

Catholic Schools - Suspension, Expulsion and Exclusion Procedure

Section 1 - Purpose

(1) This procedure sets out the process schools in the Catholic Diocese of Maitland-Newcastle (the Diocese) must follow where a school is required to assess and manage risk posed by a student regarding student suspension, expulsion, exclusion or transfer in relation to schools in the Diocese.

Section 2 - Scope

(2) This procedure applies to the behaviour of students enrolled at schools of the Diocese, on the way to and from school and while away from the school site on school-endorsed activities. They can also apply outside of school hours and off school premises where there is a clear and close connection between the school and the conduct of students. These include the use by a student of social networking sites, mobile phones and/or other technology to threaten, bully or harass another student or school worker.

(3) Where a number of policies may apply to the circumstances or behaviour being considered in the context of a suspension, expulsion or exclusion, the Suspension, Expulsion and Exclusion Procedures take precedence.

Section 3 - Responsibilities

ROLE	RESPONSIBILITIES
Director of Schools	• Approval, implementation and communication of this procedure. • Conducting a review of a decision to expel or exclude when an appeal of a decision to expel and/or exclude is lodged in accordance with this procedure.
Assistant Director of Schools	• Approving external suspension of longer than 5 days; • Supporting Principals and school workers to be consistent and fair when managing student behaviour; • Discussing and providing advice to Principals, as appropriate, on suspension, expulsion, exclusion and transfers. • Supporting all schools in their allocation to adopt a whole school approach to wellbeing and behaviour; and • Analysing and addressing data trends that demonstrate a pattern of behaviour management issues in schools.

ROLE	RESPONSIBILITIES
Principals	• Ensuring that their school develops and implements a whole school approach to wellbeing, engagement and behaviour and communicating behaviour expectations with the school community; • Ensuring alternative options have been explored, prior to considering suspension, expulsion and/or exclusion; • Seeking the assistance of and working with parents/carers in an attempt to resolve behaviour matters; • Adhering to the requirements of these procedures when considering suspension, expulsion or exclusion; • Liaising with Assistant Director of Schools in regard to long suspensions and expulsions or the Director of Schools in regard to exclusions; • Preparing advice to Assistant Director of Schools and relevant Diocese workers where alleged conduct is of a serious nature or could result in police involvement, broader disruption to the community or media interest; • Ensuring that appropriate learning tasks/work is provided to the student during any suspension period; • Prior to the end of any suspension period, ensuring verbal contact occurs (where the parent/carer fails to establish contact) with the student and parents/carers in a time frame that allows for sufficient planning to occur at a re-entry meeting; • Facilitating a re-entry meeting with parents and students, to ensure a smooth transition to school which continues to support positive student behaviour, following a period of suspension; and • Accurately and efficiently recording suspension, expulsion and exclusion data.
Teachers and School workers	• Providing meaningful tasks for the student to complete during a suspension; • Endeavouring to support the student to complete the work by maintaining high expectations and offering encouragement; and • Being a point of contact if the student has any questions about the work set.
Parents/Carers	• Read, acknowledge and abide by the Conditions of Enrolment and School Community Code of Conduct • Treat all members of the school community with dignity and respect; • Assist Principals and teachers to resolve student behavioural matters; • Work collaboratively with the school to resolve incidents of misbehaviour when they occur; • Attend a return to school meeting with the principal and/or delegate, and • Be responsible for the supervision, care and safety of the student while on external suspension, ensuring that their child does not attend school during the external suspension period.
Students	• Follow the School Community Code of Conduct including: • Model positive behaviour to other students; • Comply with and model school values; • Behave in a safe and responsible manner; • Respect themselves and other members of the school community both personally and through the use of all social media technologies at all times; • Respect the school environment; • Actively participate in the school community; and • Support the learning of others and make the most of educational opportunities.

Section 4 - Definitions

(4) Common terms and definitions are defined in the glossary.

(5) For the purposes of this procedure 'Principal' means the Principal and by delegation, a Head of Campus and/or Assistant Principal. No other school worker has the authority to make suspension, expulsion or exclusion decisions but other school workers may communicate the decision or related outcomes.

