



# Catholic Ladies' College

## Suspension, Expulsion and Negotiated Transfers Policies

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## Catholic Ladies' College Ltd

### Suspension, Expulsion and Negotiated Transfer Policies

Catholic Ladies' College is a Mary Aikenhead Ministry in the tradition of the Sisters of Charity. We seek to develop in each member of our community a contemporary understanding and application of the charism of Mary Aikenhead, the spirituality of the Sisters of Charity, the mission and vision of Mary Aikenhead Ministries and their values of justice, love, compassion and hope.

In responding to this call Catholic Ladies' College is a Christ-centred community established to educate, in partnership with parents, women of faith, integrity, individuality and compassion, confident of their own worth as women and wholly involved in the transformation of society.

#### **Purpose**

The ETR Act (s 4.3.1(6)) (CECV Guidelines ref 4.5) requires that our policies relating to the discipline of students are to be based on principles of procedural fairness and must not permit corporal punishment.

Every student has the right to a learning environment free from bullying and intimidation and to feel safe and happy at school. They also have the right to be treated fairly and with dignity.

#### **Introduction**

Catholic Ladies' College approach to behaviour support is underpinned by the belief that all students should maintain a level of behaviour that respects their rights and the rights of others to:

- be safe and feel safe
- learn to the best of their ability
- express themselves
- take responsibility for their choices.

To this end, Catholic Ladies' College commits to working in partnership with families, parents, carers and guardians and is guided by values of justice, equity, integrity, respect and compassion.

All students and staff have the right to be treated fairly and with dignity in an environment that is safe, and free from disruption, intimidation, harassment and discrimination.

Catholic Ladies' College Student Behaviour Management Policy details related expectations and procedures for fulfilling the College's responsibilities in promoting positive student behaviour and responding to challenging student behaviour. Support processes for a student will be implemented prior to expulsion being considered. However, in cases of continued unacceptable behaviour by a student, and where pastoral and disciplinary measures have failed, it may be in the best interests of the College community and/or the student involved to consider a negotiated transfer to another school or an expulsion of the student from the College. This process will be undertaken in full consultation with families/parents/guardians/carers/relevant persons.

## **SUSPENSION POLICY**

### **Context**

Suspension occurs when a student's attendance at school is temporarily withdrawn, on the authority of the Principal or delegate, for a set period of time.

Suspension allows the parties involved to reflect on and enter into dialogue about the behaviour and circumstances that have led to the suspension, and to plan and/or review learning and behaviour supports to assist a student to engage positively with school and learning. There are two forms of suspension:

#### **1. Internal suspension**

The student is excluded from the standard instruction or educational opportunities being provided to other students, but can still undertake educational activities on the College premises for the period of the suspension in the form of:

- In-school suspension: This occurs when the student may be present at school, but not participating in/attending scheduled classes or activities for a specified period of time.



Internal suspensions should focus on encouraging the student to exhibit more positive behaviours, to increase their level of participation and, where appropriate, to learn problem-solving and/or conflict resolution skills.

## **2. External (out-of-school) suspension**

The student's right to attend school has been withdrawn for a defined period of time. Responsibility for the student's safety and welfare during this time is transferred to the parents/carers/guardians/relevant persons. The student is not to be on the College premises during the period of suspension.

An external suspension is designed to allow a period of time when the College, parents/carers/guardians/relevant persons and the student involved can work together on the resolution of the problem that has led to the student's suspension. This may include reviewing systems of support in place to mitigate risks.

In all suspension cases, Catholic Ladies' College will ensure a continuation of educational opportunity by providing the student with meaningful work, and monitor the completion of that work, until the period of suspension concludes.

The enrolment agreement explicitly records at the time of acceptance of the enrolment of a student that unacceptable behaviour by a child may result in suspension or termination of the child's enrolment.

### **Procedures for suspension**

#### **Authority for suspension**

Only the Catholic Ladies' College Principal or their delegate has the authority to suspend a student from the College. The Principal should be notified of the suspension as soon as practicable.

Catholic Ladies' College Principal is responsible for ensuring all procedures associated with suspension are followed correctly.

