concerns, the Principal should ensure that he/she is working with the family and relevant health professionals to ensure a thorough understanding of all issues. The Principal is required to notify the CES Limited Assistant to the Executive Director: Pastoral Wellbeing to discuss supports.
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7. Policy Statement

As the owner and operator of Sandhurst Catholic Schools, CES Limited is responsible for ensuring that all schools comply with the requirements of the Suspension, Negotiated Transfer and Expulsion of Students Framework by:

- ensuring that the Framework that the steps for managing suspensions, negotiated transfer and expulsion are clear
- ensuring that the policy and procedures are communicated to parents, guardians and students
- ensuring that there are procedures for maintaining a register of suspensions and expulsions
- ensuring that Sandhurst Catholic Schools follow this Framework.

8. Principles

Guiding principles for instigating suspension, negotiated transfer or expulsions in Schools include:

Fairness

All students and staff have the right to be treated fairly and with dignity in an environment that is safe, free from disruption, intimidation, harassment and discrimination. To achieve this, all schools must maintain high standards of student behaviour.

There will 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, negotiated transfer and expulsion are options available to the principal in these extenuating circumstances.

Ongoing learning

Schools must ensure that, where practicable, prior to, and during processes of, suspension, negotiated transfer and expulsion:

- the appropriate personalised learning and behaviour support strategies have been used and documented
- the appropriate support personnel available within the school, CES Limited and externally have been involved.

Collaboration and genuine engagement between CES Limited, school staff, students and parent(s)/carer(s) are an important features of behaviour support in schools. All should be fully aware of the school's wellbeing and behaviour support policies and practices.

Supporting vulnerable students

In implementing a suspension, negotiated transfer or expulsion, the Principal will consider the special provisions that may apply where vulnerable students and families are concerned, notify the CES Limited Assistant to the Executive Director: Pastoral Wellbeing as outlined in this Framework. These include students:

- of Aboriginal and Torres Strait Islander descent
- with disabilities
- from culturally and linguistically diverse backgrounds
- in out-of-home care
- presenting with mental health concerns.

Diversity and equity

When responding to behaviour concerns associated with a student with a disability, consideration must be given to the requirements of the [Equal Opportunity Act 2010](#) (Vic.),

[Disability Discrimination Act 1992](#) (Cth) and [Disability Standards for Education 2005](#) (Cth). These require that reasonable adjustments are provided to support students with a disability to access and participate in education on the same basis as other students.

Transparency and voice

Should parent(s)/carer(s) require a support person in order to participate fully in the suspension, negotiated transfer or expulsion process, a suitable person may be involved e.g. a member of a [Local Aboriginal Education Consultative Group](#), an interagency support worker, staff from [Victorian Aboriginal Child Care Agency](#) (VACCA) or Victorian Aboriginal Education Association Incorporated <https://www.vaeai.org.au/>(VAEAI). The responsibility for organising a support person rests with the student or parent(s)/carer(s).

The Principal must ensure that records are made and retained of any action taken in relation to behaviour support or interventions put in place for the student and, if deemed necessary, the implementation of suspension, negotiated transfer or expulsion processes.

In determining whether a student's behaviour is serious enough to warrant suspension, negotiated transfer or expulsion, the Principal will consider the safety, care and wellbeing of the student, staff and other students and, notify the CES Limited Assistant to the Executive Director: Pastoral Wellbeing and must obtain approval to the extent required in this Framework. In such circumstances, the interests of the students will be balanced against the duty of care to, and the rights of, all members of the school community, and the legal obligations to, as far as reasonably practicable, provide and maintain a working environment that is safe and without risk to health.

Where requested, the Principal will assist the parent(s)/carer(s)/relevant person to access to counselling for the student.

9. Framework

Legislative requirements

This Framework and incorporated Policies and Procedures reflect the mandatory requirements imposed on Sandhurst Catholic Schools under the [ETR Act](#).

School specific Procedures and Guidelines

Each Sandhurst Catholic school may develop Procedures and Guidelines in compliance with this Framework and related Policies.

Any Procedure or Guideline approved by the Principal of a Sandhurst Catholic school in accordance with this Framework must be consistent with this Framework.

