



# Formal student behaviour sanctions procedure

## Purpose

This procedure includes and describes the formal student behaviour sanctions that can be applied in Toowoomba Catholic schools.

## To whom it applies

All schools and the Toowoomba Catholic Schools Office are to follow this procedure.

## Related policies

Student behaviour support policy

## Definitions

**Detention:** A detention is any period when a student is required to remain at school or in a particular location or in an activity, in 'non-class' time, such as recess, lunchtime, recreation time, after school, or non-school days.

**Suspension:** Suspension is the temporary, full-time or part-time withdrawal of a student's right to attend school and/or school related functions for a defined period of time.

**Exclusion:** Exclusion is the full-time withdrawal of a student's right to attend a particular school and school related functions, on the authority of the Executive Director: Catholic Schools. Exclusion from one school does not prohibit the enrolment of the student in another Toowoomba Catholic school, unless the student has been specifically prohibited by the Executive Director: Catholic Schools from attending all Toowoomba Catholic schools.

## Procedures

### Detention procedure

The use of detention as a method of managing student behaviour is at the discretion of each school, however, if detention is to be used, the following procedure must be applied.

1. The principal of a school, if satisfied that a student has behaved in an inappropriate manner, may impose a detention on that student.
2. This authority may also be delegated to teaching staff in accordance with each school's Student Behaviour Support Plan.
3. The student must be adequately supervised for the entire period of detention (what is adequate will depend on the student's age, stage of development and any special needs).
4. The student's safety and wellbeing needs must be addressed, and the student must be given appropriate access to food, drink facilities and toileting facilities.
5. If the detention is to occur after normal school hours, the parents/carers of the student are to be given adequate notice and the school is to be informed of the arrangements in place for the student's travel from school to home. If detention will jeopardise a student's safe transport home, the detention should be postponed until alternative arrangements can be negotiated with the student's parents/carers.
6. During a detention the time must be used to complete school work and positively to repair relationships, use restorative practices, make plans for appropriate behaviour and/or rehearse alternative behaviours.

7. The staff member supervising detention must have received training to enable them to fulfil the requirements of 6.
8. The place in which the detention takes place is not to be so public that it makes an example of the student (such as outside the principal's office) and the student must be readily observable and supervised by an appropriate member of the school staff.
9. The student should understand that return to class is contingent on a negotiated agreement to behave in an appropriate way.
10. Interaction between a student and the supervising staff member should be emotionally neutral: the aim should be for the student to devise a plan that negotiates re-admission to class.

## **Suspension procedure**

### **Purpose of suspension**

1. The purpose of suspension is to
  - a. signal that the student's present behaviour is not acceptable
  - b. allow a cooling-off period and time to muster school and/or Toowoomba Catholic Schools resources, and also set in motion a plan for assisting the student to demonstrate appropriate behaviour
  - c. establish a negotiation process for the student's re-entry to the school, based on the student achieving some explicit goals related to improved behaviour
  - d. ensure that the student's parents/carers are aware of the seriousness of the student's behaviour and are involved in the process of negotiation for re-entry
  - e. protect the right of staff and students to establish environments that promote a positive learning environment for all

### **Delegations to suspend**

2. The principal of a Toowoomba Catholic Schools school may suspend, full-time or part-time, a student from a school for a period up to ten (10) school days or part thereof, if satisfied that the student has behaved in an inappropriate manner, or if the principal believes that the student's attendance poses an inappropriate risk to members of the school community.
3. In the absence of the principal of the school, the principal may delegate this authority to other members of the school's leadership team.
4. Any single suspension cannot exceed ten (10) school days without being referred to the Director: Teaching and Learning.

