

# School Exclusion – Suspension, Expulsion and Appeals Procedures

## *B9 – Discipline*

All students have the right to a discipline framework that is grounded in clarity, consistency, and procedural fairness. The College carries both a legal and moral responsibility to implement a system that is redemptive and restorative in nature, and that is clearly understood and consistently applied.

### **Terms**

Suspension – when a student is asked to not attend school for a set period of time  
Expulsion - Termination of a student's enrolment

## **1. Suspension and Expulsion**

The aim of this policy is to provide a framework around the use of suspension and expulsion to ensure that the student is afforded procedural fairness. It is important to maintain the aim of a discipline process that remains redemptive while also acknowledging;

- a) the rights of other students to feel safe and to be educated in an environment free of disruption; and
- b) the rights of the teacher to work in an environment that has mutual respect and that is free from harassment, intimidation or the threat of violence.

### **1.1 Suspension**

1. Suspension is not intended only as a punishment but also a mechanism to provide time out while stability can be restored to the school community. It also provides time for the student to reflect and accept responsibility for their behaviour, dialogue on how reconciliation might be made and how future behaviours can be moderated to avoid suspension in the future.
2. It also provides time for the school administration to put measures in place to ensure the safety of the school community.
3. Suspensions can occur if a behaviour of concern falls into the areas outlined within the Student Management - Discipline Procedures. This can include one-off serious breaches of the discipline code.

The following guidelines need to be considered;

- a) Prior to formally suspending a student, a formal disciplinary meeting will be held. This meeting will be chaired by the Principal and will include the relevant Head of School, a Representative from the Student Welfare team and where relevant and required, the classroom teacher.
- b) The student and parents should be informed by the Head of School, of the discipline meeting being held, clearly outlining the behavioural issue and providing an opportunity to respond. Any responses will be considered as part of the discipline meeting.
- c) A written record of the formal disciplinary hearing will be taken.
- d) The Discipline Committee will consider:
  - the cause and impact of the behaviour
  - behaviour management support provided to-date, including reasonable adjustments for students with disability;
  - student factors such as developmental age, trauma, child protection concerns and cultural considerations;
  - information including, but not limited to, written reports from staff, school data and other witness statements

- e) In line with duty of care obligations, the decision to suspend can be made irrespective of any action by another agency, including NSW Police or the Department of Communities and Justice. This is to mitigate any unacceptable risks posed to teaching and learning, and the health, safety and wellbeing of staff and/or students.

## 1.2 Length of the Suspension

The Discipline Committee 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.

Suspensions may be carried over into the next calendar year if the behaviour warrants it, in consultation with the School's Education Director.

The Discipline Committee at Tweed Valley Adventist College can impose a suspension for up to five days. However, if the number of consecutive school days are insufficient to implement appropriate supports for the student or the classroom context, the principal can extend the suspension for up to 5 additional school days.

## 1.3 Notifying the relevant people of the suspension

Once the Discipline Committee has formalised the details of the suspension, the Head of School will:

- immediately notify the parents/caregivers (or record attempts to notify) within 24 hours;
- advise the student verbally, where appropriate;
- provide formal written notification, via an official school email, including the right of appeal;
- advise the principal/delegate of the other setting if a student has a shared enrolment and/or attends more than one setting.

The decision to suspend should be documented and placed in the student's file.

Where possible, school counselling service staff should also be informed and be available to provide counselling support for the student during the suspension, with the permission of the principal, at a pre-arranged time.

If a suspension is extended (or in the case of multiple suspensions), the principal/delegate may determine a report from the school counselling service staff or other relevant staff member is required to support the student's successful return to school.

The principal/delegate 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.

## 1.4 Returning from suspension

A meeting should be held at the end of the suspension before the student returns to class. This meeting will be organised by the Head of School and include the student, a member of the Wellbeing team and parents/caregivers. The purpose of this meeting is to develop or adapt the individual student management plan and to put in place an individual behaviour contract. This should address strategies the student can use to avoid unacceptable behaviours in the future and to identify key support staff that can assist the student if issues arise in the future. A record of the meeting should be kept.

Where a student is returning from suspension following an incident that involved aggressive and/or threatening behaviour, the principal must undertake a risk assessment in order to assess whether the return of the student will pose a risk to staff, students or other persons. This should be completed before the suspension reconciliation meeting.

If the return of the student poses unacceptable risk and this risk can't be managed a recommendation for expulsion of the student should be taken. Staff and students directly impacted by the behaviour leading to the suspension are to be informed of a student returning prior to the student's return. Relevant staff must also be provided with copies of any current risk assessments and/or behaviour management plans.