Any Procedure or Guideline developed under this Framework must be intended to support the application of this Framework and related Policies in a particular Sandhurst Catholic school.

Application of Framework

All Principals of Sandhurst Catholic schools are to ensure application of this Framework and related Policies, Procedures and Guidelines, in compliance with, and within the parameters of, this Framework.

Roles, delegations and authorities

Approval Authority

CES Limited Board

Responsible Officers

The Executive Director

Sandhurst Catholic School Principals

Transparency and Fairness

An up-to-date version of all prescribed Policies, Procedures forming part of this Framework must be maintained on the website of each Sandhurst Catholic school at all times.

A Principal of a Sandhurst Catholic school must ensure transparent, fair and supportive processes in compliance with this Framework.

A Principal of a Sandhurst Catholic school is responsible for ensuring full and accurate reporting and obtaining required approvals in accordance with the requirements under this Framework.

Record Keeping

A Principal of a Sandhurst Catholic school must ensure that its School complies with this Framework and related Policies in customising any Policies and Procedures forming part of this Framework in the manner prescribed in this Framework, including with the branding of the School logo.

Records of all reporting and approvals made and obtained under this Framework are to be kept in a secure manner indefinitely and in accordance with the [Public Records Act \(Vic\) 1973](#).

Review

The Board will review this Framework every three years or more frequently if necessary.

The Board must communicate any changes made to this Framework to the Principals of Sandhurst Catholic schools as soon as possible.

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Appendix 1

Student Absence Learning Plan

Purpose of this document

The *Student Absence Learning Plan* is designed to support academic engagement and achievement despite a period of absence from school. The *Student Absence Learning Plan* is developed in consultation with the student, their parent/carer and relevant school staff.

In this context, the *Student Absence Learning Plan* is developed because the student has been suspended from school for a period of **more than three days**.

Student Information			
Student Name:			
Date	Year level		
Number of days suspension	From		To

Work Program			
Task set			
Additional resources / support			
Teacher		Due date	
Task set			

Additional resources / support			
Teacher		Due date	
Task set			
Additional resources / support			
Teacher		Due date	
Task set			
Additional resources / support			
Teacher		Due date	

Supports	
Role of parent/carer in supporting educational program	
Key school contact	Name
	Position
	Phone Number
	Email

Student signature: _____

Date: _____

Parent/carer signature: _____

Date: _____

Principal signature: _____

Date: _____

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Appendix 2

Return to School Plan - Suspension

Purpose of this document

The *Return to School Plan* is designed to support a student to integrate back into the school community following a period of extended absence. The plan should outline both the academic and social supports that are in place to support the student's positive return to the school community.

The *Return to School Plan* is developed in consultation with the student, their parent/carer and relevant school staff.

In this context, the *Return to School Plan* is developed because the student has been suspended from school for a period of **more than three days**.

The *Return to School Plan* is consistent with recommendations in the Catholic Education Commission of Victoria Ltd (CECV) [Positive Behaviour Guidelines \(2018\)](#) which documents expectations and recommended procedures for schools.

Student Information			
Student Name:			
Date:	Year level:		
Number of days suspension:	From:	To	

Student Intention
<p>One thing I want to achieve on my return to school is:</p> <p>Some of the ways I can do this are:</p> <p>People I can go to for help are:</p>

Support Program	
Key school contact	Name
	Position
	Phone Number
	Email
Academic goal	1.
Resources / support	
Academic goal	2.
Resources / support	
Social goal	3.
Resources / support	
Social goal	4.
Resources / support	

Student signature: _____

Date: _____

Parent/carer signature: _____

Date: _____

Principal signature: _____

Date: _____

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Appendix 3

Notice of Suspension

Sample Letter to Parents

Date

Dear [parent/carer]

Following your conversation with [name, title], this letter is written confirmation in relation to the student behaviour matter concerning [student name].

Based on the behaviour demonstrated by [student name], it has been deemed necessary that a period of [number of days] days suspension occur. The suspension will be from [first day] until [last day] inclusive.