Section 5 - Guiding Principles

(6) There will be some instances where a student's behaviour is such that, in the best interest of the student and/or community, a response is required that is either disciplinary in nature, or essential to manage risks to the student or

the school community. In these instances, the school has a range of actions available to it which can be used commensurate with the seriousness or the risks being the following, in order from least to greatest seriousness:

- a. Formal Caution;
- b. In-school suspension – which may include withdrawal from all extra-curricular activities such as incursions, excursions, sporting events etc;
- c. Short suspension;
- d. Long suspension;
- e. 20 day suspension while consideration is given to risk and continuation of enrolment;
- f. Expulsion from the School; and
- g. Exclusion from the system.

Appendix 1 outlines the nature of each, and considerations for use.

(7) Whilst exclusion of a student may arise from a student's behaviour, some exclusions may be the result of serious concerns about the partnership between parents/carers and the Diocese and therefore a breach of the enrolment contract, which if unable to be reasonably rectified within a reasonable timeframe, can result in a repudiation, frustration or termination of the enrolment contract.

(8) Where risks to health and safety, either of the student in question or other students or school workers, cannot be managed with continued attendance at the school, but the matters in question are not disciplinary or consequence based, the student may be required to take a period of pastoral absence.

(9) All situations must consider the student's background, impacts of disadvantage and any disability the student lives with. The following internal document may be consulted [Students with Additional Needs Whose Behaviours Warrants Consideration of Expulsion](#).

(10) The decision to exclude a student from all schools of the Diocese could be determined if the behaviour is significantly at odds with Catholic values or the risks would be transferred to the new school. In these cases transfer would not be appropriate. All decisions relating to exclusion must apply the principles of procedural fairness and rely on relevant information, identify alternatives, weigh the evidence and offer the opportunity for review. All decisions relating to exclusion must balance the needs for safety of the school community with the needs of the individual student.

(11) The safety, care and wellbeing of students, school workers, other students and other members of the school community is paramount.

Section 6 - Procedures

Purpose of a Formal Caution to Suspend

(12) The purpose of the formal caution to suspend is for the student and their parents or carers to understand the impact of the student's behaviour or behaviours of concern and to engage them in positive behaviour supports and strategies.

(13) The Principal may still determine that a student must be suspended without first issuing a formal caution to suspend due to immediate and significant risks to the school community, or unacceptable risks posed to teaching and learning, that cannot be mitigated with the student at school.

Process for a Formal Caution to Suspend

(14) A formal caution is valid for up to 50 school days from the date the caution is issued. Formal cautions should not

be carried over into the next calendar year unless consultation has occurred with the Assistant Director of Schools.

(15) A formal caution to suspend must:

- a. be in writing, via email or post, on school letterhead;
- b. be provided to student and their parents or carers;
- c. outline the behaviour/s of concern;
- d. provide clear behavioural expectations for the student consistent with the School Community Code of Conduct.
- e. clearly outline the timeframe/expiry date for the formal caution;
- f. highlight the importance of parents or carers in working with the school when managing student behaviour;
- g. provide parents or carers with the opportunity to meet with appropriate school workers eg. school counsellor, Learning Support Teacher;
- h. outline the positive behaviour support and strategies in place as a result of the unacceptable behaviour;
- i. indicate if the caution applies to more than one educational setting such as St Nicholas OOSH; and
- j. be documented in the approved document management system and Compass.

Purpose of Suspension

(16) A suspension from school is intended to:

- a. manage risk of harm;
- b. establish consequences for a student for misconduct or challenging behaviour;
- c. provide an opportunity for further investigation of an incident;
- d. provide an opportunity to plan how best to support the student when they return; and
- e. provide a penalty for serious misbehaviour as a possible strategy to manage inappropriate behaviour.

(17) Suspension allows a period of time when the school, parents/carers and the student can work together on the resolution of the issue that has led to the student's suspension and protect the learning and safety rights of other members of the school community.

(18) The Principal must decide the duration of the suspension with consideration of appropriate time to implement supports for the student and/or put in place appropriate safety measures where relevant.

(19) Principals have the delegated authority to suspend a student for up to five (5) school days.

(20) Principals will generally suspend a student for:

- a. Up to 5 consecutive school days for students in Kindergarten to Year 2;
- b. Up to 10 consecutive school days for students in Year 3 to Year 12 (noting that suspension of more than five (5) school days will only be administered in consultation with the Assistant Director of Schools).
- c. In serious circumstances in which additional system support and resources are required, or if enrolment tenability is being questioned, a principal can consider immediate suspension of twenty (20) school days, in consultation with the Assistant Director of Schools, Education Officer/s and Safety & Risk Partner. (see Long Suspension and Expulsion Process below)

(21) Suspensions can be either in school suspension (where a student is removed from their learning environment but still attends the school) or external, where a student is required to remain at home under the supervision of his or her parents/carer.

