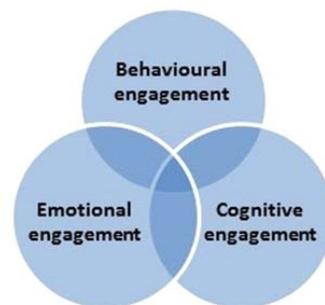




# ASCOT VALE PRIMARY SCHOOL STUDENT SUSPENSION POLICY

Reviewed and updated September 2017.

Passed by SC.



At Ascot Vale Primary School, we believe that every member of the school community has a right to fully participate in an educational environment that is safe, supportive and inclusive. Everyone deserves to be treated with respect and dignity.

As outlined in the school's 'Student Engagement Policy' (see *Resources*), we recognise the importance of inclusion and engagement in the prevention of inappropriate behaviour, and have strategies in place for promoting respectful behaviour among all members of the school community. We also have strategies for managing inappropriate behaviour in the classroom and the schoolyard.

Disciplinary measures should form part of a teacher's classroom management plan and be consistent with a whole-school approach to behaviour management. They should always be proportionate to the nature of the behaviour, and are best employed in combination with support measures to identify and address causes of the behaviour.

The Education Training and Reform Act (2006) prohibits the use of corporal punishment in any Victorian Government school and school discipline policies must include a statement that reflects this requirement. The breaches of these and school rules are clearly defined and applied. Where a student is building up a history of unsatisfactory behaviour parents are notified with a view to negotiating an agreed approach to solve issues.

## **Definition**

Suspension is the process of excluding a student from the standard instruction or educational opportunities being provided to other students at the school for part of a day, a full day, or multiple days.

Suspension is a serious disciplinary measure and is best reserved for incidents when other measures have not produced a satisfactory response. 'Ministerial Order 625 – Procedures for Suspension and Expulsion' currently defines the grounds for suspension and expulsion of students in Victorian government schools, and the procedures to be followed.

## **Grounds for Suspension**

***In order for suspension to be an option, the following conditions must be in place:***

The student's behaviour must have occurred:

1. whilst attending school;
2. or travelling to or from school;
3. or while engaged in any school activity away from the school;
4. or travelling to or from any school activity.

***The student's behaviour must meet one or more of the following conditions:***

a) behaves in such a way as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person;

b) causes significant damage to or destruction of property;

c) commits or attempts to commit or is knowingly involved in the theft of property;

d) possesses, uses or sells or deliberately assists another person to possess, use or sell illicit substances or weapons;

e) 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;

f) consistently engages in behaviour that vilifies, defames, degrades or humiliates another person based on age; breastfeeding; gender; identity; impairment; industrial activity; lawful sexual activity; marital status; parent/carer status or status as a carer; physical features; political belief or activity; pregnancy; race; religious belief or activity; sex; sexual orientation; personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes;

g) consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student.

*Please note:* For incidents between students that occur outside of school hours or in locations other than those listed above, a suspension cannot be used as a response. The impact of cyberbullying (and other behaviours) outside of school hours/off school premises on schools is acknowledged, however, if the behaviour occurs solely outside of school hours/grounds suspension is not an available recourse. If incidents outside of school hours are connected to behaviour that does meet the grounds and location requirements for suspension, this external behaviour may be considered when determining the response to an in-school incident.

### **Authority to suspend a student**

Only principals have authority to make the final decision to suspend a student. This authority cannot be delegated.

School staff may provide advice to inform the principal's decision whether to suspend a student and may assist in the management of the student's behaviour and/or in communications with the parents, carers or relevant persons. Principals hold ultimate responsibility for ensuring that all processes are followed, correctly.

In determining whether to suspend a student, the principal must ensure that suspending the student is appropriate to:

- the behaviour for which the student is being suspended
- the educational needs of the student
- any disability or additional learning need of the student
- the age of the student
- the residential and social circumstances of the student.