As outlined in previous discussions, the reason for the suspension is as follows: _____

The school has implemented the following steps/actions to support [student name] in demonstrating positive behaviour: _____

- As the suspension has been issued for **three days or less**, learning material and support will be provided for [student name] in the following manner: _____
- As the suspension has been issued for **more than three days**, the school will provide [student name] with a *Student Absence Learning Plan*.

Prior to [student name] returning to school, you are requested to attend a meeting to discuss this matter and other issues related to the wellbeing of [student name].

Meeting details are as follows:

Staff member	
Date	
Time	

If the suspension has been **more than three days**, part of this meeting will involve the development of a *Return to school plan*.

Pastoral and legal responsibilities for [student name] during the period of suspension will rest with you as parent/carer.

If the proposed meeting time is not suitable, please contact [contact person] to arrange an alternative time.

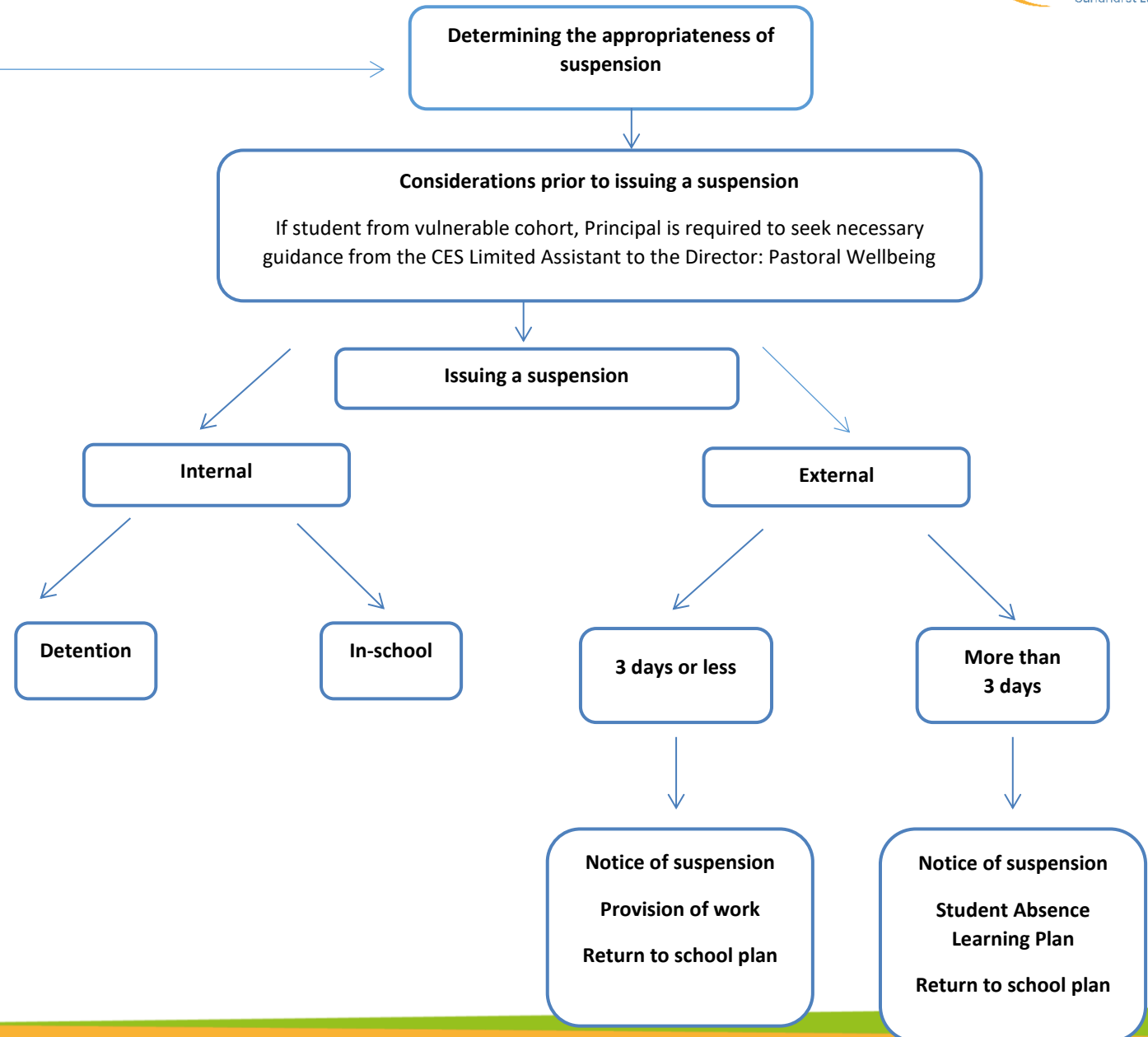
Yours sincerely,

Principal

Appendix 4 – Flowchart for Suspension

Grounds for Suspension

- 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 the theft of property
- possesses, uses or sell, 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 or humiliates and other
- consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of another student



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Appendix 5

Checklist for Suspension



This checklist is designed as a prompt and tool for support compliance and best-practice. It is not designed as a substitute for Policy or the procedures set down within that.

School: _____ Student: _____ Date: _____

Policy/ Procedure Reference	Action	Y/N	Date	Comment
Policy				
1.0	Principal has authorised suspension			
2.0	Sufficient grounds for suspension			
Procedure				
1.1	Principal has taken into account relevant personal and social circumstances of the student			
1.2	If suspension is being considered for a student identified as part of a vulnerable cohort, Principal is required to inform and seek any necessary guidance from the CES Limited Assistant to the Director: Pastoral Wellbeing			
1.3	Prior to issuing suspension, Principal has made provision for: <ul style="list-style-type: none"> • Student and their relevant person to be heard • Relevant documentation to be considered • Other measures to address student behaviour have been considered 			
1.4	b) provide verbal notification to student and relevant person d) ensure the provision of meaningful work e) develop a <i>Student Absence Learning Plan</i> and a <i>Return to School Plan</i> for an absence greater than three days f) provide <i>Notice of Suspension</i>			
1.5	If suspension is with immediate effect, appropriate duty of care and supervision arrangements in place			
