



Suspension and Expulsion

Procedure for suspension or expulsion of a student at Shoal Bay Public School

Update October 2023

Aim of the Procedure

To ensure correct and successful implementation of the Department of Education Policies in regard to student behaviours.

Audience and applicability

All NSW public schools (excluding preschools).

Student behaviour includes behaviour that occurs:

- at school
- on the way to and from school
- on school-endorsed activities that are off-site
- outside school hours and off school premises where there is a clear and close connection between the school and students' conduct
- when using social media, mobile devices and/or other technology involving another student or staff member, where there is a clear and close connection between the school and students' conduct.

Relevant Policies and Procedures

Behaviour code for students

<https://education.nsw.gov.au/content/dam/main-education/policy-library/public/supporting-documents/behaviourcodestudents.pdf>

Suspension and Expulsion of Students

<https://education.nsw.gov.au/policy-management-schools/revised-policies/student-behaviour/suspension-and-expulsion>

Supporting your child's wellbeing during suspension

https://education.nsw.gov.au/content/dam/main-education/student-wellbeing/attendance-behaviour-and-engagement/student-behaviour/behaviour-support-toolkit/parents/Wellbeing_Tip_Sheet.pdf

Roles and Responsibilities

School Performance, including Directors, Educational Leadership and Team Around a School:

- provide proactive and responsive specialist advice and support for schools
- ensure schools have access to quality assured professional learning
- monitor policy implementation and support provision.

Principals:

- lead the school community in developing and successfully implementing the school behaviour support and management plan and facilitate its annual review
- promote whole-of-school positive student behaviour approaches and inform staff, including new and casual staff, about their responsibilities
- provide teachers and other school staff with support and professional development regarding positive behaviour management approaches and behaviour interventions

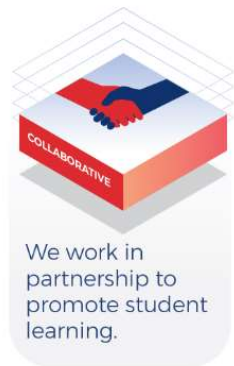
- implement these procedures in consultation with school staff, students, and parents or carers, including determining appropriate behaviour support and management interventions, where necessary
- collect and retain information on student behaviour, including actions taken to support and manage individual student behaviour, support strategies implemented and/or reasonable adjustments required (with support from school staff)
- monitor school-level data and information to identify patterns of student behaviour, including bullying behaviour, and initiate school action to respond (with support from school staff).

School executive, teachers, school learning support teams and school support staff:

- proactively manage student behaviour by accessing school and system supports for the school and/or student, as early as possible
- promote and model inclusive, respectful and culturally responsive school practices
- promote school culture where bullying is not acceptable, and teach students to identify, report and respond to bullying at school and online
- respond to and report any instances of (unacceptable) student behaviour
- support parents or carers and students to understand expectations and possible strategies to support positive behaviour and prevent, reduce or address behaviour/s of concern
- participate in professional training and development on the implementation of these procedures.

Parents or carers:

- work in partnership with the school to support their child to behave positively and respectfully, and in resolving issues about their child's behaviour, communicate with school staff and the school community respectfully and collaboratively as consistent with the [School Community Charter](#).



Students:

- model as outlined in the [Behaviour Code for Students](#).

expected behaviour

1. Formal caution

To maintain high standards of student behaviour, schools should communicate regularly to the school community the expectations articulated in the department's Behaviour Code for Students and the school behaviour support and management plan. There may be circumstances where an individual student's behaviour is of such concern that formal communication with parents or carers will be required. If such behaviour persists, the principal can issue a formal caution of suspension, in writing, to the parents or carers.

The purpose of the formal caution 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.

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 Director, Educational Leadership.

There will be circumstances where a principal may determine that a student must be suspended without first issuing a formal caution to suspend due to immediate and significant risks to students or staff, or unacceptable risks posed to teaching and learning, that cannot be mitigated with the student at school. (See section 2.1 Grounds for suspension).

2. Suspension

There will be cases of unacceptable behaviour where a student may need to be removed from the school for a period of time. Suspension is an action available to the principal in these situations.

The purpose of the suspension is to allow the school to implement appropriate supports during the student's absence to address the student's complex and challenging behaviour or behaviours. This is to ensure a successful return to school, and mitigate any unacceptable risks posed to teaching and learning, and the health, safety and wellbeing of staff and/or students.

2.1 Grounds for suspension

Principals can use suspension as a behaviour management intervention when a behaviour or behaviours of concern pose an unacceptable risk to others or to teaching and learning. When assessing grounds for suspension, principals should consider the diverse learning and wellbeing needs of students, including developmental age, trauma, child protection concerns, cultural considerations, disability and individual needs and circumstances.

