



# Genazzano FCJ College

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## Student Engagement and Behaviour Management Policy

### Rationale

Genazzano FCJ College promotes respectful relationships between students, staff and the wider community. Education at Genazzano is informed by our vision: a passion for life, a love of learning, and the courage and confidence to lead and serve others. Respect for self, others and the environment should be evident in all student actions. This policy underpins all interactions within the College community and promotes respectful relationships and the opportunity for positive outcomes for all.

In line with the College's Strategic Plan, Restorative Practices and a range of evidence based theories inform the framework for the delivery of wellbeing and student learning. Restorative Practices will continue to foster student connection and engagement through building relationships based on trust and respect.

Companionship is central to the FCJ philosophy of education, being expressed through faithfulness, gentleness and respect. In the Ignatian tradition, the College encourages students to look to find God in all things - teaching an active attentiveness joined with a prompt responsiveness to God, who is constantly active in our lives. Genazzano FCJ College abides by all relevant legislations and, as such, corporal punishment is prohibited.

The Policy seeks to provide a framework to bring about all student's rights to:

- feel safe
- heard
- respected

Each student at Genazzano has the responsibility to:

- model gentle and respectful behaviour
- actively participate in their learning
- respectfully engage with teachers and support staff
- be inclusive with peers and staff
- foster a respectful learning environment
- demonstrate stewardship and care for the College environment
- be open to personal challenges and growth
- promote the values of the College through wearing the uniform with pride and dignity



## Purpose

The purpose of this policy is to explain how the College will support and implement how students will interact and learn with each other and the Genazzano staff. This is articulated through a staged response beginning with how to create a supportive learning environment to dealing with serious learning and behavioural issues. The Student Mental Health policy provides information related to the support structures and processes that guides the College Psychologists Wellbeing Staff and Case Management Teams.

All bullying and cyberbullying concerns are addressed according to the Genazzano Student Anti Bullying Policy. All behavioural issues related to the College boarders that occur while under the care of the Boarding House Staff are addressed in the Boarding House Behaviour Management Policy.

Corporal punishment is prohibited in all Victorian schools. Corporal punishment must NOT be used at Genazzano FCJ College under any circumstances.

## Enabling Structures

### Level One: Establishing a Positive Learning Environment

Every College staff member is responsible for implementing school-wide practices and preventative strategies for all students to support positive behaviours including:

1. Teachers knowing their students, their learning needs and can identify students who are boarders, international students, have a Personal Learning Plan (PLP) or have diverse learning needs.
2. Teachers and educators sharing student learning and wellbeing information on a regular basis via a pastoral care not on GenConnect.
3. Teachers providing an inclusive and positive environment by using students' individual names at the beginning of a lesson and then throughout the class by asking a question of content or checking in with each student in every class.
4. Teachers building positive relationships with students by establishing predictable, fair and equitable classrooms through discussion with each class. Record your agreement for reference throughout the year.
5. Engaging and empowering student voice in the development and implementation of whole school and classroom expectations.
6. Explicitly teaching, reinforcing and acknowledging agreed expected behaviours, for each student in our care.
7. Teachers using a calm voice and moving around the room and checking in with individual students.
8. Monitoring attendance, wellbeing and the academic progress of students with the view to recognising and supporting students at risk. Refer concerns to Homeroom/Mentor teacher and record on the Pastoral Care Module.
9. Offering a learning program that challenges all students. Planning teaching programs that are targeted to each student's point of need.
10. Providing support structures to facilitate Personalised Learning Plans (PLP) saved on GenConnect.



## Level Two: Reviewing and Reinforcing Positive Student Behaviour

In addition, the College recognises some students may require additional support to meet expected learning and relational behaviours. The teacher responds to unexpected low-intensity behaviours that interrupt the learning environment by drawing on a range of strategies that may include:

1. Analysing classroom behaviours through observation and record keeping and identifying patterns of unexpected behaviours.
2. Establishing a comprehensive understanding of the student's background and needs through reading the Student Information Tab for each student on GenConnect and reading through historical notes on Pastoral Care.
3. Discussing concerns or issues with the Homeroom/Mentor or Team Leader.
4. Explicitly teaching, reinforcing and acknowledging the agreed expected behaviour (documenting if necessary).
5. Affirming expected behaviours from peers within the class as a model of what is required.
6. Scaffolding the student's learning program as required by moving around the room and supporting each student to be engaged in the lesson.
7. Arranging a respectful reminder conversation with the student to discuss concerns with the previously agreed understanding of expectations. See **Appendix One**.
8. Working with students to facilitate a supportive group of peers.
9. Using the space within the classroom to create a less disruptive situation.

## The Follow Up

Communicating concerns as relevant to: Homeroom teacher, Mentor Teacher, Team Leader, Curriculum Leader and recording these on the Pastoral Care Module.

