

# **GOOD DISCIPLINE AND EFFECTIVE LEARNING**

## **PROCEDURES FOR THE SUSPENSION AND EXPULSION OF SCHOOL STUDENTS**

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1998 New South Wales Department of Education and Training  
Student Services and Equity Programs

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## GENERAL PRINCIPLES

1. All students and teachers have the right to be treated fairly and with dignity, in an environment free from disruption, intimidation, harassment and discrimination. To achieve this, all schools will maintain high standards of student behaviour.
2. There will be cases of unacceptable behaviour where it will be in the best interests of the school community and/or the student involved, for the student to be removed from the school for a period of time or completely. Suspension and expulsion are the options available to the principal in these situations.
3. Collaboration between school staff, students and parents is an important feature of discipline in government schools. All should be fully aware of the suspension and expulsion procedures and their place in the context of that school's student welfare and discipline policies.
4. Suspension is only one strategy within a school's student welfare policy and discipline code. It is most effective when it highlights the parents' or caregiver's responsibility for taking an active role, in partnership with the school, to change the behaviour of their child. The school and the government school system will work with parents or caregivers with a view to assisting a suspended student to rejoin the school community as quickly as possible.
5. Suspension allows students time to reflect on their behaviour, to acknowledge and accept responsibility for the behaviours which led to the suspension and to accept responsibility for changing their behaviour to meet the school's expectations in the future. It also allows time for school personnel to plan appropriate support for the student to assist with successful re-entry.
6. Principals have authority, consistent with the provisions of these procedures and associated documents, to suspend or expel a student from a particular school or to recommend expulsion from the government school system. They will exercise this authority having regard to their responsibilities to the whole school community and to the principles of procedural fairness.

7. In implementing these procedures, the principal must ensure that no student is discriminated against on any of the following grounds:
- race, including colour, nationality, descent, and ethnic, ethno-religious or national origin
  - sex
  - marital status
  - disability, including HIV/AIDS
  - homosexuality
  - transgender, or
  - age.

The principal must have procedures in place to deal with complaints received on these grounds.

8. The principal must also ensure that the implementation of these procedures takes into account factors such as the age, individual needs and developmental level of students.
9. The principles of procedural fairness are fundamental to the implementation of these procedures. Detailed information on these principles is set out in Appendix 1.
10. While a number of policies may apply to the circumstances or behaviour being considered in the context of a suspension or expulsion, if serious disciplinary action against a student is contemplated these procedures take precedence.
11. Principals acting in accordance with established policy and procedures are acting with the authority of the Department of Education and Training and will be strongly supported.
12. These procedures should be interpreted in the context of the Ministerial Statement: *Good Discipline and Effective Learning (December 1995)* and the Department's *Student Welfare Policy (1996)*. They replace Memorandum 96/053 (S.049) *Revised Procedures Concerning Suspension, Exclusion and Expulsion of Students from School and Declaration of Place Vacant*.

## SUSPENSION

1. In determining whether a student's misbehaviour is serious enough to warrant suspension, the principal will consider the safety and welfare of the student, staff and other students in the class or school.
2. The full range of school student welfare and discipline strategies will have been implemented, in most cases, before a suspension is imposed.
3. In some circumstances the principal may determine that a student should be suspended immediately. This will usually be due to reasons such as the safety of students or staff because of violence, threats of violence, the presence of weapons or illegal drugs.
4. Principals of government schools must suspend immediately and consistently with these procedures, any student who:

- *is in possession of a suspected illegal drug*

The Government firmly believes that schools must be places which are absolutely free of illegal drugs.

Suspension is to occur immediately if the substance is being represented by the student as an illegal drug, or on confirmation (in accordance with the relevant procedure for identification of illegal substances) that the substance is, in fact, illegal.

Under arrangements made with the NSW Police Service the substance will generally be identified within 48 hours of the material being handed to the police by the school principal. The cost of this identification will be met by the Department of Education and Training. The NSW Police Service will hold the substance pending any legal action. Schools should contact their district superintendent to make arrangements.

- *is violent or threatens serious physical violence*

Any student intentionally causing injury or threatening serious physical violence against another student or teacher is to be suspended immediately.

- *is in possession of a prohibited weapon*

Any student in possession of a prohibited weapon, or using, or threatening to use, any item or instrument as a weapon, is to be suspended immediately. The matter must be reported to the police immediately.

