



POLICY STATEMENT:

Ballarat Grammar's expectations regarding behaviour are drawn from its Anglican values which promote positive relationships. Policies on behaviour provide a framework on which to build a secure, happy and compassionate environment for the enjoyment and benefit of every student. All members of the School community are encouraged to accept responsibility for their own actions, consider their behaviour towards others and respect authority. Suspension or expulsion may occur as a consequence of a serious breach of the Schools rules, or serious and ongoing disobedience, where other consequences have been exhausted or are inappropriate.

This policy outlines the procedures to be followed when making a decision regarding the suspension or expulsion of a student.

DETAIL:

Definitions:

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.

Expulsion- is the cancelling of the enrolment of a student, resulting in the permanent removal of a student from the School.

Part 1- Scope

1. This Policy must be read in conjunction with the School's Behavioural Expectations and the School Expectations.
2. This Policy should only be implemented after the steps outlined in the Student Planner have been followed, or if the behavior requires more serious consequences.
3. This Policy applies to any situation where a student is in a school environment or representing the school. This includes but is not limited to attending school, travelling to or from school, engaging in any school activity away from school or wearing school uniform.
4. This Policy is communicated to the Ballarat Grammar Community via Nexus and documented in the student diary.

Part 2- Procedure

1. If a teacher or staff member believes that an act or behavior of a student may warrant suspension or expulsion, the teacher or staff member must refer the matter along with all relevant information to the student's Year Level Co-ordinator and Deputy Headmaster for their consideration and unbiased decision making.
2. A Senior Staff Member will commence a robust and independent internal investigation into the incident, which may include the following:
 - 2.1 Obtaining a written statement from the student;
 - 2.2 Standing the student down from attending school for their own physical and emotional wellbeing, if the Senior Staff Member finds convincing evidence of a serious incident;
 - 2.3 Collecting as many different perspectives as is reasonably practical regarding the incident; and





- 2.4 Telephoning the student's parents/guardians to inform them of the School's understanding of the incident.
The investigation should take no more than 5 business days.
3. Where grounds for suspension or expulsion have been established, a meeting, involving the student, their parents/guardian, a support person (at the student's discretion), the Headmaster, an interpreter, (if one is required) and key staff will be set up. The meeting must include the following:
- 3.1 The Senior Staff Member presenting the School's understanding of the incident based on their investigation;
 - 3.2 Provide the student the opportunity to correct the School's understanding of the incident and present any further evidence of mitigating circumstances;
 - 3.3 Provide the student's parents/guardians the opportunity to correct the School's understanding of the incident and present any further evidence of mitigating circumstances;
 - 3.4 Provide the student and the student's parents/guardians the opportunity to ask any questions about anything they don't understand, or they feel has been misunderstood;
 - 3.5 Ensure procedural fairness throughout the decision-making process;
 - 3.6 Consider issues relevant to the behaviour of the student and implications for others in community; and
 - 3.7 Identify critical factors leading to the offence(s) and educational and social needs of the student.
4. The Headmaster will then decide whether to suspend or expel a student based on the following considerations:
- 4.1 The safety of all students, staff and visitors;
 - 4.2 The seriousness of the student's acts;
 - 4.3 Any disability of the student;
 - 4.4 The age of the student;
 - 4.5 The response or remorse of the student, if applicable;
 - 4.6 The pastoral care, educational needs and welfare of the student;
 - 4.7 Information or documentation provided by the student and/or their parents/guardians must be taken into account in making the decision; and
 - 4.8 The student's prospects for rehabilitation.
5. Where processes undertaken lead to a decision being considered to suspend or expel a student, the Headmaster will:
- 5.1 Verbally communicate the decision as soon as possible with the student and their parents/guardians, explain the reason for the decision, the learning ambition and the purpose of the time away from school.
 - 5.2 Communicate in writing with the student, and the student's parents/guardians, confirming:
 - 5.2.1 The reasons that the student is being suspended or expelled;
 - 5.2.2 The status of their future enrolment;
 - 5.2.3 The relevant rules, policies, and standards of behaviour alleged to have been breached; and
 - 5.2.4 In the case of a suspension, the school days on which the suspension shall occur and where the suspension will occur.
6. Where the student is to return to school the Headmaster and Senior Staff Member must:
- 6.1 Identify and explore strategies to re-establish the student in the life of the school;
 - 6.2 Consider support and resources that may be available both within and outside the school;
 - 6.3 Develop an action plan for responding to the student's behaviour;