### **Period of Suspension**

Suspending a student can have serious implications for the student's engagement in learning therefore suspension should be applied for the shortest time necessary. In determining the period of suspension, the principal must note:

- The period of suspension must not exceed five school days

- The suspension must not result in the student being suspended for more than 15 school days in the school year unless there is prior written approval from the Department of Education and Training (DET) Regional Director (a 'Request for Approval – Suspension over 15 days' Form is available on the DET website).
- If the period of the suspension is longer than the days left in the term, the principal should consider the likely disruption to the student's learning before imposing a suspension that will continue into the following term

### **The Relevant Person**

Due to the seriousness of suspension and expulsion, Ministerial Order 625 requires that students who are subject to suspension and/or expulsion processes have a 'relevant person' to participate in the process to support and advocate for them. For most students this will be a parent or carer.

In situations where the parent or carer is unavailable or unwilling to act as the relevant person for their child, they can nominate an alternative relevant person (see *Resources*).

### **Suspension of Aboriginal and Torres Strait Islander students**

When considering a suspension for an Aboriginal or Torres Strait Islander student, a principal should engage a Koorie Engagement Support Officer (KESO). The KESO can 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.

For more information on supporting Aboriginal or Torres Strait Islander students through a suspension process or to seek the involvement of a KESO, contact the Koorie Education Coordinator (see *Resources*).

### **Students with separated parents**

For students who have separated parents, all parents and carers are entitled to be notified of the intention to suspend or expel the student.

### **Procedures before Suspension**

#### **In-school discipline**

Graded in-school disciplinary measures can be used to respond to a range of challenging student behaviour and may be modified to suit particular circumstances as needed. Whilst these measures take place on school premises they may occur outside school hours.

Further information about the school's graded in-school disciplinary measures, including withdrawal of privileges and withdrawal from class, can be found in the 'Student Engagement Policy 2015' (see *Resources*).

#### **Preliminary investigation**

The principal should conduct a thorough investigation to establish the nature of the behaviour/s, the student who committed those behaviour/s, the context in which it was committed, and any other relevant circumstances in relation to the incident or behaviour.

#### **Consider options**

When determining if suspension is appropriate for a particular student, consideration should be given to:

- the behaviour for which suspension is being considered
- the educational needs of the student
- any disability of the student (disability is defined under the Equal Opportunity Act 2010, it is not limited to students in receipt of specialist services or Program for Students with Disability funding)

- the age of the student
- the residential and social circumstances of the student, including whether the student is Aboriginal or Torres Strait Islander or Culturally and Linguistically Diverse background or is in Out of Home Care
- Previous incidences of challenging behaviour and the support/disciplinary measures employed to respond to these.

Before implementing a suspension the principal must ensure the following:

- that the student has had the opportunity to be heard
- that any information or documentation provided by the student or the relevant person has been taken into account in making the decision regarding the suspension; and
- other forms of action to address the behaviour for which the student is being suspended have been considered.

### **In-school Suspension**

When considering the decision to suspend a student, the school may choose to explore an in-school suspension. An in-school suspension is where the student is excluded from the standard instruction or educational opportunities being provided to other students, but can still undertake educational activities on the school premises for the period of the suspension.

In-school suspensions should focus on encouraging the student to exhibit more positive behaviour, to increase their level of participation and where appropriate, to learn problem solving and/or conflict resolution skills.

*Options for in-school suspension include:*

- Having the student accompany an experienced teacher/appropriate staff member to their classes for the day
- Participating in a work-based in-school suspension (e.g. working outdoors or preparation of educational materials)
- Providing a dedicated room or area where students can complete school work under appropriate supervision.

The same process (including record-keeping) must be followed for in-school suspension as for out of school suspensions.

### **Suspension procedures**

Under Victorian Law, in deciding whether to suspend a student, principals must undertake an assessment of that course of action under the Charter of Human Rights and Responsibilities Act 2006. In addition, when determining whether to suspend a student with a disability, principals must be sure that reasonable adjustments have been made to assist the student to manage the behaviours where this is a manifestation of disability.

Prior to the suspension taking effect, or on the day of taking immediate action, the principal must complete all of the following:

1. Identify the Relevant Person (see *Resources*);
2. Notify the student (verbally) and the relevant person (via telephone or in person) of the following information: the reason/s for the suspension, the school days on which the suspension shall occur and where the suspension will occur.

3. Provide contact details for additional support services to the student and the relevant person as appropriate.
4. Arrange for appropriate school work to be provided to the student for the period of the suspension:
  - a) Where the student is suspended for three days or less, provide meaningful work.
  - b) Where the student is suspended for more than three days, develop a Student Absence Learning Plan and Return to School Plan.
5. Provide the student and the relevant person with the following documentation:
  - Notice of Suspension
  - Parent Brochure - Procedures following Suspension
  - Student Absence Learning Plan (if applicable)
  - Return to School Plan (if applicable).