(22) The management of behaviour that leads to a suspension must be conducted in accordance with the Schools

Pastoral Care, Wellbeing and Safe Behaviour Policy and associated procedures.

(23) Suspensions (including internal suspensions) must be correctly documented in a formal letter via Compass to the parents/carers at the time of suspension, i.e. on the same day the student is instructed to remain away from school and the parents/carers are informed by phone.

(24) The school and the student's teachers remain responsible for the learning of the student during the suspension period. Online learning (or other methods of remote learning), including teacher contact and feedback, is to be made available to the student as early as practicable.

Implementing a Suspension

(25) When suspending a student, Principals must ensure:

- a. all behaviour incidents have been fairly investigated and documented, unless there are situations where the student is required to leave the school in the care of parents to enable the investigation to occur;
- b. appropriate personalised learning and behaviour plans and support strategies have been consulted, implemented and documented where appropriate;
- c. school-based supports and Learning & Wellbeing Team and Governance has been involved where necessary; and
- d. the Principal or their delegate has discussed the specific behaviour with the student and their parents/carers.

(26) There may be circumstances where an immediate suspension is warranted due to the severity and seriousness of the behaviour. Principals will use their discretion in relation to student behaviour that warrants an immediate suspension.

(27) Principals must consider all relevant factors including age, individual needs, disability and development level. The internal document [Students with Additional Needs Whose Behaviours Warrant Consideration of Expulsion](#) may be consulted. All other processes must be followed and a phone discussion or email contact with the parents/carers must take place. The following circumstances that will warrant an immediate suspension include but are not limited to:

- a. Physical violence – resulting in significant injury, or violent behaviour that seriously interferes with the safety and wellbeing of the school community;
- b. Possession of a firearm, prohibited weapon, or knife (without reasonable cause);
- c. Use, supply, or possession of, a suspected illegal substance (not including alcohol or tobacco) or supplies a restricted substance: Catholic Schools firmly believes that schools must be places which are free of illegal drugs. Suspension is to occur immediately if the substance is being represented by the student as an illegal substance, or on confirmation that the substance is, in fact, illegal. Students who assist other students to obtain illegal substances or supply restricted substances, such as prescription drugs are also to be suspended.
- d. Engages in serious criminal behaviour related to the school.
- e. Sexual harassment of any member of the school community.
- f. Sexualised violence of any type against any person.
- g. Use of or creation of sexualised images.

(28) All of the above matters must be reported to NSW Police immediately and the relevant Assistant Director of Schools and must be recorded in mnResponse.

(29) In addition to the abovementioned police matters, the Principal has the right to determine that a student be suspended immediately.

(30) The principles of procedural fairness must always be applied regardless of the circumstances involved in the

suspension.

In-School Suspension Principles

(31) There are a number of circumstances where an in-school suspension may be warranted.

(32) Principals will use their discretion based on consideration of student needs, impact on school community, available school resources and the severity of the students behaviours.

(33) In school suspension must not impact access to learning by the suspended student.

(34) Students must have reasonable access to toilet facilities and alternative supervised meal breaks.

Short Suspension

(35) Where possible, the student should be interviewed prior to making the decision to impose a short suspension. Principals must ensure that the student is given information about the behaviour of concerns or the nature of allegation(s) and given an opportunity to respond.

(36) Following investigation of the incident, the Principal or their delegate must inform the student of the decision to impose a short suspension, including the start and end date of the suspension and the reason for the suspension.

(37) Parents/carers must be notified of the decision to impose a short suspension, including the start and end date of the suspension.

(38) The principal cannot release the student from school before the end of the school day, without having notified the parents or carers and reached agreement about arrangements for collecting the student from school. Until the arrangements are made, principals must ensure adequate supervision is provided for the student at school. When a student has special transport arrangements, the school must notify the transport provider and the Assisted School Travel Program, of the suspension, following notification to the parents or carers.