5. In circumstances other than those outlined in (3) and (4) above, suspension usually will occur after the principal has:
- ensured that all appropriate school student welfare strategies and discipline options have been applied and documented
  - ensured that all appropriate support personnel available within the school system and externally have been involved
  - ensured that discussion has occurred with the student and parent or caregiver regarding specific misbehaviour which the school considers unacceptable and which may lead to suspension
  - provided a formal written caution detailing these behaviours, as well as clear expectations of what is required of the student in future, and
  - recorded all action taken.
6. Principals of government schools may also suspend, consistent with these procedures and (2) above, any student who, among other things:
- *is persistently disobedient*
- Students who, in their relationships with staff, are persistently disobedient, insolent or engage in verbal harassment and abuse, may be suspended. Students who persistently disrupt and prevent the learning and teaching of others may also be suspended. Suspension of these students should only occur after school based intervention has failed.
- *engages in criminal behaviour related to the school*
- If criminal behaviour is suspected the police are to be notified by the school. A police investigation of a particular matter does not remove the principal's obligations, under these procedures, to deal with the behaviour as an internal disciplinary matter.
7. Principals may impose either a short suspension of up to and including four school days or a long suspension of up to and including 20 school days.

## Short Suspension

1. The principal may impose a short suspension of up to and including four school days. A sample letter is included at Appendix 4.
2. A suspension resolution meeting must be convened by the principal at the earliest opportunity. The principal, in conjunction with the parents or caregiver, should utilise the school, district office and other available resources in seeking a means of assisting the student to modify his or her behaviour. The use of such resources should be discussed in the suspension resolution meeting.
3. Should a parent or caregiver require an interpreter in order to participate fully in the suspension resolution meeting, an appropriate person must be organised by the principal.
4. Should a parent or caregiver require a support person in order to participate fully in the suspension resolution meeting, a person acceptable to both the parent or caregiver and the principal may be involved, eg Aboriginal Education Assistant, disability worker. The responsibility for organising a support person rests with the student, parent or caregiver.
5. If the unacceptable behaviour persists after two short suspensions, strategies such as further short suspensions, a longer suspension or alternative educational programs must be considered. Each case will be different and the action needs to be appropriate to the individual circumstances of the case. Alternative educational programs which could be considered for the student should be discussed with the district student services and equity coordinator.
6. If the principal decides to impose more than two short suspensions on a student in any twelve month period, the district superintendent must be advised. Appendix 10 provides a model for the provision of advice to the district superintendent.
7. The principal will ensure that the suspension is recorded in the suspension register and that all relevant documentation is retained on a file at the school. All documentation must be made available to the district superintendent on request.

## Long Suspension

1. If short suspensions have not resolved the problem, or the misbehaviour is so serious as to warrant a long suspension, the principal may impose a long suspension of up to and including 20 school days. The district superintendent must be advised of the suspension, including its probable duration.

2. In cases where consideration is being given to imposing a long suspension from the school, the gravity of the circumstances requires that particular emphasis be given to procedural fairness issues.
3. A formal disciplinary interview should be held with the student prior to making the decision to suspend. Principals should ensure that the student is given explicit information about the nature of the allegation(s) and is given the opportunity to consider and respond to the allegation(s). The student should also be able to have an appropriate observer of their choosing present at the interview. The key features of the interview should be taken down in writing.
4. The principal should utilise the school, district office and other available resources in seeking a means of returning the student to school following the suspension. The aim is to minimise the number of days each student is suspended. A report from the school counsellor must be sought, if not already available. The report from the school counsellor should include recommendations for further action.
5. A suspension resolution meeting must be convened by the principal, at the earliest opportunity.
6. The principal will not impose any more than two long suspensions on an individual student in any twelve month period, without the approval of the district superintendent.
7. If, after two long suspensions the matter has not been resolved, other strategies must be considered including alternative educational placements or a recommendation for expulsion from the school or the government school system. Alternative educational placements which could be considered for the student should be discussed with the district student services and equity coordinator.
8. The principal will ensure that the suspension is recorded in the suspension register and that all relevant documentation is retained on a file at the school.
9. Should a parent or caregiver require an interpreter in order to participate fully in the suspension resolution meeting, an appropriate person must be organised by the principal.
10. Should a parent or caregiver require a support person in order to participate fully in the suspension resolution meeting, a person acceptable to both the parent or caregiver and the principal may be involved, eg Aboriginal Education Assistant, disability worker. The responsibility for organising a support person rests with the student, parent or caregiver.

## Deciding on, Notifying and Resolving a Suspension

The following steps relate to both short and long suspensions.

### Decision

1. The decision to suspend must be taken by the principal, or, in the principal's absence, the acting principal.
2. The principal should inform the student of the precise grounds on which suspension is being considered. The student must be given the opportunity to respond. The student's response must be considered before a decision to suspend is made.