#### **Grounds for suspension**

The Catholic Ladies' College Principal or delegate has authority to suspend a student if the student:

- behaves in such a way as to pose 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, attempts to commit or is knowingly involved in theft of property
- possesses, uses or sells, or deliberately assists another person to possess, use or sell illicit substances or weapons
- 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
- consistently engages in behaviour that vilifies, defames, degrades or humiliates another person
- consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student.

#### **Application**

Suspension only applies if the student is engaged in the behaviour referred to above while at school, travelling to or from the College, is identifiable as a member of the College community or while engaged in any school activity away from the College (including travel to and from that activity).

#### **Criminal offences**

Some wrongful behaviours of a serious nature are by definition criminal offences. These may include criminal damage of property, possession of a weapon, theft, assault with weapons, use, possession or distribution of drugs. The grounds for suspension are indicative only and not exhaustive.

When a Principal determines that a serious criminal offence has occurred, they will be mindful of the School's and MACS' duty of care, including those owed to students who are victims or offenders, and staff. The incident will be reported to the police at the earliest opportunity.



## Process

### 1. Procedures for suspension

- 1.1 In determining whether a student should be suspended, the Catholic Ladies' College Principal or delegate will ensure that suspending the student is appropriate to:
  - a) the behaviour for which the student has demonstrated
  - b) the educational needs of the student
  - c) any disability the student may have
  - d) the age of the student
  - e) the residential and social circumstances of the student.
- 1.2 Before implementing a suspension, the Catholic Ladies' College Principal or delegate will ensure that principles of procedural fairness are followed in the decision-making process, including that:
  - a) the principal has put to the student the allegations or reasons why the particular decision is under consideration
  - b) the student has had the opportunity to be heard
  - c) any information or documentation provided by the student or their parent/guardian/carer/relevant person has, where necessary and as soon as reasonably practicable, been taken into account in making the decision regarding suspension
  - d) other forms of action to address the behaviour for which the student is being suspended have been considered.
- 1.3 When providing procedural fairness to a student in accordance with paragraph 1.3, the Principal will ensure that they do so in a manner which does not prejudice any relevant investigation on the request of Victoria Police.
- 1.4 Prior to an internal or external suspension taking effect, or on the day of implementing a suspension with immediate effect, the Catholic Ladies' College Principal or delegate will:
  - a) identify the family/parent/guardian/carer/relevant person
  - b) give verbal notification to the student and notify the family/parent/guardian/carer/ relevant person via telephone or in person of the reason/s for the suspension, the school days on which the suspension shall occur and where the suspension will occur. This will be followed by notification in writing or email within 24 hours
  - c) provide contact details for additional support services to the student and their family/parent/guardian/carer/relevant person, as appropriate
  - d) provide meaningful school work when the student is to be suspended for three days or less
  - e) develop a *Student Absence Learning Plan* and *Suspension of Students – Return to School Plan* when the student is to be suspended for more than three days
  - f) provide the student and their family/parent/guardian/carer/relevant person with a *Notice of Suspension of Students* which must include:
    - the reason/s for suspension
    - the school days on which the suspension shall occur
  - g) provide the student and their family/parent/guardian/carer/relevant person with copies of the *Student Absence Learning Plan* and *Suspension of Students – Return to School Plan* (if required).
- 1.5 The Catholic Ladies' College Principal or delegate may implement a suspension with immediate effect if the student's behaviour is such that they are putting the health, safety and wellbeing of themselves or any other person at significant risk.
- 1.6 Where the Catholic Ladies' College Principal or delegate implements a suspension with immediate effect, the Principal may determine to expel the student while the student is on suspension.
- 1.7 Where the Catholic Ladies' College Principal or delegate implements a suspension with immediate effect, the Principal or delegate will provide supervision of the student:
  - a) until the student is collected by the family/parent/guardian/carer/relevant person or a person chosen as an emergency contact for the student
  - b) if the student is in out-of-home care or if the student cannot be collected by the parent, until the student is collected by an adult who is residing with and providing care to the student
  - c) until the end of the school day
  - d) in the case of a camp or excursion, if paragraphs (a) or (b) do not apply, until the end of the camp or excursion.
- 1.8 Where requested, the College should provide access to counselling for the student and/or their family/parents/guardians/carers/relevant persons.