Consulting with parents via phone or interview with the support of Team Leader.

Work with the Learning Diversity Team to revise the Personalised Learning Plan (PLP) where appropriate.

## Level Three: Case Management and Team Support

When concerns arise about a student's on-going behaviour, or when a student is displaying repeated patterns of problematic behaviour that are not addressed by the above measures, then Genazzano FCJ College will implement a targeted response to identify and address the presenting issues.

The College adopts a staged team response to a significant incident or ongoing challenging behaviour. In consultation with the Deans of School/Team Leader, a Case Management Team will be established to support staff and the student. The team may include: Deputy Principal, Deans of School, Heads of Wellbeing and Curriculum, Psychologists, Team Leader, Curriculum Leaders, Learning Diversity Staff, Homeroom/Mentor teacher. They will work to develop a positive behaviour management plan.

This may involve the following support strategies:

1. Developing a Behaviour Support Plan and/or Safety Plan where appropriate for individual students
2. Student and family attend a family meeting with Case Management Leader to review their commitment to College expectations and procedures
3. Seek support from external Health or Allied Health providers where required



**Genazzano FCJ College abides by all relevant legislations and, as such, corporal punishment is prohibited. On occasion disciplinary measures may be implemented and could include:**

- Consequences negotiated with relevant staff and/or families
- Demerits, detention or community service
- Withdrawal from timetabled class if a student's behaviour significantly interferes with the rights and of other students to learn, the capacity of a teacher to teach a class or the safety of other students and staff
- Where a student is unable to calm down and is in a heightened state of anxiety or is a danger to self or others, then the parents will be asked to take the student home for the remainder of the school day
- Ongoing Case Management meetings with families
- Suspension (in-school and out of school) See **Appendix Three**
- Negotiated transfer See **Appendix Five**
- Expulsion See **Appendix Four**

### **Use of Restraint and Seclusion**

The use of restraint or seclusion does not form part of a staged response and should not be identified as an appropriate intervention. Restraint and seclusion are permitted only in limited emergency situations, as outlined in **Appendix Two**

### **Related Policies**

- Anti-Bullying Students Policy
- Digital Technology Policy
- Hopetoun Hall Behaviour Management Policy
- Student Code of Conduct
- Student Mental Health Policy

### **Policy Review**

This policy will be reviewed every year, to take account of any changed expectations or practices.

Ratified by College Council August 2019

This policy was updated for the ESOS Review in Nov 2021 and in March 2023 for VRQA Review

## **Appendix One- Reminder Conversation**



The reminder conversation is a restorative two-way conversation between a student and staff member when a student has not been following College expectations. This conversation would usually occur after the usual range of teacher prompts, hints, redirections, acknowledgment of other students and the Level One expectations have been implemented.

This is a planned conversation that the staff member should facilitate when both the student and staff member are calm and have adequate time and space. Teachers should ensure that other students are not listening to this conversation. Both parties agree at the beginning that if either party becomes distressed or unregulated during the course of the conversation that they will suspend the conversation with the aim of returning to it at a later stage.

This reminder conversation is the first step and is implemented rather than giving demerit a point. Once the conversation has occurred then a brief summary is recorded on pastoral care using the following process. This will allow the Homeroom/Mentor teacher and Team Leader to track how many Reminder Conversations a student is participating in, when they should intervene and if a Demerit or Detention is warranted.

#### **Process to Record on Pastoral Care on GenConnect**

1. Search the student on Genconnect
2. Click on 'pastoral care'
3. Click on '+ create pastoral record'
4. In title write: Reminder Conversation
5. Include a brief note in the available text box

#### **5 stages to guide you through a restorative chat:**

1. Investigate what has been going on - thinking and motivation  
What happened that you.....? OR  
What was going on for you when you.....? OR  
We need to talk about.....
2. Explore the impact of the behaviour - on self and others  
This is what I see happening to others OR  
This is what concerns me....  
When you...(action) others/I/the school...(explain impact on others)
3. Reflect on behaviour - how decisions are being made  
Can you help me understand how you see what has been happening supports our values of .....
4. Remind the student of the agreed expectations - social norms, class agreements
5. Collaborate on a plan or agreement to fix the issue - choices and consequences  
What could have been done differently? OR  
  
What needs to happen to make things right? OR  
  
What's the plan then? OR



Is there anything I can do to support you?

When you get stuck in the process - when a student continues to justify their actions and/or tries to avoid answering questions it may be time to move to some closed questions.

Was what you did:

- Helpful or unhelpful?
- A good choice or a poor choice?
- Fair or unfair?
- Mean or kind?

### 7 Questions that change student discipline



## Appendix Two: Use of Restraint and Seclusion in Schools

The use of restraint or seclusion does not form part of a Behaviour Support Plan or a Student Safety Plan and should not be identified as an appropriate intervention. Restraint and seclusion are permitted only in limited emergency situations, as outlined below.