1.6	If period of suspension is longer than five consecutive days, seek approval from CES Limited Assistant to the Director: Pastoral Wellbeing			
1.7	If total period of suspension for the year is greater than 15 days, seek approval from CES Limited Assistant to the Director: Pastoral Wellbeing			

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Appendix 6

Notice of Negotiated Transfer



Sample Letter to Parents

Date

Dear [parent/carer]

Following your conversation with [name, title], this letter is written confirmation in relation to the student behaviour matter concerning [student name].

Based on the behaviour demonstrated by [student name], it has been deemed appropriate that a process of Negotiated Transfer to another school / alternative setting take place to further support [student name] educational and wellbeing outcomes.

As outlined in previous discussions, the reason/s for the Negotiated Transfer: _____

Following consultation and further investigation, an alternative school/setting has been identified:

Name of school / setting	
Date of commencement	
Contact person / details	
Any additional information	

To maintain the continuity of [student name] educational program during the process of Negotiated Transfer, learning materials will be provided in the following manner: _____

Despite the circumstances that have led to the Negotiated Transfer, the college wishes [student name] all the very best for the move, and continues to hold significant hopes for a fruitful and successful future.

Yours sincerely,

Principal

Appendix 7 – Flowchart for Negotiated Transfer

Grounds for Negotiated Transfer

- 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 the theft of property
- possesses, uses or sell, 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 or humiliates and other
- consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of another student

Determining the appropriateness of negotiated transfer

Considerations prior to facilitating a negotiated transfer

- If student from vulnerable cohort, Principal is required to seek any necessary assistance from CES Limited Assistant to the Director: Pastoral Wellbeing
- Principal to meet with parent(s)/carer(s) or relevant person to **seek agreement** for negotiated transfer

Agreement

No Agreement

Proceed to Expulsion

Decision to proceed with negotiated transfer

- Principal to provide *Notice of Negotiated Transfer*
- Principal to negotiate alternative placement as soon as practicable

- Principal required to seek assistance from CES Limited Assistant to the Director: Pastoral Wellbeing

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Appendix 8

Checklist for Negotiated Transfer



This checklist is designed as a prompt and tool for support compliance and best-practice. It is not designed as a substitute for Policy or the procedures set down within that.

