

## POLICY



# SUSPENSION, EXPULSION AND WITHDRAWAL OF ENROLMENT



**This policy addresses issues in relation to:  
Safe and Supportive Environment – Student Welfare 3.6.2  
Discipline – 3.7.1**

*The School's policies, which are made from time to time, are made pursuant to the registration requirements set out in section 47 of the NSW Education Act and the Board of Studies, Teaching and Educational Standards.*

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Please refer to IFS Google Drive for the latest version.

## PURPOSE

Students at our school abide by the School's Behaviour Management Policy, the Student Code of Conduct and follow the directions of teachers, coaches and other people with authority delegated by the school.

### Definitions

**Suspension** is a mandatory leave assigned to a student as a form of punishment that can last anywhere from one day to several weeks, during which time the student is not allowed to attend regular **school** lessons. The school will provide the student with work, so that the student can continue their studies whilst on suspension. During the suspension, the school has the opportunity to plan appropriate support upon re-entry of the student to school.

### **Expulsion**

In serious circumstances of misbehaviour, continued misbehaviour or breach of school policies, the Principal may choose to expel a student of any age from the school. This will result in the student having an official school record of expulsion.

The principal may also expel a student who is over 17 years of age for unsatisfactory participation in learning.

### **Withdrawal of Enrolment**

The principal may decide to withdraw the enrolment of student of any age from the school. Withdrawal of enrolment may be enforced

- when it is in the best interest of the student
- parents contravene the terms and conditions of enrolment of the school.

### **Escalation of Events**

In the event that an incident warrants escalation due to the nature/intent and the evidence of behavior is clear and direct, a student may be expelled or their enrolment withdrawn without being suspended. The student may have the right to be heard, but

not the right to appeal unless further direct and non circumstantial evidence can be provided.

## PROCEDURE

Where a student disregards rules, disobeys instructions or otherwise engages in conduct, which causes or may cause harm, inconvenience or embarrassment to the School, staff members or other students, the students may be subject to disciplinary action, which may include suspension or expulsion.

Where the allegation, if proved, may result in suspension or expulsion, the student and parents will be informed of the allegations and procedural steps to be followed in dealing with the matter. In relation to all matters to be investigated, students will be informed of the nature of the allegation and given an opportunity to respond to the allegations

The school's disciplinary procedures are based on principals of \*procedural fairness. Where the offending behaviour is of such a nature that it may result in suspension or expulsion, the student will be:

- a) informed of the alleged infringement;
- b) informed as to who will make the decision on the penalty;
- c) informed of the procedures to be followed which may include an opportunity to have a parent or guardian present when responding to the allegations; and
- d) afforded the right of review of appeal.

Please refer to the attached flowchart for the Suspension, Expulsion and Parent Appeal Process.

### **Withdrawal of Enrolment Process**

- A) When withdrawal of enrolment is in the best interest of the student such as
- the student continues to experience difficulties in any or all of – the academic program, football program or tennis program, despite extensive consultation
  - the student's behaviour is not improving and expulsion is imminent.

The Principal will contact parents and notify them regarding the possible withdrawal of enrolment, identifying the reason behind this decision.

A letter from the Principal outlining details of concern, including a request to attend a meeting with the Principal and relevant staff as appropriate to meet with parents and student to discuss and plan appropriate support for the student. The student is monitored for a 4 week period.

If the student improves over the 4 week period, the student's enrolments stands.

If the student contravenes the school's student code of conduct during the 4 week period, the withdrawal of enrolment will come into effect.

B) Parent contravenes the terms and conditions of enrolment of the school.

Principal contacts parents and notifies them regarding the possible withdrawal of enrolment, identifying the parents breach of the school's terms and conditions of enrolment and parent code of conduct. This will be done via a letter from the Principal outlining details of the breach and offer the opportunity to meet with the parent to discuss a positive outcome.

The letter will be valid for 12 months from date of being sent.

The Principal may seek advice from AIS NSW

If the parent/school relationship improves, the student's enrolment stands.

If the parent continues to contravenes the school's terms and conditions of enrolment and parent code of conduct, the withdrawal of enrolment will come into effect.

In the case of withdrawal of enrolment:-

- \* The student is given the opportunity to pick up any personal belongings from the school and return any resources/school property.
- \* Administration staff process the termination of enrolment
- \* All fees and charges become immediately payable, a final statement is sent to parents.
- \* A record of withdrawal of enrolment is placed on the student's file.

### *Related Documents*

#### *Behaviour Management Policy*

##### *Definition of Procedural Fairness*

*\* Procedural fairness is a basic right of all when dealing with authorities. Procedural fairness refers to what is sometimes describes as the 'hearing rule' and the 'right to an unbiased decision'.*

*The 'hearing rule' includes the rights of the person against whom an allegation has been made to:*

- ī know the allegations related to a specific matter and any other information which will be taken into account in considering the matter;*
- ī know the process by which the matter will be considered;*
- ī respond to the allegations;*
- ī know how to seek a review of the decision made in response to the allegations.*

*The 'right to an unbiased decision' include the right to:*

- ī impartiality in an investigation and decision making;*
- ī an absence of bias by a decision maker", and*

*The review mechanism adds to the fairness process.*

**Date of Next Review**

**January 2018** or earlier where amendments in legislation require immediate policy reviews

## Parent Suspension/Expulsion Appeal Process

Parent/Guardian makes a written application for a review of the decision to the Principal and submit any new information they want to be considered during the review process.

The student may be kept in isolation or in a buddy class at school or asked to be kept at home whilst this process is completed.

The Principal considers the new information provided by the parents and reviews the decision.

The Principal may consult with the Board of Directors or seek advice from the AISNSW

The Principal has 2 working days to review this and seek advice.

The Principal either confirms the preliminary decision or amends the preliminary decision *based on additional information provided*

Parents are notified of the decision in writing, with the offer to attend a meeting for further discussion

If the Principal decides suspension or expulsion is not warranted, an alternate consequence such but not exclusive of

\* Long Suspension (if Expulsion not warranted)

\*Enrolment Withdrawal Warning letter with 4 week monitoring of behaviour and review.

If the Principal decides a suspension or expulsion is warranted the process continues as per suspension/expulsion process.

## Suspension/Expulsion Process

The Principal is notified by a member of staff of an incident where the student is in breach of the school's student code of conduct and or behaviour management policy.

The incident is investigated, witness statements collected.

The student is made aware of the allegation and is given an opportunity to respond to the allegation.

If the statements are inconsistent and evidence is non-circumstantial.

The incident does not warrant suspension but an alternate consequence such as but not exclusive to

\*anti-social behaviour letter

\*Meeting with parents

If the statements are consistent and evidence is circumstantial and the incident warrants **suspension** the following must happen:-

\* Parent/Guardian notification via phone

\* Student informed AFTER parent contact made.

\*Parent/Guardian meeting with Principal regarding the incident upon collection of their child.

\* Notice in writing including date and time of return from suspension meeting and the opportunity for further discussion during the suspension period.

\* The student may be asked to see the school counsellor

\* A notice of suspension is placed on the student's file.

\* The student must stay at home for the period of suspension. Duty of care for the student rests with the parent/guardian for this period

**OR**

If the statements are consistent and evidence is circumstantial and the incident warrants **expulsion** the following must happen

\* Parent/Guardian notification via phone

\* Student informed AFTER parent contact made.

\* Parent meeting with Principal regarding the incident upon collection of their child, including arranging a time to collect their child's belongings.

\* Notice in writing including the opportunity for further discussion and parent/guardian right to appeal the decision.

\* Administration process including fees and charges payable.

\* A record of expulsion is placed on the student's file.