(39) Parents/carers must be provided with written notification of the suspension on the day the suspension is applied including:

- a. the details of the student;
- b. the reason for the suspension;
- c. the length of the suspension and the return to school date;
- d. any instructions for a return to school meeting with school leadership;
- e. directions for parents/carers to locate this Suspension, Expulsion, and Exclusion Procedure on the school's website;
- f. expectations for parents or carers to positively engage with the school to support positive student behaviour and manage behaviour or behaviours of concern;
- g. clear expectations that the student should not be on school grounds without the principal's prior permission;

(40) a reminder that the parents/carers are responsible for the student's supervision and safety during the suspension.

(41) Provision must be made for the student to continue his or her learning during the suspension.

(42) A template for the suspension letter can be found here.

(43) A copy of the letter must be attached to the student's file in Compass using the 'Notification of External Suspension from School';

(44) The student's absence is recorded in the roll using the 'E' code.

Long Suspension (6-20 days)

(45) A Principal may recommend the application of a Long Suspension if a Short Suspension has not resolved the behaviour issue or if the misbehaviour of such magnitude is to warrant a longer period.

(46) The Principal must consult and seek approval from the Assistant Director of Schools before implementation of a Long Suspension.

(47) Principals can suspend a student engaging in behaviour or behaviours of concern in the following circumstances that may include but are not limited to:

- a. continued/persistent disobedience and/or disruptive behaviour;
- b. malicious damage to or theft of property;
- c. verbal abuse;
- d. bullying and cyberbullying;
- e. misuse of technology;
- f. discrimination, including that based on sex, race, religion, disability, sexual orientation or gender identity.

(48) Reasons for a long suspension may include but are not limited to:

- a. repeated serious misconduct;
- b. single incidents that taken together have the same impact as a serious incident;
- c. physical violence which has resulted in injury or which has seriously interfered with the safety or wellbeing of other students or school workers;
- d. seriously threatening physical violence which has interfered with the safety or wellbeing of other students or school workers;
- e. engaging in sexual harassment, sexual assault or other sexualised behaviour that may pose a risk of or has caused physical, psychological or emotional harm to others;
- f. use or possession of a prohibited weapon, firearm or knife (if a student has brought a weapon of any kind onto the school site or school event, the police must be notified);
- g. using an implement as a weapon;
- h. possession, supply or use of a suspected illegal substance;
- i. possession, supply or use of tobacco, vaping devices, alcohol and e-cigarettes; or
- j. serious criminal behaviour related to the school. These circumstances must be discussed with Assistant Director of Schools.

Long Suspension Process

(49) There may be circumstances where a Long Suspension is warranted irrespective of whether a Short Suspension has not been previously imposed. These circumstances may include:

- a. serious physical violence (including sexual or indecent assault);
- b. use or possession of a weapon;
- c. possession, supply or use of a suspected illegal substance;
- d. criminal behaviour related to the school; or
- e. persistent or serious misbehaviour.

(50) In determining if a student's behaviour is serious enough to warrant a long suspension, the following must be

considered:

- a. the safety of students and school workers;
- b. the merit and circumstances of the particular case; and
- c. factors such as the age, individual needs, any disability and developmental level of students. The following internal document may be consulted [Students with Additional Needs Whose Behaviours Warrant Consideration of Expulsion](#).

(51) These circumstances must be discussed with and approved by the Assistant Director of Schools.

(52) The student must have had the opportunity and appropriate support to follow any behaviour management plans agreed to previously.

(53) Principals must gain the approval of the Assistant Director of Schools for longer suspensions (> 5 days).

(54) The Assistant Director of Schools will consider the reason for and context of the longer suspension and provide an outcome to the request in writing to the Principal.

(55) The student's absence is recorded in the roll using the 'E' code.

Re-entry following a Suspension

(56) A return to school or re-entry meeting is an important means by which the school can reinforce behaviour expectations, restore relationships and explain the management or action plan. It also builds the partnership between the school and the parents/carers and offers the student an opportunity to express remorse and their reflection on their learning.

(57) Where a student is returning from suspension following an incident that involved a risk to the safety or wellbeing of school workers, students or other members of the school community, the Principal must undertake a risk assessment in order to assess whether the return of the student will pose a risk to school workers, students or other members of the school community and ensure documented mitigation of any identified risks. This should be completed before the final day for resolution of the suspension. The student should not be re-admitted to the school until such issues identified in the risk assessment have been addressed.

(58) Upon the end of the suspension period, the Principal or delegate conducts an interview with the student with their parent/carer(s) present.