School: _____ Student: _____ Date: _____

Policy/ Procedure Reference	Action	Y/N	Date	Comment
Policy				
1.0	Principal has authorised negotiated transfer			
2.0	Sufficient grounds for negotiated transfer			
Procedure				
1.1	If negotiated transfer is being considered for a student identified as part of a vulnerable cohort, Principal is required to inform and seek any necessary assistance from the CES Limited Assistant to the Director: Pastoral Wellbeing			
1.2	Principal to meet with parents/carers to outline consideration to arrange a negotiated transfer			
1.3	If decision made to proceed with negotiated transfer, Principal has taken into account relevant personal and social circumstances of the student			
1.4	Relevant documentation provided by student and parent/carer or relevant person to be considered			
1.5	The principal satisfied that there have been sufficient interventions and strategies used prior to the decision to consider a negotiated transfer and that documented evidence of exists of those interventions			
1.6	Provide student and parent/carer/relevant person and CES Limited Assistant to the Director: Pastoral Wellbeing with <i>Notice of Negotiated Transfer</i>			
1.7	Provide meaningful work for the student until transfer to another educational / training / employment option			
1.8	If student on suspension awaiting negotiated transfer, ensure the provision of meaningful work			
1.9	Email copy of checklist to fbrowne@ceosand.catholic.edu.au			

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Appendix 9

Expulsion: Information for Parents and Carers



Purpose of this document

This document is designed to assist you in understanding the process if the principal of your child's school is considering expulsion.

It also outlines how to appeal an expulsion decision.

Under what circumstances would a principal consider expulsion?

When a student's behaviour is of such significance that it poses a threat to their and/or others health, safety, and wellbeing in the school community, the principal may decide that expulsion is the most appropriate course of action to take.

What information does the principal have to take into consideration?

Before deciding to expel a student, the principal must:

properly, fairly, and without bias, consider all of the relevant matters, including the impact of the behaviour of the student on other affected parties, in making their decision;

- determine whether the expulsion is appropriate when compared to:
 - the behaviour for which the student is being expelled;
 - the educational needs of the student;
 - any disability of the student;
 - the age of the student;
 - the magnitude and impact of the student's actions; and
 - the residential and social circumstances of the student.

The principal must also ensure that any information or documentation provided by the student or yourself has been taken into consideration when making the decision regarding expulsion.

The principal must also conduct a *Behaviour Support and Intervention Meeting* which you and your child will be invited to attend. The purpose of that meeting is to:

- a) advise the student and their relevant person that the principal is considering whether to expel the student;
- b) ensure all available supports and interventions to support the behaviours of concern are considered for the student;

- c) outline the grounds for expulsion that are being considered and the evidence to support a finding that the student has engaged in relevant conduct;
- d) ensure the student and their relevant person have the opportunity to be heard
- e) consider the impact of the behaviour of the student on other affected parties; and
- f) identify the future educational, training and/or employment options most suited to the student's needs and agree on a course of action in the event expulsion is decided.

What happens next, if the principal decides to go ahead with the expulsion?

If the principal has considered all relevant information and decides to proceed with expulsion, you must be notified:

- *if your child is nine years of age or more* – within two business days of the conclusion of the Behaviour Support and Intervention Meeting
- *if your child is eight years of age or less* – within 10 business days of the conclusion of the Behaviour Support and Intervention Meeting

The principal must provide you with a formal *Notice of Expulsion* which includes information about the grounds and reasons for expulsion. The principal must also provide a copy of an *Expulsion Appeal* form.

Following a decision to expel, the principal must support your child with other educational and developmental opportunities.

The principal must ensure that your child is participating in one or more of the following as soon as practicable:

- a) enrolled at another registered school;
- b) enrolled at a registered training organisation;
- c) engagement with an employment agency or other organisations that provides services that support the future employment of the student.

In the meantime, the principal must provide your child with meaningful work, and monitor the completion of that work.

