

*SUSPENSION AND EXCLUSION
POLICY AND GUIDELINES FOR
STUDENTS
(SCHOOLS)*

POLICY 9

St Francis Xavier Province of the
Christian Brothers
(Queensland and Northern Territory)

MAY 2002

1. INTRODUCTION

While the Trustees of the Christian Brothers (Queensland and NT) would encourage students to "work through" discipline issues and stay in school, there is also recognition that in some cases of serious breaches of school rules or law, it may be necessary to have procedures for the exclusion of students from school.

2. PURPOSE

This document outlines policy guidelines and procedure for managing student behavior in the tradition of Edmund Rice Education.

The aim of this policy is to provide a framework for managing behavior within Edmund Rice Schools, including guidelines for suspension and exclusion of students, so that the health, safety and well being of all students and staff are protected.

3. SCOPE

This policy applies to all disciplinary action taken against students enrolled in Christian Brothers' Colleges, regardless of the reasons for such disciplinary action.

4. POLICY

- 4.1 Pursuant to the Application and Enrolment Policy, each student and parent/guardian shall, at the time of enrolment, enter into an agreement with the school in relation to the student's behavior, including a requirement to ensure compliance with school policies and rules and the law. Based on that agreement, students are expected to accept and participate in disciplinary and pastoral measures arising from any breach.
- 4.2 The Principal/delegate of each school shall be responsible for ensuring that students and teachers are made aware of all relevant school policies and rules relating to students and the consequences to students of breaching those policies or rules.
- 4.3 In the event that any student commits a breach of school policies or rules or the law, which is of a major nature and not able to be adequately dealt with by the school's Behaviour Management Procedure, the matter shall be referred immediately to the Principal/delegate, who shall determine what disciplinary and/or pastoral action shall be taken, having regard to all the circumstances of the case and the guidelines provided below. Where appropriate and in every case involving a breach of the Policy and Procedure Concerning Illicit and Illegal Use of Substances by Students at Edmund Rice Schools, a pastoral response to the breach should be made. The options which may be considered include:
- 4.3.1 Disciplinary Options for Breach
- Internal suspension, i.e.:
 - ⇒ student should be isolated from classmates - and under supervision;
 - ⇒ given work to do; and
 - ⇒ given break times different from those of the other students.
 - External suspension.
 - Exclusion / expulsion.
 - Police involvement.
- 4.3.2 Pastoral Options for Breach
- Visit to the counsellor.
 - Undertaking to take part in a specific program as provided by counsellor.

- Undertaking to take part in a specific program as provided by an external professional.
- Undertaking (on conditions to be determined by the Principal/delegate), not to reoffend.

(Undertakings are written documents kept on record.)

5. THE INVESTIGATION PROCESS

To ensure procedural fairness and before imposing a disciplinary consequence or pastoral approaches under 3.3.1 or 3.3.2, the following process shall be followed by the Principal/delegate:

- 5.1 In circumstances of serious misconduct and in every instance where an allegation of breach of the Illegal and Illicit Use of Substances at Edmund Rice Schools Policy is made against a student, or where a student is a key witness to such a breach, the student's parent/guardian shall be contacted immediately, and informed of the allegation and invited to attend any meeting with the student.
- 5.2 In the event a parent/guardian is unable to attend the school at all or within a reasonable period for the purposes of such a meeting, an appropriate support person shall be appointed to support the student during any interview process.
- 5.3 The Principal/delegate shall meet with the student and in circumstances outlined in 5.1 above his/her parent/guardian/support person, and explain to the student in detail what is alleged against him/her.
- 5.4 The student should be allowed the opportunity to admit or deny the allegation and to explain in his/her own words what he/she says actually occurred and/or the reasons why it occurred.
- 5.5 The Principal/delegate may investigate in whatever way he or she considers appropriate the allegation including interviewing relevant witnesses.

6. THE DECISION

- 6.1 After the proper investigation in accordance with 5 above, the Principal/delegate shall reach a decision in relation to the facts of the matter under investigation.
- 6.2 The Principal/delegate shall then communicate that finding of fact orally to the student and in writing to his/her parent/guardian. In the event that a finding is made that an act has occurred warranting disciplinary action, the Principal/delegate shall also set out what in his/her opinion is the appropriate disciplinary/pastoral action to be taken in accordance with 4.3 above and provide the student and his parent/guardian an opportunity to give reasons as to why that proposed action should not be taken.
- 6.3 After considering any submission by the student and/or his/her parent/guardian, the Principal/delegate shall make a determination as to the penalty to be imposed and shall communicate that penalty as soon as possible to the student orally and in writing to his/her parent/guardian.
- 6.4 The Principal/delegate may decide to dismiss the allegation without imposing any penalty or sanction, whether or not he or she finds the allegation proved.
- 6.5 The Director, Edmund Rice Schools must be informed of the exclusion/expulsion of any student.

7. REVIEW BY THE PRINCIPAL/DELEGATE

In the event that a review of the Principal/delegate's decision is sought by a parent/guardian, the Principal/delegate shall reconsider his/her decision within seven (7) days of receipt of the written request and shall within that time advise the parent(s)/guardian(s) of the student in writing of the outcome of the review.

8. FURTHER REVIEW OF PRINCIPAL/DELEGATE'S DECISION

- 8.1 If aggrieved by the Principal/delegate's decision under 7 above, the Parent(s)/guardian(s) may raise a complaint under the Province Complaints Policy by way of a written complaint to the Director, Edmund Rice Schools, 70 Kate Street, Indooroopilly.
- 8.2 Such complaint may only be raised within seven (7) days of the written notification of the outcome of the review under 7 above.