(59) A Principal or their delegate will develop a management plan prior to convening the re-entry interview. The student and their parents/carers will be asked to agree to this management plan (ie action plan, behaviour support plan, safety plan) before the student's re-entry into school. Parental agreement is required before the student returns to school.

(60) Records of the re-entry meeting and management plan must be maintained by the school by appending the correspondence to the Compass suspension chronicle entry previously created.

Pastoral absence of students

(61) In consultation with the student's parents/carers, the Principal may ask a student to remain away from school for a period of time due to pastoral reasons. This decision will be reviewed every five days, with the reasons continuing the leave documented and communicated to parents/carers in writing after each review.

(62) Students remaining at home for pastoral reasons should be recorded on the roll as absent on 'approved leave - Code L' and the reason for the absence noted.

(63) If an assessment is made that the school cannot adequately assure the student's safety and wellbeing at school (for example, due to persistent and serious self-harm) the principal may insist that the parent/carer keep the student away from school in order to source appropriate professional care. Depending on the circumstances, this may be entered into the roll as sick leave 'S' or pastoral leave 'L'.

(64) For duty of care purposes, schools need to be able to demonstrate that parents are aware of this arrangement, as it will generally be included in a Behaviour Management Plan.

(65) It must be made clear to the student and parent/carer that this absence is not a behavioural sanction or punishment.

Expulsion Process

(66) Expulsion may be considered by the Principal in consultation with the Assistant Director of Schools, when any of the students recorded misconduct is persistent or is otherwise incompatible with the students ongoing enrolment.

(67) Following a behavioural incident of such magnitude that expulsion must be considered, the Principal must conduct a thorough investigation to ensure procedural fairness. Expulsion should not be a pre-determined outcome of this process.

(68) notify the student and parent or carer that the student is suspended pending the outcome of the decision-making process (up to 20 consecutive school days) and include the same information as required for a notification of a suspension

(69) Principals must engage and collaborate with the Assistant Director of Schools about support and interventions for the student that may not have been considered or implemented previously.

(70) Principals must complete the internal document [Suspension, Expulsion and Exclusion Toolkit](#) with the support of the Assistant Director of Schools and the Safety and Risk Partners and retain this document on file to capture the decision-making process when expulsion and/or exclusion are being considered. This is important to ensure that Principals have sufficient written evidence to support an expulsion/exclusion decision if it is later reviewed. This is an internal document only.

(71) Where expulsion is being considered, the Principal must issue to the parents/carers a Notice of Intention to Expel letter contained in the internal reference document [Suspension, Expulsion and Exclusion Toolkit](#).

(72) Expulsion should not be a pre-determined outcome of issuing a Notice of Intention to Expel letter. This letter is in recognition of procedural fairness and allows parents/carers to be informed of matters resulting in expulsion being considered and to put to the Principal any additional information/mitigating circumstances for their consideration before a decision to expel is made.

(73) The Notice of Intention to Expel letter located in the internal reference document [Suspension, Expulsion and Exclusion Toolkit](#) will provide parents/carers with 5 business days to respond to the letter and provide the Principal with any additional/mitigating information that the Principal must consider before making a decision to expel.

(74) In the event that parents/carers choose to withdraw their student before a Decision to Expel has been made, then expulsion will not be recorded in student records.

(75) After due consideration has been given to any additional/mitigating information the parents/carers have provided to the Principal in response to the Notice of Intention to Expel, or if no additional/mitigating information is received, the Principal may make a decision to proceed with issuing a Notice of Decision to Expel letter located in the internal reference document [Suspension, Expulsion and Exclusion Toolkit](#).

(76) A Notice of Decision to Expel letter is a letter issued by the Principal to parents/carers informing that the student has been expelled from the school and can be located in the internal reference document [Suspension, Expulsion and Exclusion Toolkit](#).

Grounds for expulsion

(77) A Principal may expel a student from the school if, whilst attending school, travelling to and from school or engaging in any school-related activity away from school (including when travelling to or from that activity) the student:

- 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 school worker so as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person;
- f. engages in behaviour that vilifies, defames, degrades or humiliates another person based on: age, breastfeeding, gender, identity, disability, 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, 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. behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student.
- h. AND the student's behaviour is of such magnitude that, having regard to the need of the student to receive an education compared to the need to maintain the health, safety and wellbeing of other students, school workers and the need to maintain the effectiveness of the school's educational programs, expulsion is the only available mechanism.

