



ASCOT VALE PRIMARY SCHOOL STUDENT SUSPENSION POLICY

Reviewed and updated September 2014.
Passed by SC 15th September 2014.



Ascot Vale Primary School can and will discipline students for behaviour incidents occurring at school; at a school activity away from the school grounds; or while travelling to or from school or a school activity. Disciplinary measures should form part of a teacher's classroom management plan and be consistent with a whole school approach to behaviour management.

Disciplinary measures 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.

It is within this context and that of the AVPS 'Student Engagement Policy' (draft form- ready for 2015) that suspension is viewed as a serious disciplinary measure and should normally only be used when other measures have not produced a satisfactory response. See AVPS Student Behaviour Action Plan (in 2015 Student Engagement Policy).

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. Suspension should be used for the shortest time necessary. The maximum continuous time a student can be suspended at any one time is five school days. A student cannot be suspended for more than fifteen school days in a school year without approval from the regional director. The principal is required to seek secondary consultation and/or direct intervention support from their regional office to address the behavioural concerns for a student who has been suspended for eight days in a school year or who reaches a total of four individual suspensions in a school year. However, a student may not be suspended for a further period (not exceeding ten school days) pending the principal's decision whether to expel a student. The principal has responsibility for student suspensions.

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.

As with all forms of discipline, graded in-school disciplinary measures should be clearly set out in and aligned with the school's student engagement policy and expectations around behaviour and should be used in a way that is proportionate to the behaviour being addressed.

Withdrawal of privileges

Schools can withdraw student privileges as a consequence of breaching classroom or school behavioural standards. The specific privileges that are withdrawn will vary between schools and even students at the same school, however they may include things such as representing the school at inter-school sports or attendance at a school event.

When withdrawing privileges as a disciplinary measure, schools should ensure that:

- The withdrawal is time-limited
- The reasons for and period of the withdrawal is clearly communicated to the student
- The student is made aware of the behaviour standards expected in order for the privileges to be reinstated
- Consideration is given to the impact on the student's engagement (i.e. where the withdrawal of a privilege may contribute to a student's risk of disengaging from school, strategies are put in place to maintain student engagement during the withdrawal).

Withdrawal from class

If a student's behaviour significantly interferes with the rights of other students to learn or the capacity of a teacher to teach a class or where there is possibility of harm to others, that student may be temporarily removed from regular classroom activities. In more serious cases the student may be required to leave the classroom for a specified period of time.

Schools have a duty of care to ensure that students are supervised at all times, including when they are removed from a class. Where appropriate, parents and carers should be informed of such withdrawals.

Withdrawal from class does not constitute formal school exclusion such as suspension (including in-school suspension) or expulsion.

Principals must utilise a staged response to any attendance or behavioural issues. A student support group should be convened to inform the student and their parents/carers that a suspension is being considered. The aim of this group meeting is to identify any issues that are of concern to the school or the student and begin a process of effective communication between the school, the student and their parents/carers. The student support group should develop a range of strategies to support the student and the parents/carers in addressing the issue of concern, aimed at avoiding the suspension of the student. This may include:

- The student's behaviour and performance.
- The strategies being developed within the school to meet the educational needs of the student.
- The possibility of suspension, should that behaviour continue.
- The responsibilities of the parents / guardians, should the suspension be considered necessary.

The parent / guardian may, at the principal's discretion, be accompanied at that meeting by another person.

Grounds for Suspension

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

1. The student's behaviour must have occurred:
2. whilst attending school;
3. or travelling to or from school;

4. or while engaged in any school activity away from the school;
5. 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.

In school Suspension

When considering the decision to suspend a student, it may also be useful 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.

Post decision to suspension

The principal must provide the student, their parents/carers and the school council president with a Notice of Suspension prior to the day on which the suspension commences that must include:

- the summary of outcomes of previous actions that have been undertaken by the school to support the student
- the reasons for the suspension
- the school days on which the suspension shall occur
- details of the post-suspension student support group meeting, if the suspension is for five days
- copies of the Student Absence Learning Plan and Return to School Plan (as appropriate).

The principal must provide the student and their parents/carers with a copy of the information brochure *Procedures for Suspension*.

The suspension conference has been replaced by the Student Support Group. Principals can convene a student support group at any time, but a student support group must be held in the following circumstances:

- when a student requires additional support, in line with a staged response
- prior to suspension, in order to inform the student and parents/carers that a suspension is being considered
- post-suspension if the suspension is for five days.

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.

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 Regional Director. To seek approval from the Regional Director you can use the Request for Approval - Suspension Over 15 Days Form
- 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. Visit:

<http://www.education.vic.gov.au/school/principals/participation/Pages/relevantperson.aspx> for more information

Resources

- DEECD Disciplinary Measures - <http://www.education.vic.gov.au/school/principals/participation/Pages/discipline.aspx>
- Student Suspension Checklist - <https://edugate.eduweb.vic.gov.au/collaboration/attendanceengagementparentbehaviour/suspexp/Suspension%20and%20expulsion%20resources/Principal%20Checklist%20-%20Suspension.pdf> (DEECD employees only – password protected)

- Establishing Grounds for Suspension - <https://edugate.eduweb.vic.gov.au/collaboration/attendanceengagementparentbehaviour/suspexp/Suspension%20and%20expulsion%20resources/Process%20Flowchart%20-%20Suspension.pdf>
(DEECD employees only – password protected)