### Notification

1. A student will not be sent out of the school before the end of the school day without notification being made to a parent or caregiver and, if necessary, agreement reached about arrangements for the collection of the child from school.
2. Notification of suspension must be made to parents or caregivers in writing. Reasonable steps must be taken to ensure that the notification is delivered, if necessary in an alternative form. This may apply when parents have difficulty reading or understanding English.
3. In all cases, the notification must include:
  - notice of the suspension
  - the date and probable duration of the suspension
  - the reasons for the suspension
  - the clear expectation that the student will continue with studies while suspended and in the case of a long suspension that a study program will be provided
  - the importance of parental assistance in resolving the matter
  - parental responsibility for the care and safety of the student while under suspension
  - other appropriate government or community agencies available to provide assistance where necessary.
4. Parents and caregivers must also be provided with a copy of the school's discipline code, this procedures document, and information about appeal rights.

5. If consideration is being given to proceeding to expulsion from the school or the government system, the notification of suspension or formal warning should make this intention plain. Sample letters are included in Appendices 5, 6 and 7.

## **Resolution**

1. The principal must convene a suspension resolution meeting of personnel involved in the welfare and guidance of the student, including the parents or caregiver, to discuss the basis on which the suspension will be resolved.
2. If, in extenuating circumstances, parents or caregivers are unable or unwilling to attend a suspension resolution meeting, the principal should consider the individual merits of the case and attempt to ensure that the student is back at school on or before the concluding date of the suspension period. Where this is not possible, the district superintendent must be notified and alternative steps taken to resolve the suspension and facilitate the student's return to school.
3. Should a parent or caregiver require an interpreter in order to participate fully in the suspension resolution meeting, an appropriate person must be organised by the principal.
4. Should a parent or caregiver require a support person in order to participate fully in the suspension resolution meeting, a person acceptable to both the parent or caregiver and the principal may be involved, eg Aboriginal Education Assistant, disability worker. The responsibility for organising a support person rests with the student, parent or caregiver.
5. The principal will ensure that the suspension is recorded in the suspension register and that all relevant documentation is retained on a file at the school.

## EXPULSION

In extreme circumstances the principal may expel a student from the school or may make a submission to the Director-General recommending the expulsion of a student from the government school system.

### Expulsion from a Particular School

1. This means that the student is expelled from one particular school only. With the exception of the circumstances outlined in 2(b) below, the principal, in conjunction with the superintendent or relevant district office staff and the parents or caregiver, must arrange a suitable enrolment for the student in another school or educational facility.
2. The decision to expel a student from the school may be made on the basis of:
  - (a) misbehaviour of a student of any age; or
  - (b) unsatisfactory participation in learning by a student of post-compulsory age, eg a documented pattern of non-satisfactory completion, non-serious attempts to meet course objectives, and/or non-compliance with Board of Studies requirements for the award of a School Certificate or Higher School Certificate.
3. Prior to making a decision to expel on the grounds set out in 2(b) above, the student must receive at least one formal written warning that such action is being contemplated. A program of improvement should be developed in conjunction with the student. The student must also be provided with a reasonable period in which to demonstrate an improvement in his or her participation.
4. Where the student is being expelled on the grounds set out in 2(b) above, the arrangement of an alternative placement is the responsibility of the student and the student's parents or caregiver. If a suitable alternative cannot be arranged, it is not necessary in these cases for the principal to readmit the student, recommend expulsion from the government school system or refer the issue to the district superintendent.
5. The principal will ensure, except as a result of a most serious incident, that all appropriate student welfare strategies and discipline options have been implemented and documented prior to expelling a student from the school because of misbehaviour.

6. When considering whether to expel a student from the school the principal must:
  - place the student on a long suspension pending the outcome of the decision-making process. This action should be taken irrespective of any action by another agency, including the NSW Police Service
  - notify the student and the parents or caregiver, in writing, that expulsion from the school is being considered, giving reasons for the possible action and allowing seven school days for the student, parents or caregiver to respond. A sample letter is included at Appendix 7
  - organise interpreter or cultural assistance or translation of documents, as appropriate, in order to allow parents and caregivers to participate fully in the process
  - provide the parents or caregiver with a copy of all documentation on which the recommendation to expel has been based
  - consider any response from the student or parents before proceeding further
  - discuss with the parents or caregiver the implications of expulsion and provide information relating to the right to, and process for, an appeal (if the expulsion were to proceed).
7. If, having completed the action outlined above, the principal decides to expel a student from the school, the principal must advise the district superintendent, prior to providing formal notification to the student and the parent or caregiver.
8. Having reached a decision to expel a student from the school, the principal must:
  - inform the student and the parent or caregiver in writing. This formal advice should also restate the right to appeal the decision. Sample letters are included at Appendices 8 and 9
  - arrange within ten school days, in consultation with district office staff, an alternative school placement which is appropriate to the needs of the student.
9. If a suitable alternative cannot be arranged, the principal must move to:
  - recommend expulsion from the government school system, or
  - refer the issue to the district superintendent for resolution.