### 2. Period of suspension

- 2.1 The maximum continuous period of time a student can be suspended at any given time is five school days, unless a longer period is approved by the MACS Regional Office.
- 2.2 A student cannot be suspended for more than 15 school days in a school year without approval from the MACS Regional Office.



- 2.3 If a student is suspended for a period which is longer than the days left in the term, the Catholic Ladies' College Principal will consider the likely disruption to the student's learning before imposing a suspension that will continue into the following term.
- 2.4 If a student has been suspended for 15 school days in a school year, an expulsion is not an automatic consequence.

### **3. Return to school meeting**

- 3.1 A return to school meeting will be conducted with the family/parents/guardians/carers/relevant persons before the student's return to the College. The student should be present.
- 3.2 The Catholic Ladies' College Principal will inform the family/parents/guardians/carers/relevant persons who will be in attendance at the return to school meeting.
- 3.3 The family/parents/guardians/carers/relevant persons may request that a support person attend the return to school meeting with them. The support person may provide emotional support and reassurance. They are not an advocate. The support person's details must be provided to the Principal prior to the meeting.
- 3.4 The Catholic Ladies' College Principal may decide to extend the suspension if the return to school meeting does not meet the desired outcomes.

## **NEGOTIATED TRANSFER OF STUDENTS POLICY**

### **Context**

When a series of incidents or a significant isolated incident occurs, and pastoral and disciplinary measures (including suspension) have failed to resolve an issue of serious inappropriate student behaviour, a negotiated transfer may be considered.

Negotiated transfer is a documented and mutually agreed move to another school. This may be considered as a way of giving a student a fresh start. It is an option in circumstances where it is judged that the student's present school is not the right environment for the student, that another setting would more suitably meet the student's current and future needs, and be the most appropriate means of providing for the student's wellbeing.

A negotiated transfer of a student can only be authorised by Catholic Ladies' College Principal and will be considered when:

- unacceptable behaviour has occurred or has risen to a level where continued enrolment of the student at Catholic Ladies' College is not in their educational interests or the interests of others in the College community
- the interventions put in place to support the student at Catholic Ladies' College have not resulted in a positive change in behaviour.

The Catholic Ladies' College Principal will consult with the student and their family/parents/guardians/carers/relevant persons on appropriate alternative school settings and, where possible, arrange enrolment with another school. A negotiated transfer will end the enrolment agreement with Catholic Ladies' College and will require enrolment in the new school.

### **Procedures for negotiated transfer**

#### **Authority for negotiated transfer**

Only the Catholic Ladies' College Principal has the authority to negotiate a transfer for a student.

If the Catholic Ladies' College Principal is absent, the responsibility may be delegated to the Deputy Principal or the next senior person on staff to act on their behalf. The Principal should be notified of the negotiated transfer as soon as practicable.

The Catholic Ladies' College Principal is responsible for ensuring all procedures associated with negotiated transfer are followed correctly.

#### **Grounds for negotiated transfer**

The Catholic Ladies' College Principal has authority to negotiate a transfer for a student if the student:

- behaves in such a way as to pose 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, attempts to commit or is knowingly involved in theft of property
- possesses, uses or sells, or deliberately assists another person to possess, use or sell illicit substances or weapons



- 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
- consistently engages in behaviour that vilifies, defames, degrades or humiliates another person
- consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student.

## Application

A negotiated transfer will only be considered if the student is engaged in the behaviour referred to above while at the College, travelling to or from the College, is identifiable as a member of the College community, or while engaged in any College activity away from school (including travel to and from that activity).

## Criminal offences

Some wrongful behaviours of a serious nature are by definition criminal offences. These may include criminal damage of property, possession of a weapon, theft, assault with weapons, use, possession or distribution of drugs. The grounds for negotiated transfer listed above are indicative only and not exhaustive.

