

# Sacred Heart College



## Yarrowonga

### PC 26.0

## Expulsion Policy

Ratified by Leadership	10/09/2019
Responsibility for currency	Principal
Year for next major review	2022
Record of revisions	

## **RATIONALE**

This Policy sets out how the College, when faced with behaviour of such magnitude, manages the expulsion of a student.

## **COMMITMENT TO CHILD SAFETY**

All students enrolled, and any child visiting, have the right to feel safe and to be safe. The wellbeing of children in our care will always be our first priority and we have zero tolerance to child abuse. We aim to create a child safe and child friendly environment where children feel safe and are free to enjoy life to the full without any concern for their safety.

## **INCLUSIVE EDUCATION**

Sacred Heart College:

- Is committed to ensuring that students with disabilities are not discriminated against and are accommodated to participate in education on the same basis as their peers,
- acknowledges and responds to the diverse needs, identities and strengths of all students,
- students with disabilities and additional needs are treated with respect and are involved in making decisions about their education
- will make reasonable adjustments, where necessary, to accommodate students with disabilities or additional needs.

A positive classroom environment is fostered contributing to positive attitudes and beliefs about disability, positive learning, engagement and wellbeing outcomes for all students.

## **IMPLEMENTATION**

On rare occasions, an individual student's behaviour may compromise the health, safety and wellbeing of other students and staff at the school. When a behavioural incident is of such magnitude that an expulsion is considered, it is important that a transparent, fair and supportive process is in place, with appropriate checks and balances at each stage. Expulsion may be considered if a 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 or attempts to commit or is knowingly involved in the 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 based on age; breastfeeding; gender; identity; impairment; industrial activity; lawful sexual activity; marital status; parental status; physical features; political belief or activity; pregnancy; race; religious belief or activity; sexual orientation; personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes;
- Consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student.

## **Discernment Process**

Expulsion will occur when a student's attendance at Sacred Heart College has been permanently withdrawn, and the contract entered into at the time of enrolment with the parents/carers, has been terminated.

The following process must be followed before the expulsion of a student:

- The Canonical Administrator and the Director of Catholic Education are notified of expulsion as being a possible course of action.
- The Director of Catholic Education appoints a nominee, usually an educational consultant, to review with the Principal all current support mechanisms in place and to explore additional options for the student.

These would include:

- Review of the Behaviour Management Plan to explore ways in which it can be modified or developed.
- Review by the Leadership Team to explore additional means of supporting the student.
- Exploring different modes of education which are available in the community including employment, learning at home, online learning, out of school hours learning opportunities, TAFE, flexible learning settings, etc. and the opportunities for the student in one or more of these.
- Formal opportunities for the student and/or parents/guardians to respond to the circumstances, to outline their hopes for the future and to explore further options.
- Review of the restorative practices that are in place in the community.
- The identification of external sources of professional advice the parents may seek.
- In circumstances where all of the above have been explored, expulsion can only proceed in consultation with the Director's nominee and after notification of the Canonical Administrator, the Director or the relevant congregational authority. This process requires a thorough briefing by the Principal and the Director's nominee.

### **Notification of Expulsion**

A formal Notice of Expulsion is provided to the parent(s)/guardian(s) of the expelled student. This is formally recorded on the school files. The Notice of Expulsion is to be issued before or on the day the expulsion is to commence. The notice needs to include:

- The reason(s) for the expulsion
- The commencement date of the expulsion
- Details of the Appeal process

### **Appeal Process**

Parent(s)/guardian(s) may, within ten (10) days, lodge a formal appeal. When a student is living independently from their parent(s)/guardian(s) the student also has the right of appeal.

Valid grounds for appeal are that:

- Proper procedures were not followed by the school in matters related to the expulsion decision, and/or that
- The full details of the case were not investigated at the time (additional details to be provided), and/or that
- The decision was too severe, and/or that
- The decision was unjust

The appeal must be in writing to the Director of Catholic Education. Upon receipt of this appeal notice the authority will appoint an independent person (a person of appropriate educational, legal or leadership experience not employed by any school or agency of the Sandhurst Diocese) agreed by both parties to investigate and decide the appeal.

When the process has been completed the independent person will deliver their findings to the Director of Catholic Education or the Congregational authority who will directly notify the principal

and person(s) who made the appeal. If the grounds on which the appeal was made are found true, the expulsion will be repealed. Otherwise the expulsion will remain. The decision will be final and is not subject to further appeal with the Catholic Education System.

### **Following an Expulsion**

The principal, in collaboration with the CEO, will work to identify a new setting for the student and plan for transition that best suits the student's needs.

Where a student who is under seventeen is expelled, the school will notify the DEECD Regional Director by completing a DEECD Exit Form and providing a copy for the Regional Office and for the student/family.

### **REVIEW**

This policy is to be reviewed at least every three years.

Initially Ratified:	10 September 2019
Next Review to be Completed:	2022