Principals can suspend a student engaging in behaviour or behaviours of concern on grounds that could include but are not limited to:

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

Due to the immediate and/or significant risk of harm to students or staff, it is important principals consider issuing an immediate suspension to any student who engages in serious behaviour or behaviours of concern that could include but are not limited to:

- being in possession of, uses or supplies tobacco, vaping devices, alcohol and e-cigarettes
- being in possession of, uses or supplies a suspected illegal/restricted substance
- being in possession of, or using weapons including knives (excluding Kirpans, in line with guidance set out in [Legal Issues Bulletin 22 – Knives in schools](#)) and firearms
- using an implement as a weapon
- seriously threatening or engaging in physically violent behaviour
- engaging in serious criminal behaviour related to the school
- 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. See definition.

2.2 Duration of a suspension

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.

The duration can be:

- up to 5 consecutive school days for students in Kindergarten to Year 2
- up to 10 consecutive school days for students in Year 3 to Year 12 (If a student is suspended for 3 days at a shared site that they only attend one day a week, then the period of the suspension is from the starting date for 3 consecutive school days. It is not for 3 weeks as they only attend one day a week).

Where a principal originally issues a suspension with fewer days than up to 5 for Kindergarten to Year 2 and 10 for Years 3 to 12, they may increase the length of the suspension up to those maximum days if required without it being considered an extension.

However, if the number of consecutive school days are insufficient to implement appropriate supports for the student, the principal can extend the suspension for up to 5 additional school days.

This would extend the suspension to:

- 6 to 10 school days for students in Kindergarten to Year 2
- 11 to 15 school days for students in Years 3 to 12.

2.5 Resolving the suspension.

Principals must attempt to resolve the suspension and return the student to school on or before the concluding date of the suspension.

Wherever possible, a face-to-face meeting should be held to resolve the suspension and return the student to school. Other meeting formats may be appropriate in some situations. This must include the principal or their delegate, the student and a parent or carer. The principal, or their delegate, may invite other key personnel. The student and/or parents or carers may also invite a support person.

The purpose of the meeting is to discuss the student's behaviour and plan supports and management strategies to enable the student's successful return to school. Depending on student factors, such as developmental age, trauma, child protection concerns, cultural considerations, disability and individual needs and circumstances, the principal or their delegate may interview the student in the presence of their parent or carer and/or support person to ascertain that the student:

- has a clear understanding of the reasons for the suspension and how their actions did not meet the standards of the department's Behaviour Code for Students
- understands the impacts their behaviour had on others
- has reflected on strategies to avoid any repetition of this unacceptable behaviour in the future.

A successful return to school will involve:

- documenting outcomes from the meeting, with a copy provided to the student and parent or carer, to support the student's ongoing wellbeing and learning needs, including regular monitoring and mentoring, with clear goals and explicit strategies
- where required, a risk assessment to minimise and manage the physical and psychological hazards that the student may pose to themselves, students, staff, or other persons.

A successful return to school may involve:

- referral to and assessments by the school's learning and support team
- referral to and ongoing support from the school counselling service staff.

5. Appeals

Appeals against suspension and expulsion decisions can be made where a student or their parent or carer believe departmental policy and procedures have not been followed correctly and/or an unfair decision has been made.

Appeals should be in writing and clearly state the reasons for the appeal. If a parent or carer needs assistance in completing an appeal form, assistance should be provided (see section 5.3 Assistance with lodging an appeal).

An appeal can only be made against the original decision to suspend or expel. Formal cautions and/or a decision to extend a suspension cannot be appealed.

Form to Appeal

https://education.nsw.gov.au/content/dam/main-education/student-wellbeing/attendance-behaviour-and-engagement/student-behaviour/behaviour-support-toolkit/parents/Form_to_appeal_of_suspension_or_expulsion_decision.pdf



Shoal Bay Public School Checklist: Suspension of student/s

Suspension Details

Date: _____ **Time:** _____ **Teacher:** _____

Child/ren involved: _____

Brief Description:

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Procedure/Checklist

Tasks	Date/time	Initials
1. Teacher/Staff member intervenes, separates students, ensures safety, notifies AP		
2. AP investigates incident and gets witness statements		
3. AP determines against policy if it is to be reported to Principal with the possibility of suspension		
4. AP discusses incident with Principal ~ decision made (Yes/No)		

If suspension to be given:

5. Principal conducts pre-suspension meeting with child &/or parent or support person		
6. AP and/or Principal to contact parents		
7. Principal completes paperwork on Sentral and EBS4		
8. Letter, school welfare policy and suspension information document given to parent		
9. Principal to contact units/outside agencies (if necessary)		
10. Principal to inform: Teacher necessary) personnel	<input type="checkbox"/> Classroom <input type="checkbox"/> SAO <input type="checkbox"/> Executive staff <input type="checkbox"/> LST <input type="checkbox"/> All school staff <input type="checkbox"/> School Counsellor <input type="checkbox"/> Director (if <input type="checkbox"/> Other DoE	
11. Principal to organise post suspension meeting	<input type="checkbox"/> Date set <input type="checkbox"/> Staff informed <input type="checkbox"/> Meeting held	
12. Suspension resolved Sentral		
13. Paperwork filed (teacher notes and witness statements in TR folder, copy of suspension letters and meeting notes in Principal filing cabinet)		

