



Suspension and Expulsion Policy

Introduction

Plenty River College (the College) is an independent specialist senior secondary school, delivering the Victorian Certificate of Applied Learning (VCAL) at Foundation, Intermediate and Senior levels. It provides a safe and inclusive learning environment for young people aged 15-20 years who may have been disengaged or are at risk of disengaging from education.

Plenty River College is a school of opportunities in which all students are empowered to achieve their personal best. Our mission is to assist students to develop life and work skills and achieve in their learning by:

- re-engaging them in education;
- fostering their social and emotional development; and
- providing a supportive and safe environment for them.

Rationale

Plenty River College is committed to providing a safe, inclusive and positive learning environment free from disruption, intimidation, harassment and discrimination and will exclude students in response to serious misconduct and dangerous or violent behaviour. To achieve this, PRC will maintain high standards of student behaviour.

Plenty River College expects all students will take responsibility for their own behaviour. On enrolment and at least annually, students (and their parents/guardians) are required to sign a statement of their rights and responsibilities, including expectations about a student's conduct.

The College has a range of strategies to manage student behaviour (see Student Behaviour Management Policy) and will only take disciplinary action to exclude students from school in cases of serious misconduct, or where interventions have failed to address behavioural issues. All illegal activities will be reported to the police.

The College does not use detention as a disciplinary measure, or permit the use of corporal punishment. Disciplinary actions in cases of misconduct or serious misconduct include suspension and expulsion as a last resort.

Purpose

The purpose of this policy is to ensure that suspension and expulsion of a student are based on the principles of procedural fairness.

Suspension or expulsion may occur as a consequence of a serious breach of College rules, or serious and ongoing disobedience.

This Policy sets out the procedures to be followed when making a decision about the suspension or expulsion of a student. The policy should be read in conjunction with the Student Behaviour Management Policy.

Scope

This policy applies to the Principal, Deputy Principal/Curriculum Leader, all staff, students and parents/guardians.

Definitions

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| Suspension | A suspension is a temporary removal of a student from all classes that a student would normally attend at school for a set period of time. The maximum continuous period of time a student can be suspended at any given time is 10 school days. |
| Expulsion | Expulsion is cancelling the enrolment of a student, resulting in the permanent removal of a student from the College. |
| Student | Student means a person who is enrolled at or attends the school. |
| School environment | School environment means any of the following physical, online or virtual places, used during or outside school hours: a) A campus of the school b) Online or virtual school environments made available or authorised by the school governing authority for use by a child or student (including email, intranet systems, software applications, collaboration tools, and online services) c) Other locations provided by the school or through a third-party provider for a child or student to use including, but not limited to, locations used for: <ul style="list-style-type: none">• camps• approved homestay accommodation;• delivery of education and training such as registered training organisations, TAFEs, non-school senior secondary providers or• another school; or• sporting events, excursions, competitions or other events. |

Responsibility

1. The College Board is responsible for:
 - authorising this policy
2. The College Principal is responsible for:
 - implementing this policy, and associated procedures and processes to ensure procedural fairness
 - suspending or expelling a student from the College
 - ensuring these procedures are readily accessible to all employees.
3. staff are responsible for:
 - completing an incident report and immediately report any incident to the Deputy Principal/Curriculum Leader or in her/his absence, the Principal

Authority to suspend or expel

(i) All decisions of suspension and/or expulsion must be made by the Principal

(ii) Where any teacher or staff member decides that an act or the behaviour of a student may warrant suspension or expulsion, the teacher or staff member must refer the matter to the Deputy Principal/Curriculum Leader who will look at the behaviour and make a decision to escalate and/or not, the matter to the Principal for suspension or expulsion

(iii) The Principal will meet with the student, together with the Deputy Principal/Curriculum Leader and decide whether the suspension or expulsion is the most reasonable and unbiased decision

(iv) In serious circumstances, a student may be summarily suspended, pending a final decision under this Policy. In this case, a meeting with the student and the student's parents/guardians to review the suspension must be convened as soon as is practicable.

(v) Expulsion is considered only as a last resort

Grounds for suspension

The College considers the following behaviour by students as grounds for suspension:

- bullying, cyberbullying and harassment (see the College Bullying and Harassment Prevention Policy);
- any form of assault, including physical or sexual assault;
- bringing weapons (such as knives) to College;
- use of derogatory and inappropriate language (such as rudeness and swearing);
- using or being under the influence of substances (drugs and alcohol);
- smoking within 4 metres of the school premises;
- inappropriate use of mobile phones, social media and the internet; and
- theft of or damage to property belonging to the College.

Before suspension is implemented, the Principal must give due considerations to the best interests of the student and the appropriateness of the exclusion measures given the:

- behaviour of the student;

- educational needs of the student;
- age of the student;
- any disability or additional learning needs of the student;
- residential and social circumstances of the student; and
- the wellbeing of the whole school community or vulnerable individuals within it.

The College will not send students home unless there has been a significant incident involving violence, property damage or the sale or consumption of alcohol or illicit substances. Parents/guardians will be contacted prior to a student being suspended or sent home and will be requested to pick the child up and/or give permission for student to take public transport.