## 2.1 Expulsion

The Discipline Committee may consider the expulsion of a student for behaviours that fall into the areas outlined within the [Student Management Discipline Procedures](#). This can include one-off serious breaches of the discipline code.

If the Discipline Committee proposes the expulsion of a student, the student may be suspended while the process of expulsion is carried out.

The following guidelines will be considered when an expulsion process is being considered.

- a) Prior to formally expelling a student, a formal disciplinary meeting will be held. This meeting will be chaired by the Principal and will include the relevant Head of School, a Representative from the Student Welfare team and where relevant and required, the classroom teacher.
- b) The student and parents should be informed by the Head of School of the discipline meeting being held, clearly outlining the behavioural issue and providing an opportunity to respond. Any responses will be considered as part of the discipline meeting.
- c) A written record of the formal disciplinary hearing will be taken.
- d) The Discipline Committee will consider:
  - the cause and impact of the behaviour
  - behaviour management support provided to-date, including reasonable adjustments for students with disability;
  - student factors such as developmental age, trauma, child protection concerns and cultural considerations;
  - information including, but not limited to, written reports from staff, school data and other witness statements
- e) In line with duty of care obligations, the decision to expel can be made irrespective of any action by another agency, including NSW Police or the Department of Communities and Justice. This is to mitigate any unacceptable risks posed to teaching and learning, and the health, safety and wellbeing of staff and/or students.

Once the Discipline Committee has formalised the expulsion, the Head of School will:

- immediately notify the parents/caregivers (or record attempts to notify) within 24 hours;
- advise the student verbally, where appropriate;
- provide formal written notification, via an official school email, including the right of appeal;
- advise the principal/delegate of the other setting if a student has a shared enrolment and/or attends more than one setting;

The decision to expel should be documented and placed in the student's file.

### **2.1.1 Unsatisfactory participation for students aged 17 years and over**

Where a student is aged 17 or over: the Discipline Committee may only expel a student for unsatisfactory participation in learning where a student is at risk of receiving an 'N' determination (non-completion of course requirements) in a minimum of 2 courses and has received a minimum of 2 written 'N' warnings in each course. In these circumstances the principal must have:

- advised the student of the tasks or actions to be undertaken in time for the issue to be corrected and alerted the student to the possible consequences of receiving 2 written 'N' warnings or a final 'N' determination
- followed all NSW Education Standards Authority (NESA) requirements in relation to issuing 'N' warnings
- provided the student with a formal written notice of potential expulsion for unsatisfactory participation from the school 10
- following the written 'N' warning letters and notice of potential expulsion, provided the student with the opportunity, time and appropriate support to complete the course requirements.

## **2.2 Re-Enrolment**

As the School believes in redemptive discipline an expelled student can reapply for enrolment at the school on the following conditions:

Application for re-admission will generally only be considered twelve (12) months from the date of termination or withdrawal.

The applicant must demonstrate their improved behaviour, and their commitment to following the school's rules, as well as their attitude to academics. In this regard, the applicant should provide supporting documentation relating to both academic engagement, and positive behaviour with peers and staff at their current school.

A position at Tweed Valley Adventist School is subject to approval by the principal. The principal will process this enrolment application having regard to the sensitivities of the school community, the learning environment and the risk for disruption that the student's enrolment brings.

## **2.3 Submission not to re-admit a student to all or any NSW Adventist Schools (Exclusion)**

Where the nature of the behaviour is so extreme that both the principal and Education Director cannot find an alternative placement, the director in consultation with the principal may prepare a submission to the respective Board of Directors recommending that a student expelled for serious behaviour or behaviours of concern not be re-admitted to

all or any respective Adventist schools within the Conference or if further afield, make recommendation to Adventist School Australia.

The Education Director must work in consultation with the principal to prepare the submission to the Board of Directors: providing in the submission:

- The reasons for the recommendation
- actions taken and attempts to manage and support the student's behaviour
- the school counsellor's report, where appropriate
- a copy of all documentation relevant in the decision-making process
- any records or copies of responses from the student or their parent or carer
- forward the submission to the Secretary, through the Education Director.

### **3. Appealing a decision made by the Discipline Committee**

An appeal can be made to have a decision by the Discipline Committee reviewed. The appeal should be submitted to the North New South Wales Education Director within five working days of the decision being communicated by the school's Discipline Committee.

The Education Director or nominee are the final level of appeal.

North NSW Schools Education Director: [paul.fua@nsw.adventist.edu.au](mailto:paul.fua@nsw.adventist.edu.au)