Decision to expel

(78) When deciding on the expulsion of a student, the Principal must properly, fairly and without bias consider all relevant matters, including the impact of the behaviour of the student on other affected parties. The Principal must determine whether the expulsion is appropriate in light of:

- a. the behaviour for which the student is being expelled;
- b. the educational needs of the student;
- c. any disability of the student (the following internal document may be consulted [Students with Additional Needs Whose Behaviours Warrant Considerations of Expulsion](#)).
- d. the age of the student;
- e. the magnitude and impact of the student's actions; and
- f. the residential and social circumstances of the student.

(79) The Principal must also ensure that all information or documentation related to the student or provided by their parent/carer or developed by the school has been taken into account when making the decision.

(80) Expulsion is a sanction to be applied, generally, as a last resort when other disciplinary measures, including suspension, have not produced a satisfactory outcome. In deciding to expel a student, careful consideration must be given to the welfare of the student and the overall good and/or safety of the school community.

(81) While the Principal is making a decision, the school should continue to provide the student with work.

(82) The Principal will take steps to be satisfied that the student is enrolled in a new educational setting including contact with the destination educational pathway. Destination educational pathway to be recorded in student's Compass records (in their Student Profile as well as creation of a Student Leaver Transfer chronicle). Where concerns are held, Principal to consider reporting obligations as per the Attendance Procedure that may include notification to the Department of Education of "Destination Unknown", risk of significant harm report to the DCJ Helpline or welfare request to NSW Police.

Decision not to expel

(83) If the Principal decides not to expel the student, the student should be supported to continue at the school.

(84) The Principal should convene a meeting in collaboration with the student and their parents/carers.

(85) A risk assessment must be completed that focuses on additional or existing interventions and supports to engage the student positively at school, and ensures the safety of the school community.

(86) Referrals to school based, local allied health and community supports should be made as appropriate. Other reasonable adjustments to the student's program should also be considered.

(87) Building a working relationship with the student and parents/carers should be a priority.

Supported Transfer

(88) In situations where there is a real possibility of expulsion, the Principal may explore with the Assistant Director of Schools and Director of Schools, and/or a Principal of another Diocesan school, the feasibility of placement of the student at another Diocese school. In such cases:

- a. discuss the feasibility of a re-enrolment of the student at an alternative Diocesan school with parents/carers and student;
- b. consult with the Principal of the proposed new school and seek his/her support;
- c. consult with the Assistant Director of Schools to complete a risk assessment and to develop a transfer plan with the Principals of both schools detailing goals for student learning, support structures to be put in place and outlining the responsibilities of the student and the consequences of not adhering to these responsibilities.

Student Transfer Principles

(89) The transfer of a student will only be considered where:

- a. the incident that triggered the suspension is very serious; and/or
- b. current school strategies and interventions have been exhausted; and/or
- c. there is insufficient progress and continued enrolment at the school is not in the best interests of the student; and/or
- d. the continued enrolment compromises the school's ability to provide a safe and supportive learning environment for all students.

Student Transfer Process

(90) A transfer may be considered by the Principal in consultation with the Director of Schools and Assistant Director of Schools.

(91) The enrolling parents will be notified that the enrolment at the school will be terminated and the student expelled

on an effective date, and that, if the family wishes to continue Catholic education for their child in a Diocesan school, a meeting will be arranged.

(92) The Principal, in the first instance, should coordinate the transfer with the principal of an alternative school in proximity to the student's home.

(93) If this is not possible, the Director of Schools and Assistant Director of Schools will attempt to find an appropriate Diocesan school.

(94) The transfer should give the student the best possible chance of success at an alternative Diocesan school.

(95) The student and his/her parents/carers will be consulted on appropriate alternative school settings wherever possible.

(96) A student and his/her parents/carers who reject the offer of an alternate school placement may forfeit the right to a place in any school of the Diocese. This is at the sole discretion of the Director of Schools/Assistant Director of Schools.

(97) When recommending a transfer for a student, the Principal must ensure:

- a. the issues have been discussed with both the student and their parents/carers;
- b. alternative options have been explored;
- c. where a behaviour management plan has been in place for the student, they have been given the appropriate support and opportunities to comply with the plan;
- d. the Catholic Schools Learning and Wellbeing Team has been consulted and they have given support to the student; and
- e. the Assistant Director of Schools has been consulted.

Exclusion Principles

(98) Only the Director of Schools in consultation with the Chief Operating Officer can approve the exclusion of a student from enrolling at any other schools in the Diocese.