The maximum continuous period a student can be suspended is ten (10) days. At all times, the College will provide the suspended student with appropriate and meaningful school work. A suspension must end at the end of the school term in which it was imposed. All suspensions will be reviewed prior to student's return to school. Three (3) repeated suspensions in a calendar year may lead to the student being considered for expulsion.

Grounds for expulsion

Other than three (3) repeated suspensions in a calendar year, the College considers the following to be serious misconduct and grounds for expulsion. Serious misconduct includes behaviour that:

- poses a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person;
- causes significant damage to or destruction of property;
- commits or attempts to commit, or is knowingly involved in the theft of property;
- possesses, uses, sells or deliberately assists another person to possess, use or sell illicit substances or weapons;
- smoking or vaping inside the College building, inside school approved means of transport or buildings used for offsite school activities
- smoking inside the school building or buildings used for off-site school activities including excursions;
- fails to comply with any clear and reasonable instruction of a staff member so as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person;
- any form of sexual abuse including but not limited to:
 - Child prostitution
 - Forcing a child to watch a sexual act
 - Having sex with a child, including oral sex
 - Persistently intruding on a child's privacy
 - Speaking to a child in a sexually explicit way
 - Showing pornography or naked pics/videos to a child
 - Taking pictures/videos of a naked or partly naked child
 - Exposing genitals or being naked in front of a child
 - Sending sexual content to a child online or through text

- Kissing, holding or touching a child in a sexual way
- Asking or making a child touch genitals or perform sexual acts
- Making sexual comments to a child in person, on the phone or online
- consistently vilifies, defames, degrades or humiliates another person based on age, breastfeeding, gender; identity, impairment, industrial activity, lawful sexual activity, marital status, parent or carer status, physical features, political belief or activity, pregnancy, race, religious belief or activity, sex, sexual orientation, personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes; and
- consistently interferes with the wellbeing, safety or educational opportunities of any other student.

Prior to expulsion, the Principal and the Deputy Principal/Curriculum Leader will meet to ensure that:

- a comprehensive range of strategies has been implemented to meet the educational, social and emotional needs of the student;
- the student's inappropriate behaviour is persistent, despite these strategies; and
- immediate suspension, pending expulsion is appropriate given the student's behaviour, age, educational needs, disabilities, additional learning needs, and residential and social circumstances.

A decision to expel a student is made by the Principal. In the event that the Principal was on leave, the Deputy Principal/Curriculum Leader. The student and their family will be informed of the decision, and will be actively supported by the Principal and the Deputy Principal/Curriculum Leader and Wellbeing staff to engage with appropriate support services and look at alternative educational options for the student.

If any student, parent/guardian feels that they have been treated unfairly, they have the right to complain or appeal any decision under the Complaints and Grievance Policy.

Procedures – ensuring procedural fairness

1. Staff must complete an incident report and immediately report any incident to the Deputy Principal/Curriculum Leader or in her/his absence, the Principal
2. The Deputy Principal/Curriculum Leader will determine the magnitude of the incident and if there are grounds for suspension or expulsion
3. The Deputy Principal/Curriculum Leader will immediately communicate with the Principal and agree on the grounds for suspension or expulsion. In making this decision, the Principal will consider;
 - consider issues relevant to behaviour of student and implications for others in community
 - critical factors leading to offence
 - educational and social needs of student
4. The Principal and the Deputy Principal/Curriculum Leader will ensure the following is in place before contacting the student or the parent/guardian;

- suspension and supervision arrangements for students under 18 years
 - strategies for returning to school
 - support and resources available both within and outside the school to support the student
 - study program to ensure the student will continue with studies while suspended
5. The Principal will inform the student's parent/guardian of the suspension, including the reasons for the suspension and;
- Provide the written notice of suspension/expulsion
 - contact details of the support services available;
 - ensure the family is aware of the complaints process and how to appeal the suspension decision;
 - clear expectation that the student will continue with studies while suspended;
 - the importance of parents support in resolving the matter;
 - parents responsibility for the care and safety of the student while under suspension, and the clear expectation that the student should not be on the College grounds without the prior permission of the principal
6. if the decision has been made to expel a student, the Principal must;
- inform the student and the parent/guardian of the expulsion, including the reasons and implications for the expulsion;
 - provide a written notice of the expulsion;
 - inform the student and parent/guardian alternative education options;
 - request the immediate removal of the student from the College;
 - ensure the family is aware of the complaints process and how to appeal the expulsion decision
 - inform the rest of staff of the decision

Resolution

The principal must convene a suspension resolution meeting that will include the wellbeing team, student and the parents/guardians to discuss the basis on which the suspension will be resolved. Where a parent/guardian is not available, the Principal will encourage the student to nominate a support person to be present.

The meeting will attempt to ensure the student is back at school on or before the concluding date of the suspension period.

A full record should be made of the outcomes of the suspension resolution meeting. This should be retained on a file at the school. A copy should be provided to the student and the parents.