As emphasised throughout these guidelines, effective support for students exhibiting complex and unsafe behaviour requires a holistic response which includes appropriate and targeted interventions, specialised support and the development and implementation of a Behaviour Support Plan and, if necessary, a Student Safety Plan. Restraint and seclusion should not form part of such planned responses.

### Restraint and seclusion explained

#### Restraint

In this document, unless otherwise stated, 'restraint' refers to 'physical restraint'. Physical restraint is the use of force to prevent, restrict or subdue the movement of a student's body or part of their body where the student is not free to move away.

Restraint does not include 'protective physical interventions', which involve physical contact to block, deflect or redirect a student's actions, or disengage from a student's grip. In these situations, the student remains free to move away. In general, the same approach to incident management, reporting and review will apply to an incident involving a protective physical intervention as to an incident involving restraint.

#### Seclusion

Seclusion is the solitary confinement of a person in a room or area from which their exit is prevented by a barrier or another person. Seclusion includes situations where a person is left alone in a room or area and reasonably believes they cannot leave that room or area even if they may physically be able to (e.g., the door is not locked). In extreme circumstances, e.g., in response to behaviours that cause harm to self or others, teachers will respond by exiting the other students from the learning space to ensure their safety. Where the student continues to display threatening and dangerous behaviour (e.g., wielding a bat), staff will seek to limit harm to others by isolating the student for the minimum amount of time required for the student to calm.

Seclusion does not include a known safe place, for instance the chill out room in Performance Psychology.

#### Safe place, time out, chill out rooms

The practice of using a safe place, quiet place or chill out room (referred to as 'safe place' in this section) for students does not amount to seclusion and is used in different situations from seclusion.

Having a student go to their safe place is a practice used in schools to support students who require a break from a stressful or demanding situation, often when they are distressed or need support. Exit to a safe place is a planned intervention to be used as part of an overall approach to supporting a student exhibiting complex behaviour. The use of a safe place should form part of a student's BSP and/or Student Safety Plan and these students will carry a card to indicate to the staff member that they are exiting a class. It is used to assist students to settle and return to a state of calm, so they are more actively able to participate academically and socially. The use of a safe place can be either



teacher-directed or self-directed and takes place in a setting that is not locked. Use of this space is entirely voluntary and even when directed, students are not required to access this space if they do not wish to. All students who access the Performance Psychology chill out space sign in and are monitored by staff.

## Use of restraint and/or seclusion

Every effort should be made to prevent the need for the use of restraint or seclusion. While this section outlines the limited circumstances in which restraint or seclusion may be appropriate, it is important to remember that prevention is the best strategy. In making a decision that any form of restraint or seclusion is required, staff should be aware that their actions may directly increase the risk of injury and trauma, both for the student and for the staff member.

### Three conditions for use of restraint and/or seclusion

Restraint and seclusion must not be used except in an emergency situation that satisfies the following three conditions:

1. The student's behaviour poses an imminent threat of physical harm or danger.
2. The action is reasonable in all the circumstances.
3. There are no less restrictive means of responding in the circumstances.

#### 1. Imminent threat of physical harm

The first condition is that the student's behaviour must pose an imminent threat of physical harm or danger to the student or to others.

A verbal threat from a student would not usually be sufficient to meet this condition unless there is an associated risk of imminent harm. For example, the first condition would be satisfied where a student is threatening to hit someone with a cricket bat and is holding the cricket bat. Where a student is making verbal threats but the staff member does not believe there is a risk of imminent harm, the staff member should still take appropriate action but this should not include restraint or seclusion.

The physical harm or danger must be to the student (i.e., self-harm) or to another person (e.g., staff or another student). Damage to property alone is not sufficient to meet this condition. For example, if a student is graffitiing a classroom, the first condition is not satisfied. However, if a student is breaking windows and putting nearby students at risk of imminent harm from the broken glass, the first condition may be satisfied.

#### 2. Reasonable in the circumstances

The second condition is that it must be reasonable in all the circumstances to restrain or seclude the student. 'Reasonable' is taken to mean proportionate and necessary. Staff should consider whether the restraint/seclusion is proportionate to the harm it is intended to prevent. For example, it may be considered reasonable to restrain a student in response to an imminent attack with a cricket bat, but it would generally be considered unreasonable and not justified to restrain a student in response to low-level pushing.

What is considered reasonable depends on the individual circumstances of each case and is a matter for professional judgment. When making the decision as to whether restraint or seclusion is reasonable, staff need to take account of all the circumstances, including:

- the student's age, grade and developmental level
- the student's physical presentation – weight and stature
- the relevance of any known disability, impairment (including psychological conditions) or medical condition





- the mental state of the student
- the anticipated response of the student
- the impact of the restraint on the relationship with the student
- the environment in which restraint/seclusion is taking place, including any specific hazards
- the form of restraint/seclusion that would be appropriate.