How can I appeal the decision to expel my child?

You can appeal the decision through the CES Limited Executive Director who can be contacted via emailing executivedirector@ceosand.catholic.edu.au or Ph. 03 (5443 2377).

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Appendix 10

Notice of Expulsion

Sample Letter to Parents

Date

Dear [parent/carer]

Following your conversation with [name, title], this letter is written confirmation in relation to the student behaviour matter concerning [student name].

Based on the behaviour demonstrated by [student name], and through a thorough process of investigation and deliberation, I have determined that it is appropriate under the circumstance to withdraw [student name] enrolment from the school/college.

As outlined in previous discussions, the decision to pursue expulsion at this time is based on the following:

Ground/s for expulsion [refer Section 2]	
Reason/s for expulsion [outline behaviour]	

The expulsion is effective as of [date].

The college wishes to continue in its support for [student name]. Consequently, we would like to arrange enrolment at another school / alternative setting, or to assist with appropriate vocational pathways. Further dialogue can be had with [name, position] to achieve this.

For your information, you and [student name] have the right to appeal this expulsion if you are unsatisfied with the decision or the process undertaken. An information brochure *Expulsion: Information for Parents and Carers*, which outlines the process for appeal, has been included in this letter.

Despite the circumstances that have led to the expulsion, the college wishes [student name] all the very best, and continues to hold significant hopes for a fruitful and successful future.

Yours sincerely,

Principal

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Appendix 11

Expulsion Appeal: Information and Form

Purpose of this document

This document is designed to assist you in understanding the process for appealing the decision of a principal to expel your child.

Who to contact to appeal an expulsion decision?

Students and or their parent(s)/carer(s)/relevant person(s) who may wish to appeal an expulsion decision should contact the Catholic Education Sandhurst Bendigo Office. Final decisions regarding an expulsion appeal rest with Catholic Education Sandhurst Limited.

Under what circumstances can I appeal the decision to expel my child?

A student and or their parent(s)/carer(s)/relevant person may appeal a principal's decision to expel the student to the CES Limited Assistant to the Director: Pastoral Wellbeing on the following grounds:

- a) there have not been sufficient prior interventions and strategies utilised prior to the decision to expel where the student has a history of behavioural issues;
- b) the grounds on which the student has been expelled are unfair
- c) the expulsion process was not followed by the principal; and
- d) other extenuating circumstances.

The **Expulsion Appeal Form (Appendix 11)** must be received by the principal within 10 business days of the student and their relevant person receiving the **Notice of Expulsion (Appendix 10)**.

What happens next, after I have submitted my expulsion appeal?

The principal will provide the CES Limited Assistant to the Director: Pastoral Wellbeing with a copy of the **Expulsion Appeal Form (Appendix 11)** within **one** business day. The **Expulsion Appeal** must be accompanied by:

- a) **Notice of Expulsion (Appendix 10)**
- b) **Expulsion Report (Appendix 12)**

The CES Limited Assistant to the Director: Pastoral Wellbeing will determine to either:

- a) uphold the decision made by the principal to expel the student; or
- b) overturn the decision made by the principal to expel the student.

The CES Limited Assistant to the Director: Pastoral Wellbeing may appoint an Expulsion Review Panel to review the principal's decision to expel the student.

Expulsion Appeal Form

This form is to be completed by the student and parent/carer or relevant person who wishes to appeal an expulsion decision made by the principal.

This form must be received by the CES Limited Assistant to the Director: Pastoral Wellbeing **within 10 business days** of receiving the ***Notice of Expulsion (Appendix 10)***.

It is important that you keep a copy of this form for your records.

School Information	
School Name	
Principal	

Student Information			
Name			
DOB			
Gender			
Year level			
Phone		Email	

Parent / Information			
Name			
Address			
Phone		Email	
Support needs	<i>Do you or your child require any specific assistance to participate in a meeting?</i>		

Expulsion Information	
Expulsion commencement date	

Background Information

Please provide brief details of the circumstances leading to the expulsion decision by the principal.