Appeals

A student or parent/guardian may seek a review of a decision made under this Policy. All appeals must be made in writing, to the Principal, setting out the grounds of appeal. In the case of an expulsion, the appeal must be submitted to the College within 10 days of the expulsion taking effect.

The Principal will make the decision of whether to uphold or overturn the decision based on the grounds of appeal given.

Register of suspensions and expulsions

The suspension or expulsion of a student is recorded on that student's individual file.

Confidentiality must be maintained at all times with regards to the suspension and expulsion of students. Access to the register of suspensions and expulsions is appropriately restricted to authorised users.

Communication

1. This policy will be communicated to the College community through the College website.
2. College staff will be informed of their responsibilities under this policy through:
 - attending the College induction program for new staff;
 - receiving a copy of this policy at the first staff meeting at the start of the College year;
 - the College Teacher Handbook; and
 - attending training or professional development on College reporting processes.
3. Students, parents/guadians will be informed of this policy in the Student and Parent/Guardian Hanbook and during enrolment

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| Appendices: |
| Appendix 1: Sample letter of suspension |
| Appendix 2: Sample letter of expulsion |
| Appendix 3: Expulsion Appeal Form |
| Related Policies |
| <ul style="list-style-type: none">• Student Behaviour Management Policy• Complaints and Grievance Policy• Critical Incident and Emergency Management Policy• Student Engagement, Wellbeing and Inclusion Policy |
| Relevant Legislation |
| <ul style="list-style-type: none">• Education and Training Reform Act 2006 (Vic)• Education and Training Reform Regulations 2017 |

Appendix 1: Sample letter of suspension

Date

Student or Parent/Guardian Name
Address

Dear Student/Parent/Guardian,

RE: NOTICE OF SUSPENSION

I have decided to suspend your child from Plenty River School for ?? (maximum 10) school days from Date and time. Your suspension started when I told you about the suspension. You must not attend any state school or school activity for the length of your suspension. During the suspension your parent is responsible for you.

You are suspended under section 281 of the Education (General Provisions) Act 2006 (the Act) as I am reasonably satisfied that you have engaged in behaviour that meets the following ground(s) for suspension: detail the reason for suspension

The material facts and the reasons for your suspension are well known to you and have been discussed in a meeting with you today, date.

Arrangements will be made for you to continue your education while you are suspended. If you want to talk with someone about the schoolwork that has been provided to you, please phone the school on 9437 7016.

You are required to attend a re-entry meeting on date and time at the college.

If there is anything you do not understand in this letter, please contact me on 9437 7016.

Yours sincerely,

Veronica Kioria (she/her),

Principal

Appendix 2: Sample letter of expulsion

Date

Student or Parent/Guardian Name
Address

Dear Student or Parent/Guardian Name],

This letter is confirmation of my decision to expel [INSERT STUDENT NAME].

I have taken into account our discussion at the Meeting on [INSERT DATE] and considered all the information that was provided. I have also considered the interventions and supports the school has put in place to support [INSERT STUDENT NAME]'s engagement at school to date. [DELETE this sentence if, prior to the decision to expel the student, the incident was not preceded by any other behaviours of concern].

Given the magnitude of [INSERT STUDENT NAME]'s behaviour, and their need to receive an education as well as the need to maintain the health, safety and wellbeing of the whole school community, and the need to maintain the effectiveness of the school's educational programs, I consider expulsion is the only option.

The decision to expel a student is always a last resort and I have not come to the decision lightly. As discussed at the Meeting on [INSERT DATE] your child is being expelled on the following ground/s: [List the reasons for expulsion]

[INSERT STUDENT NAME]'s expulsion will commence on [INSERT DATE].

SUPPORTED TRANSITION (for student under 17 years of age)

It is very important that your child stays engaged in education. To ensure this occurs, I will oversee [INSERT STUDENT NAME]'s transition to a new setting, in collaboration with the Department's relevant local Area team and Regional Engagement Coordinator.

The proposed approach is reflected in the supported transition plan for your child which has been developed/is in the process of being developed [DELETE as appropriate]. In developing this document care has been taken to ensure your child's preferences, interests and skills have been taken into consideration.

I will be working with the Department local Area team to engage with the new setting, facilitate the transfer of relevant information and ensure appropriate supports are being put in place. Additionally, the Regional Engagement Coordinator will follow up with [INSERT STUDENT NAME]'s new setting at the one and six month points following their transition and engage the local Area team if additional support is required.

SUPPORTED TRANSITION (for student over 17 years of age)

If your child is beyond compulsory school age, the relevant regional office, in collaboration with myself, must provide you and your child with information about other schools, registered training organisations, employment agencies or other organisations that may provide suitable opportunities that support the future employment of **[INSERT STUDENT NAME]**.

APPEALS PROCESS

You and your child have the right to appeal this decision. Information on your right to appeal is contained in the Expulsion Appeal Form (attached). If you wish to proceed with this option, I need to receive the Expulsion Appeal Form **within 10 business days** of receiving this Notice of Expulsion.

Yours sincerely,

Veronica Kioria (she/her),

Principal

