

*Educational excellence and Catholic Values*

# Policy Statement

Procedures for suspension,  
negotiated transfer and exclusion of  
students in Catholic systemic  
schools in the Diocese of  
Parramatta.

November 2006

Issued by Department of Human Services



Catholic Education  
Diocese of Parramatta

## Procedures for suspension, negotiated transfer and exclusion of students in Catholic systemic schools in the Diocese of Parramatta.

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### 1.0 Preamble - Consultation, communication and documentation

- 1.1 Principals will ensure that the principles of natural justice and procedural fairness are applied to all matters pertaining to suspension, negotiated transfer or exclusion.
- 1.2 Students and their parent(s)/carer(s) are to be made aware of the processes that will be followed in dealing with issues of suspension, negotiated transfer and exclusion.
- 1.3 Students have the right for a suitable support person to be involved in meetings pertaining to out of school suspension, negotiated transfer or exclusion.
- 1.4 Parent(s)/carer(s) have the right to be involved and to be kept fully informed.
- 1.5 Students and their parent(s)/carer(s) must be informed of the behaviours causing concern which lead to the consideration for suspension, negotiated transfer or exclusion and be given the opportunity to respond.
- 1.6 The principal will ensure that appropriate support and assistance, which may include for example, the school counsellor, year coordinator, Marist Education Centre (MEC) have been provided before an out of school suspension is actioned, negotiated transfer sought or exclusion recommended.
- 1.7 The principal will notify their Head of School Services and their parish priest/coordinating pastor of the intention to suspend or a recommendation to transfer or exclude a student(s)
- 1.8 Detailed documentation of serious incidents, displays of unacceptable behaviours and details relating to suspension, negotiated transfer and exclusion will be kept on file at the school.

### 2.0 Suspension

- 2.1 When any in- school suspension occurs the principal will ensure that appropriate parent(s)/carer(s) communication occurs.
- 2.2 Normally a final warning would be given before invoking a suspension. In some circumstances, however, serious misbehaviour may lead to immediate suspension.
- 2.3 Wherever possible, when any out of school suspension occurs, parent(s)/carer(s) are to be invited to a meeting at a mutually convenient time to discuss the suspension except where due to safety issues an immediate suspension is necessary.
- 2.4 Wherever possible, with due process, the decision to suspend will not be made in isolation and may include consultation with the assistant principal, relevant pastoral staff and parent(s)/carer(s).
- 2.5 Explicit notification of the decision to suspend the student and the grounds for the decision must be made to the parent(s)/carer(s). This notification must be followed up in writing with due consideration for the pastoral welfare of the family and possible need for an interpreter.
- 2.6 Notification should include:
  - The reason(s) for the suspension
  - The duration and dates of the suspension
  - The parent(s)/carer(s) responsibility for the care and safety of the student during the time of the suspension
  - Reference to the expectations regarding schoolwork and/or study if required during the suspension period. This would include both the responsibility of the student to continue study and assigned work and specific work/study requirements advised by the school for the duration of the suspension.
  - Request for support in dealing with the issues involved: and,
  - Details relating to a follow up meeting.
- 2.7 A student who has been suspended should in no circumstances be sent home from the school without the full knowledge and consent of the parent(s)/carer(s) and appropriate safety, pastoral and transport arrangements.

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- 2.8 Where an out of school suspension is intended or actioned the principal will notify the Head of School Services and the parish priest or coordinating pastor.
- 2.9 A student can be suspended for a maximum of 5 school days. Any greater lengths of suspension and suspensions beyond 10 school days must be approved by the Head of School Services.
- 2.10 Within 24 hours after the decision to out of school suspend is taken, the principal will invite parent(s)/carer(s) to attend, at a mutually convenient time, a meeting with the principal and other appropriate personnel to manage issues surrounding the suspension
- 2.11 Schools will provide a post suspension reintegration plan as part of a return to school package. This should take into account previous suspensions and previous reintegration plans, if any. This may include matters such as:
- Involvement of specialist intervention eg School Counsellor, MEC, paediatrician, family counsellors, Marist Youth Service (Restorative Justice Conferencing) etc
  - Behaviour management options
  - Teaching and Learning adjustments
- 2.12 Students must be readmitted to school and classes after the period of suspension as per the reintegration plan.
- 2.13 On the class roll an “E” is to be marked for the days the student was suspended from school.

### 3.0 Negotiated Transfer

- 3.1 Where a negotiated transfer is being considered the principal will, in the first instance, liaise with the Head of School Services.
- 3.2 Meetings around negotiated transfer will be lead by the Head of School Services and involve the relevant principals, parish priest(s) or coordinating pastor(s) the student and their parent(s)/carer(s).
- 3.3 If a negotiated transfer is agreed upon by all parties the student and parent(s)/carer(s) must be notified in writing and agree to the process in writing before the transfer occurs.
- 3.4 The principal or delegate of the sending school will ensure any relevant documentation including necessary reports or curriculum information will be forwarded to the receiving school in good time.
- 3.5 The principal of the receiving school or delegate will ensure suitable induction and monitoring of the new student takes place.
- 3.6 The Head of School Services will provide formal communication to all relevant parties.
- 3.7 The Head of School Services must approve all negotiated transfers.