Outside agencies

Phone #	Agency	Name of person spoken to	Date	Time
1800 811 523	ISU (Incident Support Unit)			
9269 9400	CWU (Child Wellbeing Unit)			
1800 811 523	WHS			
0432 039 530	AEO/ACLO			



SHOAL BAY PUBLIC SCHOOL

**Pre suspension Meeting
(SENTRAL)**

Date:

Time:

Parent / Carer / Other:Phone Contact:

Student /s & Class / s:

Notes/Information

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Actions

Who/When

Actions	Who/When
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Student: _____ Parent/Carer Signature: _____

Principal: _____ Date: _____



SHOAL BAY PUBLIC SCHOOL
Suspension Resolution Meeting

Student:

Resolution Meeting Date:

Reason for Suspension:

Date of Suspension:

Last Date for Resolution:

Present at meeting:

Key Concerns:

Action	Who	Follow up date

Meeting comments

SHOAL BAY PUBLIC SCHOOL

Post Suspension Readmission Agreement

Name:	Date:	Re-entry date:	D.O.B:
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I have participated in a successful post suspension interview for return to school. I understand that I must accept responsibility for my learning and meet the school's expectations concerning learning, behaviour & attendance. I agree to follow all school rules:

Positive Behaviour for Learning (PBL)

At Shoal Bay Public School, we demonstrate our PBL Values: RESPECT, RESPONSIBILITY and EXCELLENCE in all settings

RESPECT: Respect involves everyone being polite and respectful to each other, their belongings, and the environment.

RESPONSIBILITY: Responsibility involves being a dependable and reliable person that is committed to keeping themselves safe, following through their obligations and taking responsibility for their actions.

EXCELLENCE: Excellence involves everyone being active learners who are prepared for learning and strive to achieve their personal best.



I _____ understand that I am required to follow the school rules and Instructions of teachers or further action may be required. This may be in the form of suspension.

Student:	Parent/s:
Principal:	Date:

Behaviour code for students

Information for students and parents or carers

NSW public schools are committed to providing safe, supportive, and responsive learning environments for everyone across a range of settings. We teach and model the inclusive and safe behaviours we value in our students.

In NSW public schools students are expected, to the best of their ability, to:

- show respect to other students, their teachers and school staff and community members
- follow school and class rules and follow the directions of their teachers
- strive for the highest standards in learning
- act in a courteous and respectful way that makes all members of the school community feel valued, included and supported
- resolve conflict respectfully, calmly and fairly
- meet the school's agreed uniform policy or dress code
- attend school every day (unless legally excused)
- respect all property
- be safe and not be violent or bring weapons, illegal drugs, alcohol, vapes, e-cigarettes or tobacco into our schools
- not bully, harass, intimidate, or discriminate against anyone in our schools.

Schools take action in response to behaviour that is detrimental to self or others or to the achievement of high-quality teaching and learning.

All students have a right to:

- safety at school
- access and fully participate in their learning
- be treated with respect by other students, teachers and school staff
- express their views, set goals and self-advocate.

The principal and school staff, using their professional judgment, are best placed to maintain discipline and provide safe, supportive and responsive learning environments and apply an appropriate action when students are not meeting these expectations. The department is responsible for the provision of a policy framework and resources such as legal issues bulletins, access to specialist advice, and professional learning to guide principals and their staff in exercising their professional judgment. In this context, the NSW

Government and the Department of Education will back the authority and judgment of principals and school staff at the local level.

Behaviour code for students: Student actions

Promoting the inclusion, learning, wellbeing, and safety of all students in NSW public schools is a high priority for the Department of Education.

We implement teaching and learning approaches across a range of settings to support the development of skills needed by students to meet our high standards for respectful, safe and engaged behaviour.

To meet the expectations set out above, students in NSW public schools, to the best of their ability, should adhere to the following principles.

Respect

- Treat one another with dignity.
- Communicate and behave courteously.
- Act and work cooperatively with other students, teachers, and school staff.
- Develop positive and respectful relationships.
- Value the interests, ability and culture of others.
- Respect the learning needs of other students.
- Dress appropriately by wearing the agreed school uniform or dress code.
- Take care with school property and the property of staff and other students.

Safety

- Model and follow school and class rules and expectations around behaviour and conduct.
- Negotiate and resolve conflict.
- Be aware of and take responsibility for how their behaviour and actions impact others.
- Care for self and others.
- Be safe and help others to make safe choices that do not hurt themselves or others.

Engagement

- Arrive at school and class on time.
- Be prepared for every lesson.
- Actively participate in learning.
- Aspire and strive to achieve the highest standards of learning.