When the Catholic Ladies' College Principal determines that a serious criminal offence has occurred, they will be mindful of the School's and MACS' duty of care, including those owed to students who are victims or offenders, and staff. The incident will be reported to the police at the earliest opportunity.

## Process

### 1. Prior to negotiated transfer

- 1.1 The Catholic Ladies' College Principal will identify the family/parents/guardians/carers/relevant persons.
- 1.2 The Catholic Ladies' College Principal will notify the MACS Regional Office.

### 2. Meeting

- 2.1 The Catholic Ladies' College Principal will meet with the family/parents/guardians/carers/relevant persons and student.
- 2.2 In the meeting, the Catholic Ladies' College Principal will:
  - a) advise the student and their family/parents/guardians/carers/relevant persons that they are considering a negotiated transfer (notice must be confirmed in writing or by email within 24 hours)
  - b) outline the grounds for the negotiated transfer that are being considered and the evidence to support a finding that the student has engaged in relevant conduct
  - c) ensure that the student and their family/parents/guardians/carers/relevant persons have the opportunity to be heard
  - d) provide comprehensive advice to the student and family/parents/guardians/carers/relevant persons about the potential options and the benefits a negotiated transfer would provide
  - e) seek agreement from the student and family/parents/guardians/carers/relevant persons for a negotiated transfer
  - f) provide assistance through the MACS Regional Office if a negotiated transfer is desired to another MACS school, but cannot be arranged.

### 3. Decision regarding negotiated transfer

- 3.1 Before arranging a negotiated transfer for a student, the Catholic Ladies' College Principal will:
  - a) properly, fairly and without bias consider all the relevant matters, including the impact of the behaviour of the student on other affected parties, in making their decision
  - b) determine whether the action is appropriate when compared to:
    - the nature of the behaviour in question
    - the educational needs of the student
    - any disability the student may have
    - the age of the student
    - the magnitude and impact of the student's actions
    - the residential and social circumstances of the student.

The Catholic Ladies' College Principal will ensure that principles of procedural fairness are followed in the decision-making process, including that the student and their family/parents/guardians/carers/relevant persons have the opportunity to be heard, any information or documentation provided to the student or their relevant person has been taken into account in making the decision regarding negotiated transfer, and other forms of action to address the behaviour for which the negotiated transfer is considered have been explored.

- 3.2 The Catholic Ladies' College Principal will ensure that they are satisfied that there have been sufficient interventions and strategies used prior to the decision to consider a negotiated transfer and that



documented evidence of those interventions exists.

3.3 Where requested, the College will provide access to counselling for the student and/or their family/parents/guardians/carers/relevant persons.

3.4 The Catholic Ladies' College Principal will inform the MACS Regional Office before arranging a negotiated transfer for any student.

#### 4. Process following negotiated transfer

4.1 Once a decision to proceed with negotiated transfer has been determined, the Catholic Ladies' College Principal will provide the student and their family/parents/guardians/carers/relevant persons with a *Notice of Negotiated Transfer of Students* which will include:

- a) why a change to another setting is being proposed
- b) the other school/setting that would provide an educational program suited to the student's needs, abilities and aspirations
- c) the date of the commencement of the transfer
- d) any additional considerations to support the transition.

4.2 A copy of the *Notice of Negotiated Transfer of Students* will be provided to the MACS Regional Office.

4.3 In the case of a student of compulsory school age (i.e. between six and 17 years of age), the Catholic Ladies' College Principal will ensure that the student is participating as soon as practicable in one or more of the following options:

- a) enrolled in another registered school
- b) enrolled at a registered training organisation
- c) engaged in employment.

4.4 The Catholic Ladies' College Principal will provide the student with meaningful work, and monitor the completion of that work, until one of the options listed in 4.3 is exercised.

4.5 In the case of a student beyond compulsory school age (i.e. over 17 years of age), the Catholic Ladies' College Principal will provide the student and their family/parents/guardians/carers/relevant persons with information about other schools, registered training organisations or employment agencies that may provide suitable opportunities for the student. The Principal will ensure that they are satisfied that the student is engaged in a suitable educational or employment pathway.

4.6 The student is to remain enrolled at their current school until the negotiated transfer process is completed or expulsion is being considered.

