

# Our Lady of the Sacred Heart

## Catholic College

### DISCIPLINE POLICY



## EXCLUSION, SUSPENSION AND TERMINATION OF ENROLMENT

### Purpose:

To ensure that matters of Exclusion, Suspension and Termination of the enrolment of a student are dealt with in a fair and equitable manner.

### Relevant to:

All staff | Students | Parents/Guardians of enrolled students at OLSH Catholic College.

### Date of effect:

07/2021

### Review date:

07/2024

### Principles:

A decision to exclude a student from classes, suspend or terminate a student's enrolment is a matter for the Principal of the College or his nominated delegate. In making a determination on these matters, the Principal acts within the parameters outlined in this policy, the College's *Discipline Policy*, and the College's *Enrolment Policy*.

Principles of natural justice apply so that procedural fairness is assured. This means, among other things, that:

- a) A student against whom allegations have been made has the right to know the matters that are alleged;
- b) The student has an opportunity to respond to the allegations;
- c) The student has the right to hear the evidence and to respond to it;
- d) The person making the final decision (normally the Principal) is not directly involved in the investigation of the alleged misconduct and/or does not have a personal interest in the outcome that would compromise his or her ability to decide dispassionately;
- e) The student is given the right to be accompanied by a parent or guardian at formal interviews regarding a proposed termination; and,
- f) No decision about termination is made until both the student and the parent have been interviewed.

A decision to exclude a student from classes, suspend or terminate enrolment needs to weigh the benefits of continued enrolment for the offending student against the costs of such enrolment on the other students of the College. If the continued enrolment of a student would present unreasonable compromise to the safety, well-being, or learning opportunities of other students, the Principal is required to act in their interests.

While this policy is concerned with application of punitive measures, it operates within the context of the goals of the Marist school, which include the hope that every student can develop a sense of their own worth as a Christian and a citizen. In applying this policy, the Principal and other members of staff should act towards students in ways that are respectful, compassionate, do not confuse the person with the deed, and leave the student with a sense of an achievable way forward.

A request for review of the Principal's decision to terminate enrolment may be made to the College's governing authority, in the person of the Executive Director of Catholic Education (Diocese of Darwin). This request may be made only on the grounds that the Principal acted inconsistently with this policy.

## **Policy**

### **1) Exclusion from Class:**

Temporary exclusion from class is a serious sanction imposed on a student. These guidelines apply:

- a) A student may be excluded from attending class on the authority the Principal or Head of Campus, or on the authority of the Assistant Head of Campus or Year Coordinator after consultation with the Principal or Head of Campus;
- b) The person who has taken the decision will consult with and/or inform all of the above people, the student's Homeroom teacher, and the Attendance Office, as soon as possible;
- c) A student may be excluded from one, several, or all classes;
- d) The student must be given work to do. This may be schoolwork, and/or manual work as appropriate, and should allow time and means for a student to reflect on the effects and implications of their misbehaviour. It is the responsibility of the person initiating the exclusion to arrange this work;
- e) A student may be required to remain at school, or may be required to leave the College during the exclusion. If at the College, the student must be in a situation where they can be supervised and/or checked;
- f) Exclusion from class may be for part of a day or a whole day. With the permission of the Principal, the exclusion may last for up to a week if required to resolve a specific matter;
- g) The person who has initiated the exclusion will negotiate the student's re-entry to class and formalise the conditions or expectations under which it happens. Any follow-up sanction (e.g. Saturday Detention) will also be arranged by this person;
- h) Time missed by having to go home, for example to remedy a uniform situation, will be made up by a detention; and,
- i) A student may be excluded from class:
  - i. To ensure the safety or well-being of other students;
  - ii. Because of rude or disruptive behaviour in a class, and when in-class strategies have not worked;
  - iii. To allow time to resolve a matter with a teacher; and,
  - iv. To go home to remedy a uniform or grooming matter.

### **2) Suspension of Enrolment:**

A student is suspended only for serious matters or where other methods have failed to modify a student's behaviour or attitude.

Suspension of enrolment is not a temporary time-out or "sin-bin" sanction. It is implemented when a student's behaviour has led to the need to review whether or not they should continue at the College. This review occurs while the enrolment is suspended. The information collected in this review, and a meeting with the student and parents/guardian, will determine whether and under what conditions enrolment may be resumed.