In general, responding to behaviour with restraint or seclusion on a regular or long-term basis would not be considered reasonable. In the example above, it may be considered reasonable to restrain the student with the cricket bat on the first occasion. However, after the first incident, the school has become aware of the risk and should put in place other strategies to prevent reoccurrence. Continuing to restrain the student in response to a second and third occurrence becomes less reasonable in the circumstances.

### 3. No less restrictive means of responding

The third condition is that there must be no less restrictive means of responding to the student's behaviour in the circumstances. This means that restraint or seclusion must be used only as a last resort, when all less-restrictive alternatives have been exhausted. This does not mean that the staff member must have tried every other available alternative, but that they have considered the options and judged that the alternatives were less likely to succeed in the circumstances. For example, this condition would not be satisfied if, instead of restraint, a verbal direction would have sufficed to prevent the imminent harm.

In the event that restraint or seclusion is used, the least restrictive form of restraint/seclusion must be used for the minimum time possible. The restraint/seclusion should cease as soon as the immediate danger for the student or others is averted. For example, the third condition would be satisfied where a teacher grabs a student's arm to prevent them running in front of a car and releases the student's arm once the danger has passed. If, in the same circumstances, the teacher tackled the student to the ground and held them there for five minutes, the third condition is unlikely to be met.

### Monitoring during restraint/seclusion

Whenever restraint or seclusion is used, staff must monitor the student continuously to ensure that the restraint or seclusion is being used appropriately. This includes ensuring that the student, other students and staff are safe and that the restraint or seclusion is still necessary. Restraint/seclusion should be discontinued when the imminent threat of harm has passed, the action is no longer reasonable in the circumstances or a less restrictive means of responding becomes available.

Throughout an incident of restraint, staff should continue to engage with the student in a calm and measured way. They should explain why the restraint is being applied and that it will cease once the student is no longer a danger to themselves or others. In every instance of restraint, breathing must be visually monitored.

If a student is placed in a separate room as a means of seclusion, staff must maintain appropriate supervision of the student.

## Appendix Three: Suspension Protocols

### Suspension

Suspension is the process of excluding a student from the standard instruction or educational opportunities being provided to other students at the school for part of a day, a full day, or multiple days.

Suspension is a serious disciplinary measure and at Genazzano FCJ College this is reserved for incidents where other measures have not produced a satisfactory response. Before considering a suspension, the College seeks to understand the reasons for a student's behaviour and considers alternative educational and wellbeing supports and interventions that can be provided to the student to effectively address the reasons.

The College recognises repeated or lengthy suspensions may not address the reasons for a student's behaviour and may risk leading to poorer outcomes for a student's engagement in education. The College uses restorative practice to proactively address these behaviours and promote better outcomes for the student in the future.

Suspension occurs when a student's attendance to class 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, Genazzano FCJ 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 Principal or their delegate has the authority to suspend a student from Genazzano FCJ College. The Principal should be notified of the suspension as soon as practicable.

The Principal is responsible for ensuring all procedures associated with suspension are followed correctly.

### **Grounds for suspension**

The 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 well-being 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 drugs or alcohol 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 well-being of any person
- Consistently engages in behaviour that vilifies, defames, degrades or humiliates another person online or in person based on: age; breastfeeding; gender; identity; impairment; industrial activity; marital status; parent/carer status or status as a carer; physical features; political belief or activity; pregnancy; race; religious belief or activity; sex; 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

## **Application**

Suspension only applies 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. 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 Genazzano's duty of care, including those owed to students who are victims or offenders and to staff working with the student. 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 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.
- f) Suspension or Expulsion of Aboriginal and Torres Strait Islander students When considering a suspension/expulsion for an Aboriginal or Torres Strait Islander student, the Principal should engage an appropriate support person who can support the school and family to find the best outcome for the student, and connect the school and family to any local or regional supports.
- g) Overseas Students. When considering appropriate discipline for overseas students, otherwise known as international students, it is important to note that the decision to suspend or expel may impact on a number of the student's visa conditions. Such visa conditions include:

- the student must attend 80% of classes
- the student must make satisfactory progress.

Schools enrolling international students are required to contact the International education division which manages the deferment, suspension and cancellation of international student enrolments.

- h) For students who have separated parents, it is important to remember that suspension and expulsion are serious disciplinary measures and therefore all parents and carers are entitled to be notified of the intention to suspend or expel the student, subject to court orders. In circumstances where there is more than one parent or carer who wishes to participate in the suspension and expulsion process, it is important to involve all of them in the process, in accordance with any relevant court orders.