4.7 During the negotiated transfer process, if a student is suspended from school, the Catholic Ladies' College Principal will provide them with:

- a) appropriate and meaningful work that is monitored to support ongoing engagement with learning until one of the options in 4.3 is exercised
- b) appropriate wellbeing support, including counselling as deemed relevant, and in consultation with family/parents/guardians/carers/relevant persons. When identifying appropriate wellbeing supports, consideration will be given to the particular circumstances of the student, including whether they are considered vulnerable, and whether they come from a culturally or linguistically diverse background.

## EXPULSION POLICY

### Context

Expulsion of a student from Catholic Ladies' College will only be considered in exceptional circumstances.

Expulsion occurs when, following consultation with the MACS Regional Office, a student's attendance at the College is permanently withdrawn by the Principal.

Expulsion involves the termination of the contract entered into at the time of the enrolment by the family/parents/guardians/carers/relevant persons. The enrolment agreement explicitly records at the time of acceptance of the enrolment of a student that unacceptable behaviour by a child may result in termination of the child's enrolment.

The Catholic Ladies' College Principal will work with the student and their family/parent/guardian/carer/relevant person to arrange enrolment with another school. The Principal will inform and seek assistance from the MACS Regional Office.

### Right of appeal against expulsion decision

Students and their family/parents/guardians/carers/relevant persons have the right to appeal the expulsion decision through the MACS Regional Office. Any review of a decision to expel will reference all relevant records to determine if principles of procedural fairness were followed in the decision-making process.



## **Procedures for expulsion**

### **Authority for expulsion**

Only the Catholic Ladies' College Principal has the authority to expel a student from the College. The Principal may not delegate their power to expel a student.

The Catholic Ladies' College Principal holds the ultimate responsibility for ensuring all processes and procedures associated with expulsion are followed correctly.

The Catholic Ladies' College Principal will consult with the MACS Regional Office about a student's expulsion.

### **Grounds for expulsion**

The Catholic Ladies' College Principal has authority to expel a student if the student:

- behaves in such a way as to pose 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, attempts to commit or is knowingly involved in theft of property
- possesses, uses or sells, or deliberately assists another person to possess, use or sell illicit substances or weapons
- 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
- consistently engages in behaviour that vilifies, defames, degrades or humiliates another
- consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student.

### **Application**

Expulsion will be considered if the student is engaged in the behaviour referred to above while at school, travelling to or from school, is identifiable as a member of the school community, or while engaged in any school activity away from school (including travel to and from that activity).

### **Criminal offences**

Some wrongful behaviours of a serious nature are by definition criminal offences. These may include criminal damage of property, possession of a weapon, theft, assault with weapons, use, possession or distribution of drugs, or sexual assault. The grounds for expulsion listed above are indicative only and not exhaustive.

When the Catholic Ladies' College Principal has determined that a serious criminal offence has occurred, they will be mindful of the College's and MACS' duty of care, including those owed to students who are victims or offenders, and staff. The incident will be reported to the police at the earliest opportunity.

## **Process**

### **Prior to expulsion**

#### **1. Prior to expulsion**

- 1.1 The Catholic Ladies' College Principal will notify the student and their family/parents/guardians/carers/relevant persons and the MACS Regional Office. Any verbal notification will be confirmed in writing or by email within 24 hours.
- 1.2 If the student is an overseas (international) student as defined by their Visa subclass, the Catholic Ladies' College Principal will inform the MACS Regional Office and seek any necessary guidance.

#### **2. Behaviour Support and Intervention Meeting**

- 2.1 The Catholic Ladies' College Principal will convene a Behaviour Support and Intervention Meeting.
- 2.2 The purpose of the Behaviour Support and Intervention Meeting is to:
  - a) advise the student and their family/parents/guardians/carers/relevant persons that expulsion is being considered
  - b) ensure all available supports and interventions to support the behaviours of concern are considered for the student
  - c) outline the grounds for expulsion that are being considered and the evidence to support a finding that the student has engaged in relevant conduct
  - d) ensure the student and their family/parents/guardians/carers/relevant persons have the opportunity to be heard
  - e) consider the impact of the behaviour of the student on other affected parties
  - f) identify the future educational, training and/or employment options most suited to the student's needs and agree on a course of action in the event expulsion is decided.