### **Reasons for suspension**

5. Suspension may occur, if so decided by the school principal or delegate, after he/she has:
  - a. ensured that other appropriate and available student behaviour support strategies and discipline options have been applied and documented
  - b. ensured that other appropriate support personnel available, both within the school system and externally, have been involved
  - c. taken reasonable steps to ensure that discussion appropriate to the circumstances has occurred with the student and/or parents/carers regarding specific misbehaviour that the school finds inappropriate and which may lead to suspension
  - d. recorded all action that have been taken
6. Principals may suspend, consistent with these procedures, where behaviour includes the following:
  - a. persistent non-compliance: students, who in their relationships with staff, are persistently disobedient, insolent or engage in verbal harassment and abuse

- b. persistent disruption: students who persistently disrupt and prevent the learning and teaching of others
- c. breach of school's Student behaviour support procedures: students who seriously breach the school's published rules and regulations

7. Suspension is not to be used as response to poor attendance.

### **Length of suspension**

- 8. Suspension can be part-time, in which event the student is not permitted to attend school for certain times of the day or certain days of the school week. Part-time suspension should not span more than ten (10) school days in total.
- 9. Any single suspension cannot exceed ten (10) school days without being referred to the Director: Teaching and Learning.
- 10. Indefinite suspension, where the student is continually re-suspended is not acceptable.

### **Communicating with parents/carers re suspension**

- 11. Notification can take place by phone in the first instance; this must be followed by a written notification within a reasonable time period.
- 12. In all cases, the notification is to indicate:
  - a. the reasons for the suspension
  - b. advise the length of the suspension, the expected return date and the conditions to be met to enable return
  - c. outline the responsibility of parents/carers for the care and safety of the student who is under suspension
  - d. indicate the importance of parents working cooperatively with the school in resolving the matter
  - e. request a parental conference at the school
  - f. refer parents/carers to the school's published Student Behaviour Support Plan.
- 13. A student may not be sent out of school before the end of the school day without a parents/carers being notified, and, if necessary, agreement reached about arrangements for collecting the student from school.
- 14. The student and parents/carers are to be given the opportunity to respond.
- 15. In discussing the conditions relating to the suspension with the parents/carers, their responses are to be taken into consideration.
- 16. Some situations may require discussions about continued access for the suspended student to attend school-based activities, such as apprenticeships or traineeships. Students attending special programs, such as school based apprenticeships or training, are not automatically precluded from attending their program if they are suspended. This will be determined by the school, parents and the training provider. The determination should occur before the student is next due to attend the program.
- 17. A school is not obliged to provide a student with schoolwork during suspension; however, principals may provide such work if they consider it appropriate to do so.
- 18. Principals are to reinforce with parents/carers that during the suspension they have responsibility for their children and are required to provide appropriate supervision. Therefore, their child may not attend school or school-related functions.
- 19. In a situation where parents/carers refuse to accept responsibility for their child during suspension (for example, by continuing to send the child to school), the principal should inform the Senior Education Leader.
- 20. During the suspension, a re-entry conference to determine the re-entry procedure for the student is to take place in the school and is to be facilitated by the principal.
- 21. The principal is to discuss re-entry procedures with the class teacher/s.

22. In instances where there has been a problematic relationship between a parents/carers and the school, the principal may find it beneficial to call upon a third party such as the Senior Education Leader or school counsellor, to facilitate the meeting.
23. If, despite the school's requests, parents/carers are unwilling to attend a re-entry meeting, the principal should refer the matter to the Senior Education Leader. Alternative options are then to be considered to facilitate the student's return to school or the Senior Education Leader, in consultation with the Director: Teaching and Learning, may consider commencing proceedings for exclusion.

### **Immediate suspension**

24. Principals may suspend immediately any student whose behaviour includes the following, but is not exclusive to:
  - a. possession of alcohol or a suspected illegal drug; the matter should also be reported to the police.
  - b. violence or threat of serious physical violence against another student or member of the school community, or themselves; this should also be reported in accordance with Student Protection processes and guidelines
  - c. concerning or serious sexual behaviour: this should also be reported in accordance with Student Protection processes and guidelines
  - d. possession of a weapon or knife; the matter should also be reported to the police
  - e. verbal abuse: principals should take developmentally appropriate expectations into account in relation to verbal abuse by a student.
25. If an immediate suspension is determined, the principal must notify the parents/carers following steps 11-13 of the Suspension procedure and maintain records as described in steps 25-29 of the Suspension procedure.