1.2 The Principal or delegate will notify the College Council when a student has been suspended.

- a) Before implementing a suspension, the Principal or delegate will ensure that principles of procedural fairness are followed in the decision-making process, including that:
- b) Students who are subject to suspension processes have the right to a 'relevant person' to participate in the process, provide support and advocate for them. For most students this will be a parent or carer.
- c) In situations where the parent or carer is unavailable or unwilling to act as the relevant person for their child, they can nominate an alternative relevant adult.
- d) The Principal explains to student the allegations or reasons why the suspension is under consideration
- e) the student has had the opportunity to be heard
- f) any information or documentation provided by the student or their parent/guardian/carers/relevant person has, where necessary and as soon as reasonably practicable, been taken into account in making the decision regarding suspension
- g) 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 Principal or delegate will:

- a) identify the family/parent/guardian/carers/relevant person
- b) give verbal notification to the student and notify the family/parent/guardian/carers/ 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 ( Appendix Five) and Return to School Plan after Suspension or Exclusion (Appendix Six) 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 written notification 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 a copy of the *Student Absence Learning Plan* and *Return to School Plan* (if required).
- 1.5 The 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 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 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 school camp or excursion, if paragraphs (a) or (b) do not apply, until the end of the camp or excursion.
- 1.8 Where requested, the School 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 FCJ Education Board
- 2.2 A student cannot be suspended for more than 15 school days in a school year without approval from the FCJ Education Board
- 2.3 If a student is suspended for a period which is longer than the days left in the term, the 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 school. The student is required to attend this meeting.



- 3.2 The 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 Principal may decide to extend the suspension if the return to school meeting does not meet the desired outcomes.

#### **4. Record keeping**

- 4.1 The Principal is responsible for ensuring all records pertaining to any incident involving a suspension are carefully recorded, filed and retained on the School records, including 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.

## **Appendix Four: Expulsion Protocols**

Expulsion of a student from Genazzano FCJ College will only be considered in exceptional circumstances. Expulsion occurs when a student's attendance at the School 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 Principal will work with the student and their family/parent/guardian/carer/ relevant person to arrange an enrolment with another school.

#### **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 College Council.

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 Principal has the authority to expel a student from the College. The Principal may not delegate their power to expel a student. The Principal holds the ultimate responsibility for ensuring all processes and procedures associated with expulsion are followed correctly.

The Principal will consult with the Chair of College Council and the FCJ Education Board regarding a student's expulsion, however, will not proceed to expel a student who is aged eight years or less unless approval has first been obtained from the College Council and the FCJ Education Board.

The Principal will inform and seek guidance or assistance from the College Council and FCJ Education Board regarding an expulsion decision.

### **Grounds for expulsion**

The 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 Principal has determined that a serious criminal offence has occurred, they will be mindful of the College's 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**

- a) The Principal will notify the student and their family/parents/guardians/carers/ relevant persons and the Chair of College Council and the FCJ Education Board.
- b) If the student is an overseas (international) student as defined by their Visa subclass, the Principal will inform the Chair of College Council and FCJ Education Board and seek any necessary guidance.





## 2) Behaviour Support and Intervention Meeting

2.1 The Principal will convene a Behaviour Support and Intervention Meeting.

2.2 The purpose of the Behaviour Support and Intervention Meeting is to:

- i) advise the student and their family/parents/guardians/carers/relevant persons that expulsion is being considered
- ii) ensure all available supports and interventions to support the behaviours of concern are considered for the student
- iii) outline the grounds for expulsion that are being considered and the evidence to support a finding that the student has engaged in relevant conduct
- iv) ensure the student and their family/parents/guardians/carers/relevant persons have the opportunity to be heard
- v) consider the impact of the behaviour of the student on other affected parties
- vi) 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 Principal will contact the student and their family/parents/guardians/carers/relevant persons to:

- i) provide a copy of **Appendix Seven: Expulsion of Students: Information for Parents/Guardians/Carers/ Relevant Person**
- ii) advise of the date, time and place for the Behaviour Support and Intervention Meeting
- iii) encourage them to attend the Behaviour Support and Intervention Meeting
- iv) advise that if they are unable or unwilling to attend, the student may nominate another adult to attend the Behaviour Support and Intervention Meeting
- v) advise of the matters to be discussed at the Behaviour Support and Intervention Meeting, including the impact of key issues on the affected parties
- vi) 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
- vii) 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 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 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 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 Principal will provide access to counselling for the student and/or their family/parents/guardians/carers/relevant persons with assistance from the FCJ Education Board

## Decision regarding expulsion





4.1 Before deciding to expel a student, the 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 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

4.2 The Genazzano FCJ 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 Genazzano FCJ College Principal decides to expel the student, they will provide the student and their family/parents/guardians/carers/relevant persons with the following documentation:

- a) 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.
- b) A copy of the **Appendix Eight: Expulsion of Students Appeal Information and Form.**

4.4 The Genazzano FCJ College Principal will prepare a summary written expulsion report for the College Council and the FCJ Education Board and the report will contain:

- a) a short statement of the history of the student's time at school
- b) the ground/s for the expulsion
- c) 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 College, local, regional or system level is required, including strategies at the College level to prevent the repeat of similar circumstances.