Reason/s for the appeal	
There have not been sufficient prior interventions and strategies utilised prior to the decision to expel where the student has a history of behavioural issues.	Yes / No
The grounds on which the student has been expelled are unfair.	Yes / No
The expulsion process was not followed by the principal.	Yes / No
Other extenuating circumstances.	Yes / No

Parent/Carer signature: _____

Student signature (if applicable): _____

Date: _____

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Appendix 12

Expulsion Report

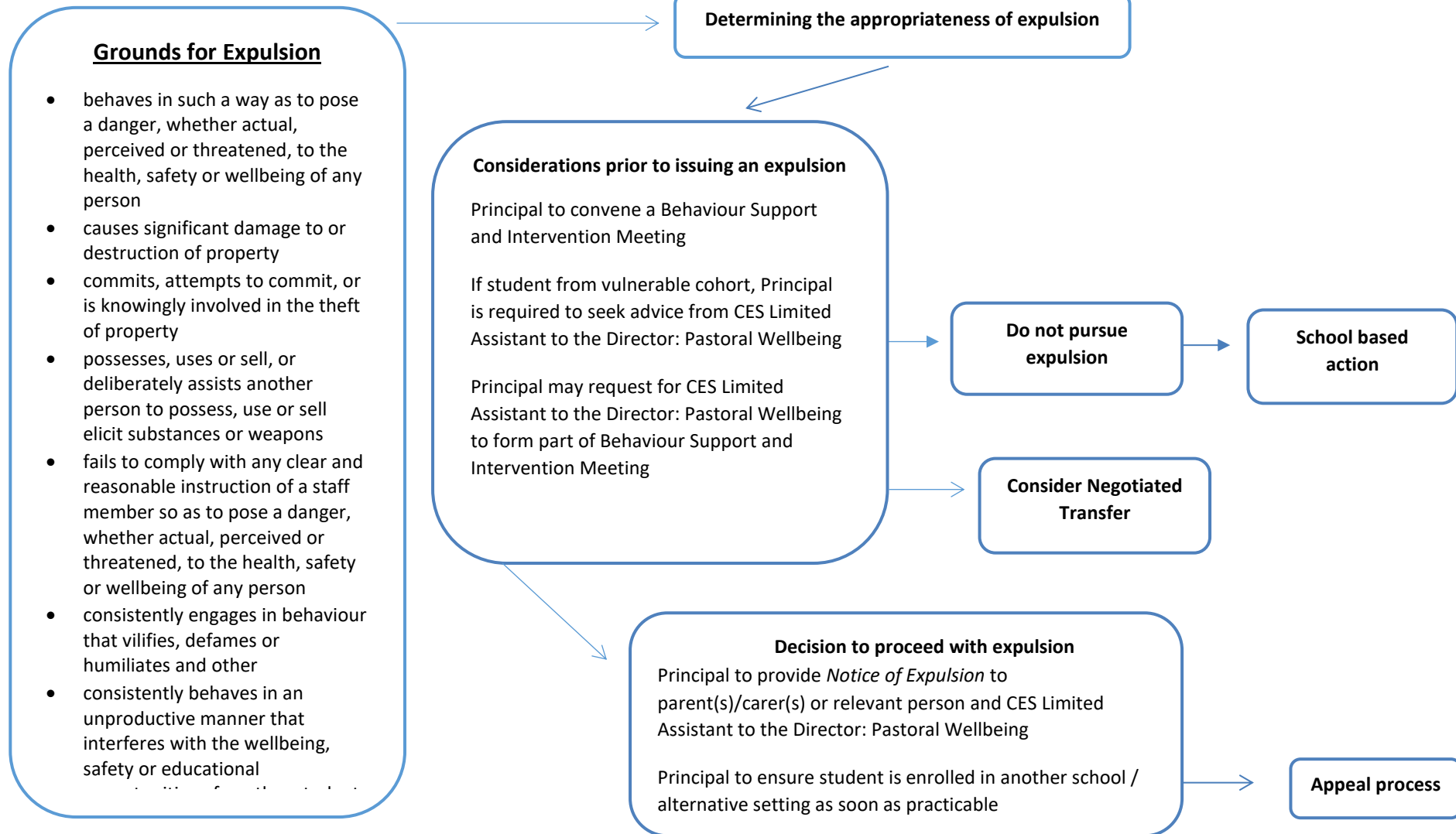
This report contains details regarding the circumstances associated with the expulsion of a student.