10. In the resolution process, the district superintendent may consider a range of options including:
  - directing the readmittance of the student to the school, subject to strict disciplinary arrangements as may be necessary to ensure the safety and welfare of the student, other students and staff
  - placement in an alternative education setting
  - enrolment in TAFE or distance education, or
  - directing another school to enrol the student.
11. In the majority of cases, an expulsion from a particular school will be finalised within the 20 day period of a long suspension. In the unlikely event that this cannot be achieved, a second long suspension may be imposed provided all the requirements for notification and documentation are fulfilled.

### **Expulsion from the Government School System**

1. Expulsion from the government school system means that the student is expelled from all schools within the NSW government school system and may not re-enrol in the system without the approval of the Minister.
2. In cases where consideration is being given to recommending an expulsion from the government school system, the gravity of the circumstances requires that particular emphasis be given to procedural fairness issues.
3. A formal disciplinary interview should be held with the student prior to making the decision to recommend the expulsion of the student from the government school system. Principals should ensure that the student is given explicit information about the nature of the allegation(s) and is given the opportunity to consider and respond to the allegation(s). The student should also be able to have an appropriate observer of their choosing present at the interview. The key features of the interview should be taken down in writing.
4. When recommending expulsion from the government school system, the principal must:
  - place the student on a long suspension pending the outcome of the decision making process. This action should be taken irrespective of any action by another agency, including the NSW Police Service
  - notify the student and the parents or caregiver in writing, that expulsion from the government school system is being considered, giving reasons for the possible action and allowing seven school days for the student, parents or caregiver to respond

- organise interpreter assistance or translation of documents, as appropriate, in order to allow parents and caregivers to participate fully in the process
  - provide the parents or caregiver with a copy of all the documentation on which the recommendation to expel is based
  - consider any response from the student or parents before proceeding further
  - provide the parents or caregiver with information on the implications of this action, their rights to an appeal and the appropriate procedures for submitting an appeal.
5. If, having completed the action outlined above, the principal decides to recommend expulsion from the government school system, the principal must forward a submission to the district superintendent detailing the reasons, the action taken to moderate the student's behaviour, the school counsellor's report, a copy of all required documentation, and any response from the student, parents or caregiver. This will be forwarded to the Director-General for consideration.
  6. The principal must record all action taken in the suspension register.
  7. A decision to expel from the government school system can only be made by the Minister on a recommendation from the Director-General.
  8. While consideration is being given to an expulsion from the government school system, the student will remain on suspension. Typically, a decision will be made within 20 school days of the submission reaching the Director-General.

# REVIEW AND APPEALS PROCESSES

## Reviews

1. A district superintendent or assistant director-general may review any aspect of the implementation of these procedures at any time. A review is undertaken to ensure that procedures have been appropriately implemented by the principal and are consistent with government policy.
2. A review will usually be generated through systemic monitoring or trend analysis. It will not be instigated by a parent or student complaint. In these cases appeal is the appropriate mechanism.

## Appeals

1. Students and parents or caregivers who consider that correct procedures have not been followed, or that an unfair decision has been made, may appeal.
2. Appeals should be in writing, stating the grounds on which the appeal is being made.
3. Some students, parents or caregivers will require assistance in lodging an appeal. Students, parents or caregivers requiring assistance should be referred in the first instance to the district office. District office personnel should identify appropriate support people for the student, parent or caregiver if this type of assistance is requested. The nominated support person should assist parents to understand their right of, and the process for, appeal. They should ensure that the appellant has access to the appropriate form (see Appendix 11) and has assistance to complete it, if necessary.
4. Appeals can be made to the following officers:
  - to a district superintendent about the imposition of a suspension or a decision to expel a student from a particular school
  - to an assistant director-general where a district superintendent has been so involved in a decision to suspend or expel a student from a particular school as to prevent him or her, on the grounds of procedural fairness, from hearing an appeal (in these cases, the assistant director-general may ask another district superintendent to deal with the appeal)

- to an assistant director-general about the decision of a district superintendent to decline an appeal relating to a suspension or an expulsion from a particular school as in the first dot point above
  - to an assistant director-general about a recommendation to expel a student from the government school system.
5. The district superintendent or assistant director-general will:
- deal with the appeal within 28 days of its lodgement
  - ensure that communication lines are maintained with the person or persons making the appeal and that they are kept aware of the progress of the appeal
  - review all relevant material
  - ensure that appropriate material has been made available to the student and his or her parents or caregivers
  - discuss relevant issues with the person or persons making the appeal and any other parties, as appropriate
  - advise all the parties of the decision and the specific reasons for reaching the decision.
6. Where an appeal is upheld, the person determining the appeal will decide what further action is to be taken.
7. The fact that an appeal has been lodged does not put on hold the principal's decision to suspend or suspend prior to expulsion from a particular school. Nor should it delay attempts to resolve the suspension.