## Following expulsion

### 5. Process following expulsion

- 5.1 The Genazzano FCJ College Principal will continue to maintain communication with the student and their family/parents/guardians/carers/relevant persons until the student is provided with other educational and development opportunities.
- 5.2 In the case of a student of compulsory school age, the Genazzano FCJ College Principal will continue to maintain communication with the student and their family/parents/guardians/carers/relevant persons to support:
  - 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 Genazzano FCJ 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 Genazzano FCJ College Principal 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 Genazzano FCJ College Council may appoint an independent consultant 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 Chair of College Council.
- 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 FCJ College Education Board 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 Chair of College Council 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 ( **Appendix Eight**) must be received by College Council within 10 business days of the student and their parents/guardians/carers/relevant person receiving the written confirmation of expulsion.
- 7.4 The designated Chair of College Council will contact the Genazzano FCJ College Principal and obtain a copy of the following documents within one business day of receiving the *Expulsion of Students Appeal Information and Form*:
- a) Notice of Expulsion of Student
  - b) Student Expulsion Report.
- 7.5 The designated Chair of College Council may appoint an Expulsion Review Panel to review the Principal's decision to expel the student, and will notify the Principal and College Council that a review panel is being formed.
- 7.6 The designated Chair of College Council will determine to either:
- a) uphold the decision made by the Genazzano FCJ College Principal to expel the student
  - b) overturn the decision made by the Genazzano FCJ College Principal to expel the student.
- 7.7 The designated Chair College Council will notify the Principal and College Council of the final decision.



## 8. Expulsion Review Panel

8.1 Where an Expulsion Review Panel is appointed by the Chair of College Council the panel will:

- a) provide an opportunity for the student and their family/parents/guardians/carers/ relevant persons to be heard
- b) provide an opportunity for the Genazzano FCJ College Principal to be heard – either in person or by some other means considered appropriate by the panel
- c) consider the safety and wellbeing of affected parties, including where the expulsion decision may be overturned, relevant to the grounds of the appeal
- d) complete an expulsion review report for the College Council 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:

- a) comprise at least three persons who are independent and not associated with Genazzano FCJ College and have no knowledge or other connection to the circumstances of the expulsion
- b) 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:

- a) liaise with the panel members to determine an appropriate date, time and place to convene an Expulsion Review Panel meeting
- b) 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 report to the designated Chair of College Council may be prepared without the benefit of hearing from the student and their relevant person
- c) 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
- d) 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
- e) ensure panel members are fully informed of their role. The Expulsion Review



Panel will provide a completed Expulsion Review Panel Report to the College Council within three business days of the conclusion of the Expulsion Review Panel meeting.

- 8.5 The Expulsion Review Panel Report will be considered prior to making a determination, but the Chair of College Council is not bound to follow the recommendations made by the Expulsion Review Panel.
- 8.6 A determination will be made within 10 business days of receiving the expulsion appeal.
- 8.7 The Chair of College Council will verbally notify the student, their family/parents/guardians/carers/relevant persons and the Genazzano FCJ College Principal of the outcome of the appeal within two business days of the decision being made.
- 8.8 The Chair of College Council will provide written notification to the student, their family/ parents/guardians/carers/relevant persons and the Genazzano FCJ College Principal of the determination made in relation to the appeal.
- 8.9 A copy of the Expulsion Review Panel Report will be sent to the student, their family/parents/guardians/carers/relevant persons and the Genazzano FCJ College Principal.
- 8.10 If the Chair of College Council overturns the Genazzano FCJ 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 **Appendix 6: 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.

## Appendix Five: Negotiated Transfer Protocols

### 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 the Genazzano FCJ College Principal and will be considered when:

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

The Genazzano FCJ College Principal will consult with the student and their family/parents/guardians/carers/ and relevant persons on appropriate alternative school settings and, where possible, arrange enrolment with another school.

A negotiated transfer will end the enrolment agreement with Genazzano FCJ College and will require enrolment in the new school.

## **Procedures for negotiated transfer**

### **Authority for negotiated transfer**

Only the Genazzano FCJ College Principal has the authority to negotiate a transfer for a student.

The Genazzano FCJ College Principal is responsible for ensuring all procedures associated with negotiated transfer are followed correctly.

### **Grounds for negotiated transfer**

The Genazzano FCJ 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 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. The grounds for negotiated transfer listed above are indicative only and not exhaustive.

When the Genazzano FCJ College Principal determines that a serious criminal offence has occurred, they will be mindful of the College's duty of care, including those owed to students who are victims or offenders, and staff working with the student.

The incident will be reported to the Police at the earliest opportunity.