(99) In serious circumstances of misbehaviour, the Principal may recommend excluding a student from their school. Such circumstances include, but are not limited to the following:

- a. in extreme circumstances where the student's behaviour represents a significant risk of harm to other students, teachers or the school community;
- b. if a student has significant attendance issues and efforts to re-engage the student have been unsuccessful. This would include more than 12 months of chronic absenteeism with ongoing support and intervention from the Catholic Schools Learning and Wellbeing Team.
- c. if there is a significant breach in the enrolment contract between the school and the parents/carers. This could include an inability to resolve a significant dispute between the parents/carers and the school or where the school cannot fulfil their duty of care and educational requirements.
- d. A student will usually have been given all possible school based and system support before an exclusion is recommended to the Head of Schools.

(100) Due to the gravity of the circumstances that exist when consideration is being given to an exclusion, particular emphasis will be given to providing a reasonable opportunity for the student and parents/carers to respond to the proposed action.

(101) Students that have been excluded from a particular school for misbehaviour may not re-enrol in a school without

the approval of the Director of Schools.

(102) An exclusion can be reviewed at the discretion of the Director of Schools.

Exclusion Process

(103) When considering a recommendation of Exclusion, the Principal must consult and involve the Assistant Director of Schools.

(104) The Principal must:

- a. notify the parents/carers in writing that Exclusion from a Diocesan school is being considered, giving reasons for the possible course of action, and including sufficient documentation for a clear understanding of the issues;
- b. provide an opportunity for parents/carers to meet with the Principal to discuss the issue/s and respond. Generally up to five (5) working days should be allowed for parents/carers and the student (where applicable) as part of the decision making process;
- c. provide an opportunity for a further meeting between parties, if requested;
- d. ensure the principles of procedural fairness are followed.

(105) The Principal must formally recommend an Exclusion to the Assistant Director of Schools in writing, with all relevant documentation attached.

(106) After receiving formal notification of a recommended for exclusion, the Assistant Director of Schools will give regard to the reasons for this possible course of action, any previous action taken, and the substance of any response from the parents/carers and student.

(107) If the Assistant Director of Schools agrees with the recommendation, the Assistant Director of Schools will advise the Director of Schools in writing of the recommendation to exclude.

(108) The Director of Schools will consult with the Chief Operating Officer and will approve an exclusion after receiving formal notification of a recommendation of the Exclusion from the Assistant Director of Schools.

(109) The Principal and the Assistant Director of Schools will advise the parents/carers in writing of the decision to exclude which will include the reasons for this possible course of action, any previous action taken, and the substance of any response from the parents/carers and student.

(110) The formal notification will also include the appropriate procedures for submitting a formal review of the decision.

(111) The Principal or Assistant Director of Schools may give assistance to the students and their parents/carers to find a placement in an alternative educational setting, if this is requested.

(112) The Principal will inform the Department of Education of the student's new educational setting or 'Destination Unknown' if this cannot be identified.

(113) The Principal will take steps to be satisfied that the student is enrolled in a new educational setting including contact with the destination educational pathway. Destination educational pathway to be recorded in student's Compass records (in their Student Profile as well as creation of a Student Leaver Transfer chronicle). Where concerns are held, Principal to consider reporting obligations as per the Attendance Procedure that may include notification to the Department of Education of "Destination Unknown", risk of significant harm report to the DCJ Helpline or welfare request to NSW Police.

Appeal of a Decision to Expel and/or Exclude

(114) As the purpose of a suspension is to negotiate a satisfactory outcome for all parties involved there are no formal rights to appeal against suspension from school.

(115) A decision to expel or exclude a student can be appealed by the student or their parent/carer.

(116) An expulsion or exclusion can be appealed on the following grounds:

- a. a student has a history of behavioural issues, and there is insufficient evidence of prior interventions designed to address the behaviour and support the student;
- b. the grounds on which the student was expelled are considered unfair;
- c. the expulsion process was not followed by the school;
- d. other extenuating circumstances.

Appeal Lodgement

(117) If a student or their parent/carer chooses to appeal the Principal's expulsion/exclusion decision, they must complete the Expulsion/Exclusion Appeal Form and provide it to the Principal within 10 business days of receiving the Notice of Decision to Expel/Exclude.

(118) Appeals lodged after 10 business days will only be considered in extenuating circumstances. The Principal will forward late appeals to the Director of Schools who will make an assessment on a case by case basis.