## PROCEDURAL FAIRNESS

Procedural fairness is a basic right of all individuals dealing with authorities. All communities have a legitimate expectation that Department of Education and Training officers will follow these principles in all circumstances, including when dealing with suspensions and expulsions.

Procedural fairness is generally recognised as having two essential elements.

1. **The right to be heard** which includes:
  - the right to know why the action is happening
  - the right to know the way in which the issues will be determined
  - the right to know the allegations in the matter and any other information which will be taken into account
  - the right of the person against whom the allegations have been made to respond to the allegations, and
  - the right to an appeal.
  
2. **The right of a person to an impartial decision** which includes:
  - the right to impartiality in the investigation and decision making phases
  - the right to an absence of bias in the decision maker

As part of ensuring the right to be heard, principals should establish if parents or caregivers require an interpreter and, if so, make arrangements for one to be available.

Principals should also ensure that students and parents or caregivers have access to policies and procedures under which action is being taken.

While it is generally preferable for the functions of investigating and deciding to be carried out by different people, in the school setting this may not always be possible.

If the principal is conducting both the investigative and decision making stages, he or she must be reasonable and objective. Ultimately, the principal must act justly and be seen to act justly. While it is difficult to combine the roles of investigator and adjudicator, it is acceptable to do so given the nature of the principal's responsibilities. Nevertheless, it is preferable to have another appropriate officer, such as a deputy or assistant principal, carry out the investigation, if possible.

The availability of a line of appeal to a more senior officer adds to the fairness of the process and offers a check in case there is a perception of a conflict of interest.

It is the principal's responsibility to suspend or expel a student from the particular school or to recommend the expulsion of a student from the government school system. This responsibility is not to be delegated to any officer other than one acting in the principal's position.

To ensure the elements of procedural fairness are met, it is appropriate to provide students and their parents or caregivers with details of all allegations relating to the incident. This usually will involve providing copies of any relevant statements. Should principals be of the view that it is not appropriate to provide copies of statements, for example, because of a fear that witnesses may be intimidated, full details of the allegations outlined in the statements should be provided.

In matters where a long suspension or expulsion is contemplated, the gravity of the circumstances requires particular emphasis being given to procedural fairness. This includes the availability of a support person/observer at formal interviews, the key features of which should be taken down in writing.

## THE LEGISLATIVE BASE FOR SUSPENSION AND EXPULSION FROM SCHOOL

The Education Act 1990 allows the Minister to control and regulate student discipline in government schools. This is outlined in s.35 (1).

### Suspension

The provisions allow for suspension from government schools.

- Under s.35 (3) the Director-General may suspend any student from a government school.

### Expulsion

The provisions allow for expulsion from one or more government schools or from the government school system.

- Under s.35 (3) the Minister may, on the recommendation of the Director-General, expel a student of any age from a government school.
- Under s.34 (4) (a) the Minister may refuse the admission of a student to all or any government schools if the student has been expelled from any government school.
- Under s.34 (4) (b) the Minister may refuse admission of a student to all or any government schools if the Minister is of the opinion that there is other sufficient reason to do so.
- Under s.35 (5) the Director-General may, with the consent of the student's parent or caregiver, arrange for a student who has been expelled from a government school to be admitted to and attend another government school.

## DELEGATIONS AND POWERS

Under s.119 of the Education Act 1990, the Minister and the Director-General may delegate to any person or body the exercise of any of their respective functions under the Act.

Principals have the delegation to suspend a student, expel a student from a particular school or to make a submission to the Director-General recommending the expulsion of a student from the government school system.

Only the Minister may expel a student from the government school system on the recommendation of the Director-General.

## POLICY RELATED DOCUMENTS

While this document is the primary source document for procedures on suspensions and expulsions and in this sense can stand alone, it should be interpreted in the context of some overarching policy statements.

Additionally, certain elements of this document are informed by, or elaborated on, by associated policy-related documents.