- 6.4 Ensure that decisions are implemented;
- 6.5 Liaise with the student's teachers and ask them to forward the student their school work; and
- 6.6 Consider legal ramifications of both the student's behaviour and strategies implemented to deal with the student's behavior.
7. If the Headmaster is unable to make a decision about the facts of the allegations made against the student, the School will appoint an independent individual to complete an external investigation, at the School's expense.
8. The student, and the student's parents/guardians must abide by the terms and conditions of this decision.

Part 3- Grounds

1. A serious breach of School rules may result in suspension. Such breaches may include but are not limited to situations where a student:
 - 1.1 Seriously undermines the beliefs of the School;
 - 1.2 Repeatedly and deliberately fails to comply with any reasonable request of their Year Level Co-ordinator, Deputy Head of the School, Headmaster or any other staff member;
 - 1.3 Behaves in a way which causes danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any individual;
 - 1.4 Causes significant damage or destruction of property or theft of property;
 - 1.5 Possesses, uses, sells or assists another individual to possess, use or sell illicit substances or weapons;
 - 1.6 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 individual;
 - 1.7 Consistently engages in behavior that vilifies, defames, degrades or humiliates another person; or
 - 1.8 Consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student or member of the School community.
2. Expulsion will only occur if a student does anything mentioned under Part 3 clause 1 and the behaviour is to a level that, having regard to the need of the student to receive an education compared to the need to maintain the health, safety and wellbeing of other students and staff and upholding the schools values and programs, expulsion is considered the only available option.
3. Expulsion is considered for serious misconduct or behaviour, or when all other options have been exhausted, and requires the endorsement of the Headmaster.

Part 4- Appeal Process

1. Day Students
 - 1.1 A student and/or parent/guardian may seek a review of a decision made under this Policy. All appeals must be made in writing, addressed to the Headmaster, setting out the grounds of appeal. In the case of an expulsion, the appeal must be submitted to the Headmaster within 10 days of the expulsion taking effect.
 - 1.2 In the case of expulsions, the decision by the Headmaster to expel the student will be either upheld or overturned by a mutually appointed, legally qualified independent investigator at the expense of the student's parents/guardians.





2. International Students

- 2.1 International Students appeals should follow Part 4 clause 1 with full consideration given to the National Code of Practice for Providers of Education and Training to Overseas Students 2018 – Standard 8 (Overseas student visa requirements) and Standard 10 (Complaints and appeals).

Part 5- General

1. All parties to the process must ensure confidentiality is upheld at all times.
2. The maximum continuous period of time a student can be suspended at any given time is five school days. Suspension of a student for five or more days in any one school year will be referred to the Deputy Head of the School and/or the Headmaster for discussion and consideration of further intervention.
3. In serious circumstances, a student may be suspended on an interim basis pending a final decision been made under this Policy. In this situation, a meeting will be scheduled with the student, the student's parent/ guardian and the School to review the interim suspension as soon as circumstances permit.
4. If a student is suspended, the student is required to serve the period of suspension at home or with their legal guardian. The student's parents/guardians are required to ensure the student has appropriate supervision at home.
5. For suspensions of three school days or less, Ballarat Grammar will provide the student with schoolwork to complete.
6. For suspensions of four school days or more, Ballarat Grammar will provide the student with schoolwork to complete and arrange support for the student to return to their normal classes.
7. The suspension or expulsion of a student is recorded on that student's individual file.
8. It is the responsibility of the Executive Assistant to the Headmaster to maintain a central register of suspensions and expulsions. This register is located in the Executive Assistant to the Headmaster's Office.
9. Whilst implementing this Policy the School aims to be fair, consistent and reasonable whilst appreciating that every situation also needs to be judged on its own merits.