Suspension of enrolment is a decision of the Principal or the Principal's nominated Deputy in instances when the Principal is absent.

During the period of suspension, the student does not attend school and the normal services of the College are not available to them, unless specifically directed by the Principal.

Lessons and class work are not required to be set for a student whose enrolment is suspended. Staff are not to be in contact or continue in their teaching of a suspended student without the permission of the Principal. A reflection sheet will be provided on the day of the suspension.

A student's enrolment may be suspended for these reasons:

- a) Gross rudeness, assault, bullying, or harassment towards a member of staff, another student or a member of the public;
- b) First time possession of a weapon, illegal substances, or alcohol;
- c) First time use of alcohol or an illegal substance;
- d) Persistent misbehaviour, non-compliance, disruption of the learning of other students;
- e) Serious vandalism to College or public property;
- f) Persistent stealing;
- g) Viewing or possession of pornographic, violent, or grossly inappropriate material, either print or electronic;
- h) Gaining non-permitted access, either physically or electronically, with malevolent intent to staff-only areas; and,
- i) Smoking or drinking in public while in College uniform, or bringing the name of the College into disrepute.

#### **Procedures for Suspension:**

Before a suspension is decided, a senior member of staff (normally a Year Coordinator, Assistant Head of Campus, or Head of Campus) will have become involved in the ascertainment of allegations, and will have presented these to the student for response. As part of this process, students are normally required to put in writing their involvement and/or knowledge of alleged incidents.

A recommendation for suspension is put to the Principal by the senior member of staff following an exhaustive consideration of all facts and allegations relating to the matter, and a judgement by this person that the weight of probability suggests clearly that the student is guilty of the allegations. A written summary is submitted to the Principal.

If a suspension is decided by the Principal, the parents/guardian are informed by the most immediate means possible, and are asked how they wish their child to go home. In cases where the student may need to be accommodated temporarily at the College, they should be separated from peers and follow a different timetable.

The parents/guardians are asked to make an appointment for an interview with the Principal, or his nominated delegate, usually following the suspension period. A mutually agreeable time is arranged.

Meanwhile, the Principal seeks general advice from all other members of staff who teach or care for the student, considers any previous misconduct or conditions of enrolment that pertain to the suspended student, and if appropriate seeks the counsel of other College staff and/or external specialists (e.g. the College Counsellor, youth and adolescent services, police).

An interview is conducted with the parents/guardian, the senior member of staff who has carriage of the matter, the Principal, and the student to discuss the College's judgement of the facts and to seek the parent's/guardian's and student's responses. If possible, an agreed way forward is determined. If a mutually acceptable position cannot be determined, then the Principal makes a decision regarding future enrolment. This decision will be:

- a) The student may resume enrolment;
- b) The student may resume enrolment as long as certain conditions are met; or,
- c) The enrolment is terminated.

**Specific outline of procedures when a student's enrolment is suspended:**

- a) The parents/guardian are contacted, informed of the suspension and asked to organise for the student to be picked up immediately;
- b) A letter is prepared (see *Appendix 1*) which outlines the reason for the suspension, and invites the parents/guardian to contact the Principal's personal assistant to arrange an appointment to discuss the matter. This letter is prepared immediately and delivered on the day of the suspension. It may be given to the student to take home, given to the parent/guardian in person, or emailed;
- c) The Principal's personal assistant is advised at this time so they are aware that the parents will make contact to organise an interview time;
- d) The Head of Campus organises the collation of a *Student Progress Report* from all staff involved with the student. The Head of Campus is also responsible for organising an *Incident Report*. This information is passed on to the Principal;
- e) An interview is arranged at which the student (dressed in regular school uniform), and at least one parent/guardian is present. Usually another member staff (Head of Campus) is also present; and,
- f) The decision to resume or conclude the enrolment is made by the Principal.

**3) Termination of Enrolment:**

A student's enrolment is terminated only for serious matters or where other methods have failed to modify a student's behaviour or attitude.