Consistent with the Charter and discrimination legislation, documentation should be provided in alternative formats and community languages in order to meet the communication needs of the student and relevant person.

6. Record the suspension on CASES21, the computer system provided to government schools to support student administration, financial management and reporting.

### ***Immediate suspension:***

The principal may implement a suspension with immediate effect if the student's behaviour is such that they are putting the health, safety and wellbeing of themselves, or any other person at significant risk.

Where an immediate suspension is imposed, the principal has a duty of care to provide supervision of the student until they can be collected by a parent, carer, or an emergency contact nominated by the parent or carer. If the parent, carer or emergency contact is unable to collect the student, the student must be adequately supervised by a member of staff until the end of the school day.

It may be appropriate to implement a suspension with an immediate effect whilst the student is on an excursion or school camp. In these situations, if a student's parent, carer or emergency contact is unable to collect the student, they will need to be supervised until the end of the camp or excursion. If this is the case, it is suggested that the student be removed from any activity organised as part of the excursion or camp. It may also be suitable to assign the student an appropriate task or school work to go on with.

When the suspension is immediate, the principal must:

- give immediate verbal notification to the student and their parents/carers
- immediately schedule a student support group meeting (this meeting must be held within 48 hours of the student being suspended)
- provide the student and their parents/carers with a Notice of Suspension and a copy of the information brochure *Procedures for Suspension*
- develop a Student Absence Learning Plan and a Return to School plan (as appropriate) at the student support group meeting
- schedule a post-suspension student support group meeting if the suspension is for five days.

### **Post-suspension follow up and support**

The principal will consider whether it is appropriate to convene a Student Support Group meeting with the student, the relevant person, and any other adults or professionals involved in the care of the student. The purpose of such a meeting is to discuss the student's behaviour that led to the suspension, and to discuss a range of strategies to address the concerns and prevent further occurrences of such behaviour.

It is strongly recommended that a meeting be convened if one or more of the following circumstances apply:

- a student and/or their relevant person requests a meeting
- a student has a disability, is Aboriginal or Torres Strait Islander or is in Out-of-Home Care
- there have been three or more suspensions in the school year
- the student has been suspended for the maximum five consecutive days.

For more information on Student Support Groups, see “Engagement Strategies for Individual Students” in *Resources*

In all cases of suspension, the school will consider the student’s transition back into school and any disruption to their learning. In some cases, the student may require additional educational or other supports to help manage any underlying behavioural issues.

### **Resources**

- AVPS Student Engagement Policy 2015 - <http://www.avps.vic.edu.au/documents/StudentEngagementPolicyFINAL2015.pdf>
- Identifying a Relevant Person – <http://www.education.vic.gov.au/school/teachers/studentmanagement/Pages/relevantperson.aspx>
- Koorie Education Coordinator Contact details - <http://www.education.vic.gov.au/about/contact/Pages/wannikregional.aspx>
- Engagement Strategies for Individual Students - <http://www.education.vic.gov.au/school/teachers/studentmanagement/Pages/engageindividuals.aspx>
- Department of Education and Training Disciplinary Measures - <http://www.education.vic.gov.au/school/teachers/studentmanagement/Pages/discipline.aspx>
- Student Suspension Checklist - <https://edugate.eduweb.vic.gov.au/CookieAuth.dll?GetLogon?curl=Z2FcollaborationZ2FattendanceengagementparentbehaviourZ2FsuspexpZ2FSuspensionZ2520andZ2520expulsionZ2520resourcesZ2FPrincipalZ2520ChecklistZ2520-Z2520Suspension.pdf&reason=0&formdir=6> (DET employees only – password protected)
- Suspension flowchart - <https://edugate.eduweb.vic.gov.au/CookieAuth.dll?GetLogon?curl=Z2FcollaborationZ2FattendanceengagementparentbehaviourZ2FsuspexpZ2FSuspensionZ2520andZ2520expulsionZ2520resourcesZ2FProcessZ2520FlowchartZ2520-Z2520Suspension.pdf&reason=0&formdir=6> (DET employees only – password protected)