Following the completion of the Expulsion Report by the principal:

- Within **one business day** of the expulsion taking effect, a copy of the **Notice of Expulsion (Appendix 10)** and the **Expulsion Report (Appendix 12)** must be provided by the principal to the CES Limited Assistant to the Director: Pastoral Wellbeing.

Student: _____ **School:** _____ **Date:** _____

- a) A short statement of the history of the student's time at school.
- b) The ground/s for the expulsion.
- c) The reason/s for the expulsion.
- d) In considerations in support of the expulsion, including a comprehensive range of strategies which might have been employed.
- e) Any considerations of the impact of the behaviour on other affected parties.
- f) Any representation made by the student or their relevant person.
- g) A summary of the options considered at the behaviour support and intervention meeting and why the expulsion was considered necessary.
- h) Details of the arrangements that have been made for continuing education, training and/or employment of the student.
- i) Recommendations on whether any further action either at the school, local, regional or system level is required, including strategies at the school level to prevent the repeat of similar circumstances.



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Appendix 14

Checklist for Expulsion

This checklist is designed as a prompt and tool for support compliance and best-practice. It is not designed as a substitute for Policy or the procedures set down within that.

School: _____ **Student:** _____ **Date:** _____

Policy / Procedure Reference	Action	Y/N	Date	Comment
Policy				
1.0	Principal has authorised expulsion			
2.0	Sufficient grounds for expulsion			
Procedure				
1.1	If expulsion is being considered for a student identified as part of a vulnerable cohort or an international student, principal is required to inform and seek assistance from CES Limited Assistant to the Director: Pastoral Wellbeing			
1.2	Principal convenes Behaviour Support and Intervention meeting			
1.3	Principal consults with CES Limited Assistant to the Director: Pastoral Wellbeing to proceed with expulsion process			
1.4	Principal advises student and parent/carer or relevant person of details of Behaviour Support and Intervention Meeting			
1.5	If decision made to proceed with expulsion process, Principal has taken into account relevant personal and social circumstances of the student			

1.6	If expulsion decision confirmed, Principal to provide to student and parent/carer or relevant person <i>Notice of Expulsion</i>			
1.7	Principal prepares <i>Expulsion Report</i>			
1.8	Within one business day of the expulsion taking effect, Principal must provide a copy of the <i>Notice of Expulsion</i> and <i>Expulsion Report</i> to the relevant CES Limited Assistant to the Director: Pastoral Wellbeing			
1.9	Principal to arrange alternative education, training or employment options			
1.10	Upon receiving an Expulsion Appeal, the principal must provide the relevant CES Limited Assistant to the Director: Pastoral Wellbeing with a copy of the following documents within one business day: a) <i>Notice of Expulsion</i> b) <i>Expulsion Report</i> c) <i>Expulsion Appeal</i>			

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Appendix 15

Return to School Plan - Expulsion

Purpose of this document

The *Return to School Plan* is designed to support a student to integrate back into the school community following a period of extended absence. The plan should outline both the academic and social supports that are in place to support the student’s positive return to the school community.

The *Return to School Plan* is developed in consultation with the student, their parent/carer and relevant school staff.

In this context, the *Return to School Plan* is developed because the student has been absent due to expulsion, and the expulsion decision has been overturned.

Student Information	
Student Name:	
Date:	Year level:
Date of last day at school:	

Student Intention
<p>One thing I want to achieve on my return to school is:</p> <p>Some of the ways I can do this are:</p> <p>People I can go to for help are:</p>

Support Program		
Key school contact	Name	
	Position	
	Phone Number	
	Email	
Academic goal	1.	
Resources / support		
Academic goal	2.	
Resources / support		
Social goal	3.	
Resources / support		
Social goal	4.	
Resources / support		

Student signature: _____

Date: _____

Parent/carer signature: _____

Date: _____

Principal signature: _____

Date: _____