### 3. Prior to the Behaviour Support and Intervention Meeting

- 3.1 Prior to the Behaviour Support and Intervention Meeting, the Catholic Ladies' College Principal will contact the student and their family/parents/guardians/carers/relevant persons to:
- provide a copy of *Expulsion of Students: Information for Parents/Guardians/Carers/ Relevant Person*
  - advise of the date, time and place for the Behaviour Support and Intervention Meeting
  - encourage them to attend the Behaviour Support and Intervention Meeting
  - advise that if they are unable or unwilling to attend, the student may nominate another adult to attend the Behaviour Support and Intervention Meeting
  - advise of the matters to be discussed at the Behaviour Support and Intervention Meeting, including the impact of key issues on the affected parties
  - advise that they may be accompanied at the Behaviour Support and Intervention Meeting by an independent support person of their choice who is not acting for fee or reward
  - advise that if they do not attend the Behaviour Support and Intervention Meeting, the meeting may proceed in their absence and, if expulsion is decided, the course of action may be determined without the benefit of hearing from them.
- 3.2 The Catholic Ladies' College Principal will determine whether the assistance of an interpreter in any language (including Auslan) is required by any person who is to attend the Behaviour Support and Intervention Meeting and arrange for such assistance to be present at the meeting.
- 3.3 When conducting a Behaviour Support and Intervention Meeting, the Catholic Ladies' College Principal will ensure that the meeting is conducted as informally as possible.
- 3.4 If the student and their family/parents/guardians/carers/relevant persons do not attend the Behaviour Support and Intervention Meeting, the Catholic Ladies' College Principal will ensure that key points discussed at the meeting are recorded in writing and sent to the student and their family/parents/guardians/carers/relevant persons.
- 3.5 Where requested, the Catholic Ladies' College Principal will provide access to counselling for the student and/or their family/parents/guardians/carers/relevant persons with assistance from the MACS Regional Office.

### 4. Decision regarding expulsion

- 4.1 Before deciding to expel a student, the Catholic Ladies' College Principal will:
- properly, fairly and without bias consider all the relevant matters, including the impact of the behaviour of the student on other affected parties, in making their decision
  - determine whether the expulsion is appropriate when compared to:
    - the behaviour for which the student is being expelled
    - the educational needs of the student
    - any disability the student may have
    - the age of the student
    - the magnitude and impact of the student's actions
  - ensure that principles of procedural fairness are followed in the decision-making process, including that the student and their family/parents/guardians/carers/relevant persons have the opportunity to be heard, any information or documentation provided by the student or their family/parents/guardians/carers/relevant persons has been taken into account when making the decision regarding expulsion, and other forms of action to address the behaviour for which the expulsion is considered have been explored.
- 4.2 The Catholic Ladies' College Principal will notify the student and their family/parents/guardians/carers/relevant persons of the decision to expel or not expel the student within 10 business days of the conclusion of the Behaviour Support and Intervention Meeting.
- 4.3 If the Catholic Ladies' College Principal decides to expel the student, they will provide the student and their family/parents/guardians/carers/relevant persons with the following documentation:
- Notice of Expulsion of Students* which must state:
    - the ground/s for the expulsion
    - the reason/s for the expulsion
    - the date of the commencement of the expulsion
    - that the student has a right to appeal the expulsion decision.
  - A copy of the *Expulsion of Students Appeal Information and Form*.
- 4.4 The Catholic Ladies' College Principal will prepare an *Expulsion of Students Report* which will be in writing and contain:
- a short statement of the history of the student's time at school
  - the ground/s for the expulsion
  - the reason/s for the expulsion



- d) considerations in support of the expulsion, including a comprehensive range of strategies which might have been employed
  - e) any considerations of the impact of the behaviour on other affected parties
  - f) any representation made by the student or their relevant person
  - g) a summary of the options considered at the Behaviour Support and Intervention Meeting and why the expulsion was considered necessary
  - h) details of the arrangements that have been made for continuing education, training and/or employment of the student
  - i) recommendations on whether any further action at the School, local, regional or system level is required, including strategies at the School level to prevent the repeat of similar circumstances.
- 4.5 Within one business day of the expulsion taking effect, a copy of the *Notice of Expulsion of Students* and *Expulsion of Students Report* must be provided to the MACS Regional Office.