## **Process**

### **1. Prior to negotiated transfer**

- 1.1 The Genazzano FCJ College Principal will identify the family/parents/guardians/carers/relevant persons.
- 1.2 The Genazzano FCJ College Principal will notify the Chair of College Council.

### **2. Meeting**

- 2.1 The Genazzano FCJ College Principal will meet with the family/parents/guardians/carers/relevant persons and student.
- 2.2 In the meeting, the Genazzano FCJ 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

### **3. Decision regarding negotiated transfer**

- 3.1 Before arranging a negotiated transfer for a student, the Genazzano FCJ 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 Genazzano FCJ 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 Genazzano FCJ 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 Genazzano FCJ College Principal will inform the Chair of College Council before arranging a negotiated transfer for any student.

#### **4.1 Process following negotiated transfer**

Once a decision to proceed with negotiated transfer has been determined, the Genazzano FCJ College Principal will provide the student and their family/parents/guardians/carers/relevant persons with written confirmation of the College's intent to negotiate a transfer to another school. Written confirmation will include:

- c) why a change to another setting is being proposed.
  - d) the other school/setting that would provide an educational program suited to the student's needs, abilities and aspirations
  - e) the date of the commencement of the transfer
  - f) any additional considerations to support the transition.
- 4.2 A copy of the written confirmation of the College's intent to negotiate a transfer a students to another school will be provided to the Chair of College Council and FCJ Education Board
  - 4.3 In the case of a student of compulsory school age (i.e. between six and 17 years of age), the Genazzano FCJ College Principal will continue to communicate with family/parents/guardians/carers/relevant persons until the student is participating 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 Genazzano FCJ 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 Genazzano FCJ 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 communicate with the family/parents/guardians/carers/relevant persons until 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 Genazzano FCJ 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.

## **5. Record keeping**

- 5.1 The Genazzano FCJ College Principal is responsible for ensuring all records pertaining to any incident involving a negotiated transfer are carefully recorded, filed and retained on the School records.

## **Appendix Six: Student Absence Learning Plan**



The Student Absence Learning Plan is designed to support academic engagement and achievement despite a period of absence from school. The plan is developed in consultation with the student, their family/parent/guardian/carer/relevant person and Genazzano staff.

When a student is suspended from school for period of more than three days a Student Absence Learning Plan is developed

Student Information		
Student name:		
Date:	Year level:	
Number of days suspension:	From:	To:

Work Program			
Task set:			
Additional resources and support:			
Teacher:		Due date:	
Task set:			
Additional resources and support:			
Teacher:		Due date:	
Task set:			
Additional resources and support:			
Teacher:		Due date:	
Task set:			
Additional resources and support:			
Teacher:		Due date:	



### Supports

**Role of family/parent/guardian/  
carer/relevant person in  
supporting educational program:**

**Key school contact**

**Name:**

**Position:**

**Phone number:**

**Email:**

**Student signature:**

**Date:**

**Parent/guardian/carer/**

**relevant person signature:**

**Date:**

**Principal signature:**

**Date:**

## Appendix Seven: Return to School Plan after Suspension or Expulsion

The Expulsion of Students – Return to School Plan is designed to support the student to re-engage with the school community following an absence due to expulsion, with the expulsion decision being overturned. The plan outlines both the academic and social supports that are in place to support their positive return to the school community.

The Expulsion of Students – Return to School Plan is developed in consultation with the student, their family/parents/guardians/carers/relevant persons and Genazzano staff.



### Student Information

**Student name:**

**Date:**

**Year level:**

**Date of last day at school:**

### Student Intention

**One thing I want to achieve on my return to school is ...**

**Some of the ways I can do this are ...**

**People I can go to for help are ...**



Support Program		
Key school contact	Name:	
	Position:	
	Phone number:	
	Email:	
Academic goal 1:		
Resources and support:		
Academic goal 2:		
Resources and support:		
Social goal 1:		
Resources and support:		
Social goal 2:		
Resources and support:		



Student signature:	_____	Date:	_____
Parent/guardian/carer/ relevant person signature:	_____	Date:	_____
Principal signature:	_____	Date:	_____

## Appendix Eight: Expulsion of Students: Information for Parents/Guardians/Carers/ Relevant Person

This document is designed to assist you in understanding the process if the Genazzano FCJ College Principal is considering the expulsion of your child, including how to appeal an expulsion decision.

### Under what circumstances does a Principal consider expulsion?

When a student's behaviour is of such significance that it poses a threat to their own and/or others' health, safety and wellbeing in the school community, the Principal may decide that expulsion is the most appropriate course of action to take.

### What information does the Principal have to take into consideration?

Before deciding to expel a student, the Principal must:

- properly, fairly and without bias, consider all of 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 of the student
  - the age of the student
  - the magnitude and impact of the student's actions
  - the residential and social circumstances of the student, including the student's cultural or linguistic background.