### 4.0 Compulsory Transfer

- 4.1 Where a compulsory transfer is being considered the principal will liaise directly with the Head of School Services.
- 4.2 Meetings regarding compulsory transfer will be lead by the Head of School Services and involve the relevant principals, parish priest or coordinating pastor, the student and their parent(s)/carer(s).

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4.3 The Head of School Services will make the final decision regarding this transfer and will ensure all parties are informed in writing.

4.4 The principal or delegate of the sending school will ensure any relevant documentation including necessary reports or curriculum information will be forwarded to the receiving school in good time.

### **5.0 Exclusion**

5.1 The principal will make a recommendation to exclude a student through the Head of School Services to the Executive Director of Schools.

5.2 The recommendation for exclusion is to be made on the appropriate form, through the Head of School Services and should include the relevant information on which the recommendation is based.

5.3 Where a recommendation to exclude a student is considered, the Head of School Services will convene a meeting with the parent(s)/carer(s), and where appropriate the student concerned, and the principal to outline the reasons for the proposed exclusion.

5.4 On making the decision to proceed with the recommendation to exclude the student, the parent(s)/carer(s) and student are notified in writing that a recommendation to this effect is going to be made to the Executive Director of Schools.

5.5 Parent(s)/carer(s) and the student involved will be given the opportunity to respond

5.6 Where the Executive Director's decision is to uphold the recommendation and exclude a student, this decision is to be conveyed in writing to the parent(s)/carer(s), student, principal, Head of School Services and priest or coordinating pastor.

### **6.0 Appeal of a decision to suspend a student**

6.1 Where a decision has been made to suspend a student from school the parent(s)/carer(s) and the student, may appeal that decision. A request for review should be in writing, setting out the grounds on which the review is being requested and addressed to the principal. A review will only be on the basis of correct application of procedural and substantive fairness.

6.2 If the appeal is declined by the principal the parent(s)/carer(s) or student may appeal to the Head of School Services.

6.3 The Head of School Services will consult with the principal and other relevant staff before making a decision regarding a request for review.

6.4 The fact that a review has been requested does not put on hold a principal's decision to suspend a student.

6.5 The Head of School Service decision in regards to an appeal is final

6.6 Requests to review a decision to suspend students are to be dealt with expeditiously.

**7.0 Appeal of a decision to compulsory transfer a student.**

7.1 Where a decision has been made to compulsorily transfer a student from one school to another school within the system of schools, the parent(s)/carer(s) and the student may appeal that decision. A request for review should be in writing, setting out the grounds on which the review is being requested and addressed to the Executive Director of Schools.

7.2 A review will only be on the basis of the correct application of procedural and substantive fairness.

7.3 The Executive Director of Schools decision in regards to an appeal is final.

7.4 Requests to review a decision to compulsory transfer students are to be dealt with expeditiously.

**8.0 Appeal of a recommendation to exclude a student.**

8.1 Where a recommendation has been made to exclude a student the parent(s)/carer(s) and where applicable, the student, may request a final review of that decision by the Bishop of the Diocese of Parramatta. A request for review should be in writing, setting out the grounds on which the review is being requested, and addressed to the Bishop of the Diocese of Parramatta.

8.2 In the case where a request has been made to review the exclusion of a student, the student is to remain on suspension until the review has been conducted.

8.3 Any appeal regarding exclusion will only be on the basis of correct application of procedural and substantive fairness.

8.4 The Bishop of the Diocese of Parramatta decision in regards to an appeal is final.

8.5 Requests to review a decision to exclude students are to be dealt with expeditiously.

## Glossary of Terms

### **Exclusion:**

Exclusion means the total withdrawal of a student's right to attendance at both a particular school and all schools in the Diocese of Parramatta. It involves the termination of the contract entered into by the Parramatta Diocesan system of schools, through the principal, and the parent(s)/carer(s) at the time of enrolment.

### **Suspension:**

Suspension means that a student's right to attend school or classes has been withdrawn for a period of time. It may be:

- In-school suspension where the school changes the formal learning arrangements of the student but they remain at the school
- Out of school suspension where the parent(s)/carer(s) takes responsibility for the student off the school premises.

### **Negotiated Transfer:**

Negotiated transfer means a documented and mutually agreed move by the student to another school and is arranged in cooperation between the student, family, principal, parish priest or coordinating pastor, the receiving school, the original school and the Head of School Services

### **Compulsory Transfer**

Compulsory transfer means a student is compulsorily moved from one school to another within the Catholic System of schools after all other pastoral and disciplinary means have failed to address the problem of the student.

### **Procedural Fairness:**

Procedural fairness means that processes will be conducted in a manner ensuring fair practice and equity, respect to all parties and due observance of confidentiality.

### **Constructive Exclusion:**

Constructive Exclusion means de facto forcing a student to leave the school, being effectively excluded, without recourse to the full range of management options and procedures outlined in the policy. Constructive Exclusion is not procedurally fair.

## School decision to suspend a student

### Flow chart of response