## Following expulsion

### 5. Process following expulsion

- 5.1 The Catholic Ladies' College Principal will ensure that the student is provided with other educational and development opportunities as soon as practicable after the expulsion, with the assistance of the MACS Regional Office.
- 5.2 In the case of a student of compulsory school age, the Catholic Ladies' College Principal, with the assistance of the MACS Regional Office, will ensure that the student is participating in one or more of the following as soon as practicable:
  - a) enrolment at another registered school
  - b) enrolment at a registered training organisation
  - c) engagement with an employment agency or other organisations that provide services that support the future employment of the student.
- 5.3 In the case of a student of compulsory school age, the Catholic Ladies' College Principal will provide the student with meaningful work from the time of the expulsion until the student is participating in one or more of the options specified in 5.1, and monitor the completion of that work.
- 5.4 The obligations above do not apply if an exemption to compulsory school age under section 2.1.5 of the *Education and Training Reform Act 2006* (Vic.) applies.
- 5.5 In the case of a student who is beyond compulsory school age, the Catholic Ladies' College Principal, with the assistance of the MACS Regional Office, will provide the student and their family/parents/guardians/carers/relevant persons with information about other schools or registered training organisations that may provide suitable opportunities for the student, or employment agencies or other organisations that support the future employment of the student.

## Process for appealing the expulsion decision

### 6. Appeal process

- 6.1 The Director, Learning and Regional Services will designate a Regional General Manager from a different region to oversee the appeal process.
- 6.2 Students and their family/parents/guardians/carers/relevant persons have the right to appeal the expulsion decision through the designated MACS Regional General Manager.
- 6.3 Any review of a decision to expel will reference all relevant records to determine if principles of procedural fairness were followed in the decision-making process.

### 7. Expulsion appeal procedures

- 7.1 A student and their family/parents/guardians/carers/relevant persons should contact the designated MACS Regional General Manager for further advice regarding lodging an appeal against the expulsion decision and the procedure to be followed.
- 7.2 A student and/or their family/parents/guardians/carers/relevant persons may appeal a Principal's decision to expel the student to the designated MACS Regional General Manager on the following grounds:
  - a) there have not been sufficient interventions and strategies utilised prior to the decision to expel where the student has a history of behavioural issues
  - b) the grounds on which the student has been expelled are unfair
  - c) the expulsion process was not followed by the Principal
  - d) other extenuating circumstances.
- 7.3 The *Expulsion of Students Appeal Information and Form* must be received by the designated MACS Regional General Manager within 10 business days of the student and their parents/guardians/carers /relevant person receiving the *Notice of Expulsion of Students*.



- 7.4 The designated MACS Regional General Manager will contact the Catholic Ladies' College Principal and obtain a copy of the following documents within one business day of receiving the *Expulsion of Students Appeal Information and Form*:
- Notice of Expulsion of Students*
  - Expulsion of Students Report*.
- 7.5 The designated MACS Regional General Manager may appoint an Expulsion Review Panel to review the Principal's decision to expel the student, and will notify the MACS Director, Learning and Regional Services that a review panel is being formed.
- 7.6 The designated MACS Regional General Manager will determine to either:
- uphold the decision made by the Catholic Ladies' College Principal to expel the student
  - overturn the decision made by the Catholic Ladies' College Principal to expel the student.
- 7.7 The designated MACS Regional General Manager will notify the MACS Director, Learning and Regional Services of the decision.