### The overarching policy statements are:

- *Ministerial Statement: Good Discipline and Effective Learning (December 1995)*. This statement by the Minister provides an overview of the government's expectations for learning environments and discipline in the NSW public school system. It outlines the requirement for individual school discipline codes for each school, lists strategies to promote good discipline and effective learning, and for dealing with unacceptable behaviour. Practices designed to recognise and reinforce student achievement are also outlined.
- *Student Welfare Policy (1996)*. The *Student Welfare Policy*, issued by the Department in 1996, is an elaboration of the policy requirements outlined by the Minister in his statement, *Good Discipline and Effective Learning*. It contains sections on effective learning and teaching, positive climate and good discipline, community participation and responsibilities of school personnel, district officers and state office staff.

### The associated policy-related documents are:

- *Assault and Threat of Assault by Students, 96/132 (s.125)* provides guidance on the expected response to students exhibiting severe behaviour problems.
- *Procedures for Resolving Complaints about Discrimination Against Students, 95/015 (S.014)* commits the Department to the provision of learning and working environments for students and staff that are free from all forms of unlawful discrimination, harassment and vilification and provides guidance for complaint resolution procedures where there is a claim of direct or indirect discrimination.
- *Anti-Racism Grievance Procedures, 93/014 (s.011)* complements the Department's Anti-Racism Policy and sets out procedures to be used to resolve complaints about racism.
- *Codes of Behaviour for School Sport, 22/06/87, 87/254* provides guidance on codes of behaviour for players, teacher-coaches, principals, parents, officials, spectators and the news media.

- *Police Authority in Schools, 86/045 (s.508)* provides guidance to principals in circumstances where police officers seek to interview school students during school hours.
- *Resolution of Complaints, 94/037 (s.037)* provides guidance on procedures to be used when dealing with formal complaints about school staff, policies or practices.
- *Identification of Substances Suspected of Being Controlled Drugs, 94/049 (s.047)* sets out procedures to be used when substances suspected of being controlled drugs are found in the possession of students or other community members.

These documents are available from the policy data base on the Department's intranet website.

From time to time, legal advice relating to suspensions and expulsions will be published in the Legal Issues Bulletins, for example, Volume 1 provides advice on the unauthorised entry of individuals on to school premises and Volumes 2 and 2a provide advice on the possession of knives and other offensive weapons on or near the Department's premises.

## SAMPLE LETTER - SHORT SUSPENSION

Mr and Mrs (*Name*)  
(*address*)

Dear Mr and Mrs (*Name*)

This is to inform you that I have today suspended your (*daughter/son/etc*), (*student's name*) from (*school name*), consistent with the procedures of the Department of Education and Training for suspension and this school's discipline code.

(*Student's name*) has been suspended for (*specific reason/s and details of the incident/s*).

(*Student's name*) has been suspended for (*number of*) school days, from (*date*) to (*date*) inclusive. During this time, I will seek your assistance in resolving this matter. If we are able to resolve this matter satisfactorily, this period of suspension may be reduced. Our experience is that your assistance and co-operation in working with us will more readily lead to resolution.

Please contact my office as soon as possible on phone (*school phone number*) to arrange a meeting to discuss this suspension. You may wish to have a support person present at this meeting.

(*To be included where a language other than English is believed to be spoken in the home*). An interpreter can be arranged for this meeting if required. If you need an interpreter, please advise the school.

You are responsible for the care and safety of (*student's name*) while (*she/he*) is on suspension. The school expects that (*student's name*) will continue with (*his/her*) studies while suspended.

I attach for your information a copy of the school discipline code (*or school rules*) and the Department's procedures document on suspension and expulsion. These procedures include a section on short suspension page 8 and a section on appeals beginning on page 16.

If you consider that correct procedures have not been followed in this case or that an unfair decision has been made, you may appeal in accordance with the procedures. You may wish to contact the district office on (*phone number*) to discuss the appeal procedures.

Yours sincerely

**Principal**

## SAMPLE LETTER - LONG SUSPENSION

Mr and Mrs (*Name*)  
(*address*)

Dear Mr and Mrs (*Name*)

This is to inform you that I have today suspended your (*daughter/son/etc*), (*student's name*) from (*school name*), consistent with the procedures of the Department of Education and Training for suspension and this school's discipline code.

(*Student's name*) has been suspended for (*specific reason/s and details of the incident/s*).

(*Student's name*) has been suspended for (*number of*) school days, from (*date*) to (*date*) inclusive. During this time, I will seek your assistance in resolving this matter. If we are able to resolve this matter satisfactorily, this period of suspension may be reduced. Our experience is that your assistance and co-operation in working with us will more readily lead to resolution.

Please contact my office as soon as possible on phone (*school phone number*) to arrange a meeting to discuss this suspension. You may wish to have a support person present at this meeting.

(*To be included where a language other than English is believed to be spoken in the home*). An interpreter can be arranged for this meeting if required. If you need an interpreter, please advise the school.