The Principal must ensure that any information or documentation provided by the student or the family/parent/guardian/carer/relevant person has been taken into consideration when making the decision regarding expulsion.

If an expulsion is being considered for your child, the Principal must conduct a Behaviour Support and Intervention Meeting, which you and your child will be invited to attend. The purpose of this meeting is to:

- advise your child and you that the Principal is considering whether to expel your child
- ensure all available supports and interventions to support the behaviours of concern are considered for your child



- outline the grounds for expulsion that are being considered and the evidence to support a finding that your child has engaged in relevant conduct
- ensure your child and you have the opportunity to be heard
- consider the impact of the behaviour of your child on other affected parties
- identify the future educational, training and/or employment options most suited to your child's needs and agree on a course of action in the event expulsion is decided.

If the Principal decides to go ahead with the expulsion, what happens next?

If the Principal has considered all relevant information and decides to proceed with expulsion, you must be notified:

- *if your child is nine years of age or more* – within two business days of the conclusion of the Behaviour Support and Intervention Meeting
- *if your child is eight years of age or less* – within 10 business days of the conclusion of the Behaviour Support and Intervention Meeting.

The Principal must provide you with a formal Notice of Expulsion which includes information about the grounds and reasons for expulsion. The Principal must also provide you with a copy of Expulsion of Students Appeal Information and Form.

Following a decision to expel, the Principal must support your child with other educational and developmental opportunities.

The Principal must ensure that your child is participating in one or more of the following as soon as practicable:

- enrolment at another registered school
- enrolment at a registered training organisation
- engagement with an employment agency or other organisations that provide services that support the future employment of your child.

In the meantime, the Principal must provide your child with meaningful work, and monitor the completion of that work.

How can I appeal the decision to expel my child?

The Principal will provide you with a copy of Expulsion of Students Appeal Information and Form, which explains the appeal process. The principal will inform you of the designated MACS Regional General Manager who will oversee the appeal process if you proceed.

## **Appendix Nine: Expulsion of Students Appeal Information and Form.**

This document is designed to assist you in understanding the procedures for appealing the decision of Genazzano FCJ College Principal to expel your child. It should also be used to lodge an appeal.

**Who should I contact to appeal an expulsion decision?**

Students and or their parents/guardians/carers/relevant persons who wish to appeal an expulsion decision should do so through the Chair of College Council.

### **Under what circumstances can I appeal the decision to expel my child?**

A Principal's expulsion decision may be appealed on the following grounds:

- there have not been sufficient interventions and strategies utilised prior to the decision to expel where the student has a history of behavioural issues
- the grounds on which the student has been expelled are unfair
- the expulsion process was not followed by the Principal
- other extenuating circumstances.

This *Expulsion of Students Appeal Information and Form* must be received by Chair of College Council within 10 business days of you or your child receiving the *Notice of Expulsion of Students*.

### **What happens after I have submitted my appeal of the expulsion decision?**

The designated Chair of College Council will contact the Genazzano FCJ College Principal and obtain a copy of the following documents within one business day of receiving your completed *Expulsion of Students Appeal Information and Form*:

- *Notice of Expulsion*
- *Expulsion Report*.

The designated Chair of College Council may appoint an Expulsion Review Panel to review the Principal's decision to expel your child, and they will notify the FCJ Education Board if this is the case. You will be provided with information concerning the Expulsion Review Panel.

After the Expulsion Review Panel has met and considered all relevant information presented by you, the panel will prepare an Expulsion Appeal Report for the College Council. The Chair of College Council will then determine to either:

- uphold the decision made by the Principal to expel your child
- overturn the decision made by the Principal to expel your child.

You will be notified of the decision made concerning your child.

This form is to be completed by the student and parents/guardians/carers/relevant persons who wish to appeal an expulsion decision made by the Genazzano FCJ College Principal.

It is important that you keep a copy of this form for your records.





### Student Information

Name:			
Date of birth:			
Year level:			
Phone:		Email:	

### Parents/guardians/carers/relevant persons Information

Name:			
Address:			
Phone:		Email:	
Support needs:	<i>Do you or your child require any specific assistance to participate in a meeting?</i>		

### Expulsion Information

Expulsion commencement date:	
Background Information	



*Please provide brief details of the circumstances leading to the expulsion decision by the Principal:*

**Reason/s for the Appeal**

There have not been sufficient interventions and strategies utilised prior to the decision to expel where the student has a history of behavioural issues.

Yes/No

The grounds on which the student has been expelled are unfair.

Yes/No



The expulsion process was not followed by the Principal.	Yes/No
Other extenuating circumstances.	Yes/No

Parents/guardians/carers/relevant persons' signature: \_\_\_\_\_

Student signature (if applicable): \_\_\_\_\_ Date: \_\_\_\_\_