## 8. Expulsion Review Panel

- 8.1 Where an Expulsion Review Panel is appointed by the designated MACS Regional General Manager, the panel will:
- provide an opportunity for the student and their family/parents/guardians/carers/ relevant persons to be heard
  - provide an opportunity for the Catholic Ladies' College Principal to be heard – either in person or by some other means considered appropriate by the panel
  - consider the safety and wellbeing of affected parties, including where the expulsion decision may be overturned, relevant to the grounds of the appeal
  - provide an Expulsion Review Panel Report to the MACS Regional General Manager outlining the relevant facts and considerations, and recommending the decision that should be made in relation to the expulsion appeal.
- 8.2 The Expulsion Review Panel will:
- comprise at least three persons who are independent and not associated with Catholic Ladies' College and have no knowledge or other connection to the circumstances of the expulsion
  - not include a person who participated in the Behaviour Support and Intervention Meeting prior to the expulsion.
- 8.3 An Executive Officer must be appointed to assist the Expulsion Review Panel.
- 8.4 The role of the Executive Officer is to:
- liaise with the panel members to determine an appropriate date, time and place to convene an Expulsion Review Panel meeting
  - contact the family/parents/guardians/carers/relevant persons and student and advise them of the following:
    - the date, time and place for the Expulsion Review Panel meeting
    - that they are encouraged to attend the meeting
    - that they may be accompanied at the meeting by an independent support person of their choice who is not acting for fee or reward
    - that if they do not attend the Expulsion Review Panel meeting, the meeting may proceed in their absence, and the Expulsion Review Panel Report to the designated MACS Regional General Manager may be prepared without the benefit of hearing from the student and their relevant person
  - determine whether the assistance of an interpreter in any language (including Auslan) is required by any person who is to attend the Expulsion Review Panel meeting and arrange for such assistance to be present at the meeting
  - ensure that the panel members receive the following documents prior to the Expulsion Review Panel meeting:
    - *Notice of Expulsion of Students*
    - *Expulsion of Students Appeal Information and Form*
    - *Expulsion of Students Report*
  - ensure panel members are fully informed of their role.
- 8.5 The Expulsion Review Panel will provide a completed Expulsion Review Panel Report to the designated MACS Regional General Manager within three business days of the conclusion of the Expulsion Review Panel meeting.
- 8.6 The Expulsion Review Panel Report will be considered prior to making a determination, but the designated MACS Regional General Manager is not bound to follow the recommendations made by the Expulsion Review Panel.
- 8.7 A determination will be made within 10 business days of receiving the expulsion appeal.



- 8.8 The designated MACS Regional General Manager or delegate will verbally notify the student, their family/parents/guardians/carers/relevant persons and the Catholic Ladies' College Principal of the outcome of the appeal within two business days of the decision being made.
- 8.9 The designated MACS Regional General Manager will provide written notification to the student, their family/ parents/guardians/carers/relevant persons and the Catholic Ladies' College Principal of the determination made in relation to the appeal.
- 8.10 A copy of the Expulsion Review Panel Report will be sent to the student, their family/ parents/guardians/carers/relevant persons and the Catholic Ladies' College Principal.
- 8.11 If the designated MACS Regional General Manager overturns the Catholic Ladies' College Principal's decision to expel the student, the Principal will ensure that the following actions are implemented as soon as possible:
  - a) the student is re-enrolled in the School
  - b) the Principal works with the student, their parents/guardians/carers/relevant persons, and the student's teacher/s to develop an *Expulsion of Students – Return to School Plan*
  - c) the record of expulsion is removed from the student's permanent record
  - d) the student and their family/parents/guardians/carers/relevant persons are notified in writing that the expulsion has been removed from the student's record.

### Record keeping

The Catholic Ladies' College Principal is responsible for ensuring all records pertaining to any incident involving expulsion, suspension and negotiated transfers are carefully recorded, filed and retained on the School records, in accordance with Public Record Office Victoria Recordkeeping Standards. In regard to suspension, the details retained will include information on the number, reasons and frequency of suspensions pertaining to the student in order to be able to track the occurrence and nature of suspensions at any point in time.

### Implementation

This policy is implemented by:

- staff professional development opportunities in behaviour management
- monitoring the effectiveness of the policy
- reviewing and evaluating this policy

### Related Policies

Student Behaviour Management (Discipline) Policy

Positive Relationships (Bullying prevention and intervention) Policy