### **Record keeping**

26. As soon as is practical after a suspension takes place, the principal is to ensure that a full report is written on the background and reasons for suspension, with the period of suspension clearly specified.
27. A copy of the principal's letter to the parents/carers or record of the conversation between the principal and the parents/carers should be attached to the report.
28. Copies of the report and attached letter/record of conversation should be placed on the school file, and placed in the student's file.
29. For a suspension of one or two days, reporting remains in the school.
30. For a suspension of longer than two days, principals should notify the Senior Education Leader. A copy of all correspondence between the principal and parents/carers is to be provided to Senior Education Leader.

### **Exclusion**

#### **Purpose of exclusion**

1. The purpose of exclusion is to
  - a. signal that the student's behaviour is not accepted in a particular school because it seriously interferes with the safety and wellbeing of other students or staff
  - b. remove the student from an established environment in which inappropriate behaviour patterns have become entrenched
  - c. provide the student with an opportunity for a fresh start in another school, which may prove to be better suited to the student's needs; and
  - d. give an opportunity for respite and relief to a school that has done everything in its power to support the student.

## Delegation to exclude

2. A principal may, in consultation with the Senior Education Leader make a submission to the Director: Teaching and Learning, recommending the exclusion of a student from a Toowoomba Catholic school.
3. The Director: Teaching and Learning, will, in turn, forward this submission with his/her own recommendation to the Executive Director: Catholic Schools for decision.

## Reasons for exclusion

4. The Executive Director: Catholic Schools may approve a recommendation for exclusion where there is evidence that the school has, over an extended period, consistently applied and reviewed appropriate individual behaviour support and/or intervention plans.
5. The exception is when the student's behaviour has been so extreme, such as the committing of a serious illegal act, that immediate exclusion may be judged to be necessary.

## Exclusion procedure

6. When considering the exclusion of a student, the principal must:
  - a. consult with the Senior Education Leader
  - b. place the student on suspension for the maximum period of ten (10) school days pending the outcome of the decision to exclude. This action should be taken irrespective of any action by another agency, including the Queensland Police Service
  - c. notify the student and the parents/carers that the initial period of suspension will be for ten (10) school days, but that exclusion from the school is being considered, giving reasons for the proposed action and allowing seven (7) school days for the student, parents/carers to respond
  - d. provide the parents/carers, or student (if the student is living independently) with a copy of all the documentation on which the proposal to exclude is based (while mindful of protecting the anonymity and privacy of possible complainants and/or witnesses)
  - e. the principal may exercise discretion to remove the names or other identifying information of complainants or witnesses, provided it does not affect the ability of the student or parent to respond to the proposal to exclude; this consideration will be unique in each case and guidance should be sought from the Senior Education Leader
  - f. consider any response from the student and parents/carers before formulating a recommendation to the Director: Teaching and Learning
  - g. request a meeting with the student's parents/carers to outline the next steps in the decision to exclude and the reasons for the recommendation
  - h. provide the parents/carers with information about the implications of exclusion, their right to appeal, and the appropriate procedures for submitting an appeal
  - i. reports and documentation re a suspension, as part of an application for exclusion need to be maintained in the schools and provided to the Senior Education Leader
  - j. forward the recommendation and documentation to the Senior Education Leader.
7. The Senior Education Leader is to forward the recommendation and documentation to the Director: Teaching and Learning for consideration.
8. The Director: Teaching and Learning is to forward their recommendation to the Executive Director: Catholic Schools, for determination.
9. The Executive Director: Catholic Schools is to consider the application for exclusion and may
  - a. consult with the principal, Senior Education Leader and Director: Teaching and Learning
  - b. provide an opportunity for the student and the student's parents/carers to be supported by a designated person/s.
10. While consideration of exclusion from a Toowoomba Catholic Schools school is being made, the student will remain on suspension.



