

SUSPENSIONS and EXPULSIONS (Level 5)

"All students and teachers have the right to be treated fairly and with dignity, in an environment free from disruption, intimidation, harassment and discrimination. To achieve this, all schools will 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 and expulsion are the options available to the principal in these situations."
-Suspension and Expulsion of School Students Procedures, NSW DET (2005).

For serious and/or repeated breaches of the School Code and /or School Discipline Policy, the Principal may impose a **short suspension** or a **long suspension** according to the following guidelines:

SHORT SUSPENSION (up to and including 4 school days) may be imposed for:

PERSISTENT DISOBEDIENCE

This includes continued breaches of the School Discipline Code such as:

- Repeated refusal to obey staff instructions
- Acts of defiance by students;
- Persistent disruption to the learning of other students;
- Minor criminal behaviour related to the school including graffiti and minor vandalism;
- Use of alcohol or repeated use of tobacco by students.

AGGRESSIVE BEHAVIOUR

This includes but is not limited to:

- hostile behaviour directed towards students, members of staff or other persons including **verbal abuse** and **abuse transmitted electronically** such as by email or SMS text messages.

LONG SUSPENSION (more than four days / up to and including 20 school days) will be imposed for:

1. **Physical Violence:** Which results in pain or injury, or which seriously interferes with the safety and well being of other students and staff.
2. **Use or possession of a prohibited weapon, firearm or knife:** When the student uses or possesses a weapon, which is listed in Schedule One of the Weapons Prohibition Act; the student uses or possesses a knife or any other similar object which may be used as a knife (without reasonable cause); the student uses or possesses a firearm or replica of a firearm of any type.
3. **Possession or use of a suspected illegal substance:** Not including alcohol or tobacco, but including supplying other students with illegal drugs (or substances which a student **claims** to be illegal drugs), or restricted substances such as prescription drugs.

***** Please Note: The principal will, in serious cases, undertake a FORMAL RISK ASSESSMENT of a student in order to determine whether or not the child's return to school would pose a risk to the safety and welfare of other students and staff.**

The principal may also impose a long suspension for a period greater than four days and up to and including twenty days for:

4. **Persistent misbehaviour:** Including repeated refusal to follow the School Discipline Code; making serious threats against students or staff; behaviour that deliberately and persistently interferes with the rights of other students to learn or teachers to teach.
5. **Use of an implement as a weapon or threatening to use a weapon:** When any item is used as a weapon (other than in point 3 above), in a way which seriously interferes with the safety and well being of another person. This includes an offensive implement which is anything made, or adapted for use to cause injury to a person.
6. **Serious criminal behaviour related to the school:** Including malicious damage to property (school or community), or against the property or person of a fellow student or staff member on, or outside of the school premises. If the incident occurred outside the school or outside school hours, there must be a clear and close relationship between the incident and the school.

EXPULSION

In serious circumstances of misbehaviour, the principal may expel a student of any age from the school. The principal may also expel a student of post compulsory age (15 years or over) for unsatisfactory participation in learning.

Prior to expulsion the student will be placed on a long suspension. If a resolution for expulsion is not achieved within twenty school days, a further long suspension may be imposed.

If a resolution for expulsion has not been achieved after two long suspensions and the student's behaviour is deemed beyond resolution, the principal and director of schools will apply to the Director-General of Schools to have the student expelled from all government schools.

The case of expulsion for unsatisfactory participation in learning by a student 15 years of age or older will be based on a documented pattern of non serious completion, non serious attempts to meet course objectives or non compliance with Board of Studies requirements for the award of a School Certificate or Higher School Certificate.

POINTS TO NOTE ABOUT SUSPENSION:

- **ALL** students suspended from school will be given a copy of the school's Student Welfare and Discipline Policy, plus an appeals form and a copy of the official Departmental document, "Procedures for the Suspension and Expulsion of School Students". As well,
- students who are placed on **short** suspension will be given a package of schoolwork to complete at home over the suspension period. This will be given to the student at the time of suspension. The issued work is to be completed and returned to the deputy upon resolution of the suspension.

- Students being placed on **long** suspension will be offered schoolwork to complete at home. Additional work will be provided upon request to the Year Adviser after the initial work has been returned to the school. It is the responsibility of the parent/carer to arrange for work to be collected and returned to the school during the time of the suspension.
- Senior students placed on short or long suspension from PHS and who attends TAFE is **not** suspended from TAFE and is expected to continue to attend scheduled classes.

APPEALS:

- Students and parent(s) or carer(s) may appeal if they consider that correct procedures for suspension have not been followed, or that an unfair decision has been reached.
- Appeals should be in writing, stating the grounds on which the appeal is being made and lodged with the director of schools for the Fairfield / Hoxton group.
- Some students, parent(s) or care (s) will require assistance in lodging an appeal. Student, parent(s) or carer(s) requiring assistance should be referred in the first instance to the school education office.
- School education area personnel will identify appropriate support people for the student, parent(s) or carer(s) if this type of assistance is requested. The nominated support person will assist the parent(s) or carer(s) to understand their right to, and process for, appeal.

Appeals can be made to the following departmental officers:

1. **The school education area director** about the imposition of a suspension or a decision to expel a student from a particular school. The school education director may delegate the management of an appeal to an appropriate officer such as the student services officer. In all cases, however, the school education director must make the determination.
2. **The regional director** where a school education director has been so involved in a decision to suspend or expel a student from a particular school as to prevent him or her, on the grounds of procedural fairness, from deciding an appeal. In these cases, the regional director may ask another school education director to deal with the appeal.
3. **The regional director** about the decision of a school education director to decline an appeal relating to a suspension or an expulsion from a particular school. The regional director may delegate the management of the appeal to another suitable officer. In all cases, however, the regional director must make the determination.