(119) The Principal must provide the Director of Schools within one (1) business day of receiving the appeal (including appeals received after 10 business days) with a copy of:

- a. Notice of Intention to Expel/Exclude;
- b. Notice of Decision to Expel/Exclude;
- c. Expulsion/Exclusion Decision Making Tool (internal document only); and
- d. Expulsion Appeal Form lodged by the student/parent/carer.
- e. The Principal should also contact the Assistant Director of Schools to advise that an appeal has been lodged.
- f. The student will remain expelled or excluded until the review has been conducted.

Review process

(120) The review itself will be conducted by an Assistant Director of Schools who has not previously been involved in the matter. The Assistant Director of Schools may delegate the appeal to an appropriate officer or review panel within Catholic Schools, to make a recommendation to the Director of Schools on whether to uphold or overturn an expulsion/exclusion decision. Review recommendations are to be provided to the Director of Schools, who will make the final determination.

(121) An Assistant Director of Schools who has been involved in a decision to suspend or expel a student from a particular school (including providing counsel to the school Principal) is prevented, on the grounds of procedural fairness, from deciding an appeal.

(122) The review will consider the documentation provided and must provide an opportunity to hear from the student and affected parties including:

- a. the student and their parent/carer to explain their reasons for appealing the expulsion/exclusion decision – this can be done in person or via phone, engaging interpreters where required;
- b. the Principal; and

- c. other parties able to provide advice on relevant safety and wellbeing issues.

Appeal Decision

(123) The Director of Schools will consider the appeal, including any recommendation from an Assistant Director of Schools or nominated appeals officer or appeal review panel, but they are not bound to follow the recommendation.

(124) The Director of Schools must use their best endeavours to make a decision within 15 business days of receiving the Expulsion Appeal Form from the Principal.

(125) The Director of Schools will contact the Principal, student and their parent/carer within five (5) business days of a decision being reached to communicate the decision made. They must also provide the Principal, student and their parent/carer with written notification of their decision.

Document Review

(126) This procedure will be reviewed when there is a legislative change, organisational change, delegations change, technology change or at least every 3 years to ensure it continues to be current and effective.

Status and Details

Status	Current
Effective Date	27th November 2025
Review Date	21st November 2028
Approval Authority	Director Catholic Schools
Approval Date	21st November 2025
Expiry Date	To Be Advised
Unit Head	Jacqueline Wilkinson Director Catholic Schools
Enquiries Contact	Catholic Schools

Glossary Terms and Definitions

"Principal" - The most senior member of the teaching staff of a school, with responsibility for the effective and efficient day-to-day operations of the school, including compliance with the Education Act 1990.

"Parent/carer" - Includes a parent, carer or other person having the care, custody or parental responsibility of a child or young person.

"Exclusion" - refers to permanently removing the student from the school and excluding the student from enrolment in any other school in the Diocese.

"Expulsion" - means permanent removal of a student from one particular school. It involves termination of the contract entered into at the time of enrolment by the parent(s)/carer(s).

"Formal caution to suspend" - is a written notice valid for up to 50 school days from the date the caution is issued, provided to parents/carers that outlines the behaviour of concerns and sets out behaviour expectations for the student. It highlights the importance of parents/carers working with the school when managing student behaviour.

"Short suspension" - means an external suspension of between 1 and 5 days. This may also include partial days (eg. a student is sent home early due to their behaviour).

"In-school suspension" - refers to temporarily removing a student from usual school activities but not removing the student from school grounds.

"Long suspension" - means an external suspension of longer than 5 days that has been approved by the Assistant Director of Schools.

"Pastoral absence" - is an alternative to suspension for non-disciplinary matters, where a student is absent from school for their own wellbeing or where the risks to health and safety of the student in question, or other students or school workers cannot be managed with continued attendance at school. These decisions will be made in consultation with the parent/carer and will be reviewed every 5 days.

"Risk of harm" - refers to an assessment made by the school principal that there is reasonable concern that a student poses a significant risk to her/his own safety and/or the safety of the community.

"Transfer" - means moving the student from one school in the Diocese to another school in the Diocese with the assistance of the Diocese.

"School community" - Includes students, school workers, parents and other members of the community involved in the school.

"Prohibited weapon" - Weapons that are listed on Schedule 1 of the Weapons Prohibition Act (1998)