11. A decision will be made as soon as practicable following the submission reaching the Executive Director: Catholic Schools.
12. This procedure may, in extenuating circumstances, lengthen the suspension period beyond 10 days.

### **Negotiated change of school procedure**

1. In some circumstances, a change of school to another Catholic school, to a school in another sector, or to an alternative educational setting, may be agreed to be the most appropriate means to responsibly support a student's wellbeing and/or learning needs.
2. Negotiated change of school for a student may also be an appropriate method to protect the wellbeing of a school community (for example, when a student's continuing presence poses a danger to that community's safety).
3. Schools are to document any discussions in relation to a negotiated change of school.
4. The principal should provide the parents/carers with an opportunity to discuss the implications of the negotiated change of school, and provide the parents/carers with information about why the change is being proposed.
5. The following matters should be considered:
  - the environment that would best provide for the student's learning, personal, social, emotional and spiritual needs
  - which school would provide an educational program suitable to the student's needs, abilities, and aspirations
  - the process by which the change is to be negotiated
  - the support required by the student and parents to make the transition
  - to include all considerations, determinations and communications in a documented record.
6. If a negotiated change of school cannot be achieved, the student should remain enrolled at their current school, unless the circumstances require a recommendation to the Executive Director: Catholic Schools for exclusion.

### **Appeals procedure – suspension and exclusion only** **Against suspension**

1. Appeals by parents/carers, or students living independently, are to be made to the principal of the school in relation to a decision to suspend a student for less than three (3) days; appeals against suspensions of more than three (3) days are to be made to the SEL through the principal.

**Please note:** An appeal does not suspend the operation of the suspension.

2. The principal of the school is to request the appeal in writing, and ask that it include the grounds on which the appeal is being made.
3. A parent/carer or independent student is to be given assistance, if required, to help with the appeal. A support person could assist the parent/carer to understand their right to, the procedure for lodging an appeal.
4. The school should ensure that parents/carers and students have access to appropriate paperwork and assistance to complete the paperwork, if necessary.
5. Alternative options to respond must be considered.
6. In both instances, the principal or SEL is to:
  - a. ensure, if possible, that the appeal is determined within two (2) school weeks of it being lodged
  - b. ensure that communication lines are maintained with the person or persons making the appeal and that they are informed of progress
  - c. review all relevant material

- d. ensure that appropriate material and information is made available to the parent/carer or student
- e. discuss relevant issues with the person or persons making the appeal and any other parties, as appropriate
- f. advise in writing all the parties of the decision and the specific reasons for the decision
- g. where an appeal against a suspension is upheld, decide an appropriate resolution.

### **Against exclusion**

1. Appeals by parents/carers, or students living independently, against an exclusion are to be made to the Executive Director: Catholic Schools.
2. The Executive Director: Catholic Schools is to appoint a suitable person or persons to review the decision.
3. The person or persons is to:
  - a. ensure, if possible, that the appeal is determined within four (4) weeks of it being lodged
  - b. ensure that communication lines are maintained with the person or persons making the appeal and that they are informed of progress
  - c. review all relevant material
  - d. ensure that appropriate material and information is made available to the parent/carer or student
  - e. advise in writing all the parties of the decision and the specific reasons for the decision.
4. If the appeal is successful, the Executive Director: Catholic Schools consideration is to be giving to re-instating the student's enrolment and the conditions of this enrolment; this is to be done in discussion with the parents/carers, student and principal.

### **Authority**

The Formal student behaviour sanctions procedure is the responsibility of the Director: Teaching and Learning. Any changes to this procedure can only be made with approval of the Director: Teaching and Learning or the Executive Director: Catholic Schools.

### **Version control and change history**

#### **Effective date**

13/04/2018

#### **Review date**

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