These serious matters are outlined below:

- a) Persistent and deviant non-compliance with College expectations, especially where this negatively affects the rights of other students;
- b) Deliberate breach of conditions under which a student, who has been previously suspended, has been allowed to resume enrolment;
- c) Supply, by any means, of an illegal drug, or the means to use such a drug;
- d) Criminal assault by a student;
- e) Seriously bringing the name of the College into disrepute;
- f) Possession of a firearm, or use of a weapon in a manner that causes serious distress or harm to another student, a teacher, or a member of the public; and,
- g) Providing an on-going risk to the moral or physical safety of other students.

If a termination of enrolment is to be the likely or possible outcome, then the student's enrolment is first, suspended and the procedures for suspension of enrolment are followed. In addition, the Executive Director of Catholic Education (Diocese of Darwin) is informed.

If the Principal decides on termination, the parent/guardian should be informed by the Principal or his nominated delegate:

- a) That the Principal proposes to terminate the student's enrolment;
- b) The reasons for the proposed termination and the evidence upon which the Principal has relied;
- c) That the family has a certain time (not less than 48 hours and not more than five working days) to put to the Principal any material it considers to be relevant to the matter and which they consider may change the Principal's mind;
- d) That during this period, the parent may withdraw the student from the College, in which case they may seek and obtain the Principal's assistance in relocating the student to another school; and,
- e) That if the Principal has not heard from the parent within the stipulated time, or the Principal is not persuaded by the material provided, then the termination would proceed.

### **Definitions:**

**'Exclusion'** means the student is removed from regular classes.

**'Suspension'** means that the enrolment of a student is withdrawn for a limited period during which time a decision is made as to whether the enrolment is to be resumed or terminated. During this period, the student does not attend school and the normal services of the College are not available to them, unless specifically directed by the Principal. Suspension does not refer to internal, temporary exclusion from class, or the sending home of a student to address a particular requirement such as a uniform infringement.

**'Termination'** means that the College terminates its contractual obligations to educate a particular student.

## Appendix 1 [Printed on College Letterhead]

INSERT DATE

NAME

Street address

Alice Springs NT 0870

Dear Mr and Mrs NAME,

This letter is to inform you that NAME was involved in an incident at school on INSERT DATE where DESCRIBE INCIDENT.

As discussed with you over the phone the College considers NAME's involvement in this matter a breach of his/her enrolment conditions. Consequently, NAME is suspended for a period of X days while the College investigates the incident more fully. During the period of suspension, the student does not attend school and the normal services of the College are not available to them. The suspended student is required to complete one full booklet of study notes, in the booklet provided, for each day of the suspension. The completed booklets are brought to the interview with the Principal. No student will be permitted to return to school if the work is not completed properly. Untidy or inappropriate work will result in new booklets being issued and a continuation of the suspension.

You are requested to make an appointment for an interview with the Principal on INSERT DATE. Please contact the Principal's personal assistant on 8952 6409 to arrange a time. The student (dressed in regular school uniform) and at least one parent/guardian is to be present at the interview.

In the interest of honest and transparent process, included with this letter is a copy of the College's *Exclusion Suspension and Termination of Enrolment Policy* for your information. If you have any questions regarding the process outlined above please contact me.

Sincerely yours,

NAME.

*Head of Campus*

## Appendix 2 [Printed on College Letterhead]

INSERT DATE

NAME  
Street address  
Alice Springs NT 0870

Dear Mr and Mrs NAME,

Thank you for coming to meet with NAME (Principal) and me, regarding the suspension of NAME'S enrolment. I write to confirm the outcome of our discussion.

During the interview it was acknowledged that NAME DESCRIBE INCIDENT.

It was also acknowledged that NAME accepted responsibility for his/her involvement in the incident. His/Her honesty and remorse were noted.

OR

It was also acknowledged that NAME was reluctant to accept responsibility for his/her involvement in the incident.

In the interview NAME accepted that RECORD AS REQUIRED. NAME was sincere in his/her acceptance of these facts and understood why the suspension was in place.

On his/her assurance that he/she will show due respect to members of staff and follow their instructions, and be genuinely cooperative in his/her approach to life at the College, NAME may resume his/her enrolment at OLSH on a provisional basis. It was agreed that the conditions of his/her return are: LIST CONDITIONS.

Should he/she not meet this expectation, then it was agreed that OUTLINE CONSEQUENCES.

I look forward to a more positive approach from Name.

Sincerely yours,

Name.  
*Head of Campus*