You are responsible for the care and safety of (*student's name*) while (*she/he*) is on suspension. The school expects that (*student's name*) will continue with (*his/her*) studies while suspended. A study program will be provided.

I attach for your information a copy of the school discipline code (*or school rules*) and the Department's procedures document on suspension and expulsion. These procedures include a section on long suspension beginning on page 8 and a section on appeals beginning on page 16.

If you consider that correct procedures have not been followed in this case or that an unfair decision has been made, you may appeal in accordance with the procedures. You may wish to contact the district office on (*phone number*) to discuss the appeal procedures.

Yours sincerely

**Principal**

## **SAMPLE LETTER - FORMAL WARNING OF UNSATISFACTORY PARTICIPATION IN LEARNING BY A STUDENT OF POST-COMPULSORY AGE**

Mr and Mrs (*Name*)  
(*address*)

Dear Mr and Mrs (*Name*)

This is to inform you of my concern that your (*daughter/son/etc*), (*student's name*) is (*not meeting requirements, non-serious etc*) at this time. Should this continue, steps may be taken to expel (*daughter/son/etc*), (*student's name*) from this school according to the procedures of the Department of Education and Training for suspension and expulsion from a particular school.

The reasons for this are (*specific reason/s and details*).

Please contact my office as soon as possible on phone (*school phone number*) to discuss (*student's name*) unsatisfactory progress and to assist in the implementation of a program of improvement for (*student's name*). (*To be included where a language other than English is believed to be spoken in the home*). If you need an interpreter, please advise the school.

I attach for your information a copy of the Department's procedures document on suspension and expulsion. These procedures include a section on expulsion from a particular school beginning on page 12.

I seek your assistance in resolving this matter.

Yours sincerely

**Principal**

## SAMPLE LETTER - EXPULSION FROM A PARTICULAR SCHOOL (LETTER 1 - INITIAL ADVICE)

Mr and Mrs (*Name*)  
(*Address*)

Dear Mr and Mrs (*Name*)

This is to inform you that today I have placed your (*daughter/son etc*), (*student's name*) on a long suspension from (*school name*), and that I am considering expelling (*him/her*) from this school. This action has been taken, consistent with the procedures of the Department of Education and Training for suspension and expulsion from a particular school and this school's discipline code. The form of expulsion I am considering would mean that (*student's name*) would be expelled from this school only.

I have decided to consider expelling (*student's name*) from this school after consideration of the following facts:

- (*specific details of incidents*)

Copies of all documents on which my action has been based are attached. (*Student's name*) will not be able to return to school pending the final decision making process.

You have seven school days to respond to this advice prior to the final decision being taken. Please contact my office as soon as possible on phone (*school phone number*) to arrange a meeting to discuss this matter. At this meeting I will explain the implications of expulsion and your appeal rights.

You may wish to have a support person present at this meeting. (*To be included where a language other than English is believed to be spoken in the home*) An interpreter can be arranged for this meeting if required. If you need an interpreter, please advise the school.

You are responsible for the care and safety of (*student's name*) while (*she/he*) is on suspension. The school expects that (*student's name*) will continue with (*his/her*) studies while suspended. A study program will be provided.

I attach for your information a copy of the school discipline code (*or school rules*) and the Department's procedures document on suspension and expulsion. These procedures include a section on expulsion beginning on page 12 and a section on appeals beginning on page 16.

Yours sincerely

**Principal**

## **SAMPLE LETTER - EXPULSION FROM A PARTICULAR SCHOOL FOR MISBEHAVIOUR (LETTER 2 - DECISION)**

Mr and Mrs (*Name*)  
(*Address*)

Dear Mr and Mrs (*Name*)

This is to inform you that today I have decided to expel your (*daughter/son etc*), (*student's name*) from this school. This decision has been taken, consistent with the procedures of the Department of Education and Training for suspension and expulsion from a particular school and this school's discipline code. (*Student's name*) will be expelled from this school only and during the next ten days, I will work in consultation with you and district office staff, to arrange an appropriate alternative educational setting for (*student's name*).

The decision to expel (*student's name*) from this school has been made after consideration of the information provided in my letter of (*date of advice letter*), the documentation provided to you and your response to me.

(*Student's name*) will not be able to return to this school.

You are responsible for the care and safety of (*student's name*) pending the arrangement of an alternative educational setting. The school expects that (*student's name*) will continue with (*his/her*) studies while arrangements are being made. A study program will be provided.

I have previously provided a copy of the school discipline code (*or school rules*) and the Department's procedures document on suspension and expulsion. I again draw your attention to the section of the procedures on expulsion beginning on page 12, and on appeals beginning on page 16.

If you consider that correct procedures have not been followed in this case or an unfair decision has been made, you may appeal in accordance with the procedures. You may wish to contact the district office on (*phone number*) to discuss the appeal procedures. If you need an interpreter, please advise the district office.

Yours sincerely

**Principal**

## **SAMPLE LETTER - EXPULSION FROM A PARTICULAR SCHOOL FOR UNSATISFACTORY PARTICIPATION (LETTER 3 - DECISION)**

Mr and Mrs (*Name*)  
(*Address*)

Dear Mr and Mrs (*Name*)

This is to inform you that today I have decided to expel your (*daughter/son etc*), (*student's name*) from this school. This decision has been taken, consistent with the procedures of the Department of Education and Training for suspension and expulsion from a particular school and this school's discipline code. (*Student's name*) will be expelled from this school only. Should you wish to enrol (*student's name*) in another school, it is the responsibility of you and your (*daughter/son etc*), (*student's name*) to arrange that enrolment.

The decision to expel (*student's name*) from this school has been made after consideration of the information provided in my letter of (*date of advice letter*), the documentation provided to you and your response to me.

You are responsible for the care and safety of (*student's name*) pending the arrangement of an alternative educational setting. The school expects that (*student's name*) will continue with (*his/her*) studies while arrangements are being made.

I have previously provided a copy of the school discipline code (*or school rules*) and the Department's procedures document on suspension and expulsion. I again draw your attention to the section of the procedures on expulsion beginning on page 12, and on appeals beginning on page 16.

If you consider that correct procedures have not been followed in this case or an unfair decision has been made, you may appeal in accordance with the procedures. You may wish to contact the district office on (*phone number*) to discuss the appeal procedures. If you need an interpreter, please advise the district office.

Yours sincerely

**Principal**

<b>TO:</b> District Superintendent <b>PHONE:</b> <b>FAX:</b>	<b>SENDING SCHOOL:</b>
<b>ATTENTION:</b>	<b>DATE:</b>
<b>NOTIFICATION OF</b>  <div style="display: flex; justify-content: space-between;"> <div style="width: 70%;"> <p><b>MORE THAN TWO SHORT SUSPENSIONS</b></p> <p><b>LONG SUSPENSION</b></p> <p><b>(tick one) MORE THAN TWO LONG SUSPENSIONS</b></p> <p><b>EXPULSION FROM A SCHOOL</b></p> <p><b>RECOMMENDATION TO EXPEL FROM SYSTEM</b></p> </div> <div style="width: 25%; text-align: right;"> <input type="checkbox"/>   <input type="checkbox"/>   <input type="checkbox"/>   <input type="checkbox"/>   <input type="checkbox"/> </div> </div> <p>Student's Name: _____ D.O.B: _____ Year _____</p> <p>Parent's Name: _____ Phone: _____</p> <p>Date of Suspension: _____ Deadline for Resolution: _____</p> <p>Reason: _____</p> <p>_____</p> <p>Please indicate if student is <input type="checkbox"/> ATSI or <input type="checkbox"/> NESB</p>	
<b>ACTION</b>	<b>COMMENTS</b>
Parents provided with written notification	
School counsellor report with recommendation(s) prepared	
Agreed study program in place	
District assistance required for resolution eg behaviour support	
Number of suspensions in previous 12 months	Short _____ Long _____

\_\_\_\_\_  
Principal's Signature

SUPERINTENDENT'S USE	Date	Action/Comments
Appropriate district office staff involved		
Resolution		

## DEPARTMENT OF EDUCATION AND TRAINING

### APPEAL AGAINST A DECISION TO SUSPEND OR EXPEL A STUDENT FROM A NSW GOVERNMENT SCHOOL

Student's Name: .....

School Attended: .....

Year or Grade: .....

Person Making Appeal: .....

Relationship to Student: .....

Address: .....

Telephone Numbers: (work) ..... (home) .....

PLEASE ATTACH A COPY OF THE NOTIFICATION OF SUSPENSION FROM THE SCHOOL.

This appeal is on the grounds that *(please tick relevant box)*

- a. correct procedures have not been followed [ ]
- b. an unfair decision has been made [ ]

MAJOR REASONS FOR APPEALING *(summary only)*

*(You may attach supporting documents to this form. It is important that all matters which you wish considered in the appeal are mentioned.)*

Signature of person making appeal: .....Date: .....

**Checklist:**

- *have you attached a copy of the notification?* [ ]
- *have you attached additional information?* [ ]
- *have you completed all information on the form?* [ ]
- *have you signed the form?* [ ]

Please return this form, together with the attached information, to your District Office.