

# Stand Downs, Suspensions and Expulsions

## Guidelines and Procedures

The West Park School Board of Trustees under the National Administration Guideline (NAG) 5. are required to:

- i. Provide a safe physical and emotional environment for students; and
- ii. Comply in full with any legislation currently in force or that may be developed to ensure the safety of students and employees.

## Guidelines

All procedures follow those in Ministry of Education Guidance for Principals and Board of Trustees on Stand Downs, Suspension, Exclusions and Expulsion, July 1999.

**Preamble:** Two reasons only for stand down or suspension, Section 14 (i) of the Education Act 1989.

1. Gross misconduct (e.g. assaulting a teacher, stealing, drug usage at school) or continual disobedience that is harmful or dangerous example to other students.
2. Because of the students behaviour, it is likely that the student/other students will be seriously harmed if the student is not stood down or suspended for an unspecified period.

## Procedure for Stand-Down

1. Pupil referred to DP or Principal for disciplinary action
2. If there is gross misconduct **or** continual disobedience which is a harmful or dangerous example the pupil can be stood down or suspended
3. Decide on length of time for the stand-down, i.e. 5 school days per term and a maximum of 10 school days per year – (If the student is from another school - check with that school if the pupil has had any stand-down days to ensure that the total is not exceeded.)

**NB** -The day on which the pupil is stood-down and any day that the pupil would not have to attend school are NOT included in the period of the stand-down

4. Record decision to stand-down and reasons for the decision - this can be used for the report to the Board
5. Inform parents - this should be done by face to face or telephone if possible or the Principal may cause a stand-down meeting to take place or the parents may ask for a meeting. Such meetings may include others, if their involvement is likely to be helpful
6. Take notes of the stand-down discussion/meeting
7. As a result of the stand-down meeting the Principal may be satisfied the reasonable grounds for the stand-down did not exist and withdraw the stand-down
8. If the stand-down is withdrawn this decision must be recorded, the student and anyone told of the stand-down must be told that the stand-down has been withdrawn, the parent must be notified by letter - use the model in the Ministry guidance book and the Ministry must be notified using the form SDS6

9. If the decision to stand-down remains in place, ensure suitable arrangements have been made for the student to leave the school during the day the stand-down starts
10. Notify the ministry using form SDS 1 - include reasons and period of stand-down
11. Notify the parents in writing - use model letters. Include in this letter home a copy of the Ministry information sheet - this is available in 5 languages
12. From the time of the decision to stand-down the Principal is responsible for taking all reasonable steps to ensure the pupil has guidance and counselling that are reasonable and practical
13. Send a report to the BOT on the stand-down.

**Note:** A Parent's/ Caregiver's request for a voluntary stand down period will be considered and granted if deemed appropriate by the principle.

### **Procedures for Suspension-Exclusion**

1. Decision made to suspend pupil - this decision must be recorded.
2. Tell parents of the decision to suspend and reasons for the suspension.
3. Set a meeting date for the BOT Disciplinary Committee - this must be within 7 school days of the date of the suspension or within 10 calendar days if the suspension took place within 7 school days of the end of term. This meeting is to be held "in committee" - the public may not attend and the minutes will not be made available to the public.
4. Send a letter home to the parents notifying them of the suspension.
5. Send form SDS 1. to the Ministry
6. From the start of the suspension the Principal must ensure that the pupil has guidance and counseling that are reasonable and practicable and that an appropriate educational programme is provided.
7. Principal writes a report for the Board. (It is a good idea to hand deliver this report -date it and note the time of delivery on the envelope and note it in a diary. The report should contain positives and negatives about the pupil's history, it also must show that counselling has been provided.)
8. At least 48 hours before the meeting a copy of this report must be given to the parents and student along with any other material about the suspension to be presented at the meeting, the procedures for meetings deciding on suspensions, options available to the BOT and possible outcomes of the suspension and information on suspensions provided by the Ministry.
9. A minutes secretary needs to be appointed and take minutes at the Disciplinary Committees meeting, as a full written report must be written up at the end.

10. At the Disciplinary Committees meeting with the parents the Chairperson should follow these guidelines:

- i. Introductions
- ii. **Say:** The Discipline Committee is here to consider whether the suspension of ..... should be extended, excluded from West Park School or whether the suspension should be lifted and ..... be allowed to return to school.

Before we make a decision we want to give you (parents/whanau/student) an opportunity to tell us whatever you think is relevant.

First I must check whether you received the Principal's report relating to the circumstances leading to the suspension?

Have you read it?

Do you agree it is factually correct?

If you do not agree that it is correct what aspects are wrong?

I would like to ask the Principal to speak to the report.

11. Principal goes through the report - outlining points. Parents/Discipline Committee may question.

12. **Say** Parents - what would you like to say about this matter?

13. Parents present their views - Discipline Committee/Principal can question.

14. **Say** .....- what do you have to say about the circumstances?

15. Pupil presents their views - Discipline Committee/Principal can question.

16. **Say** Whanau/support - do you have anything you would like to say on behalf of.....?

17. Whanau/support speak if they wish - Discipline Committee/Principal can question.

18. **Say** Now we will have time for any general discussion. (Before making its decision the Discipline committee will try to get all parties to agree to what the decision will be)

19. **Say** Now the Discipline Committee will have to make our decision. We will be in touch with you this evening to let you know what we have decided.

20. Get contact phone number and time that they will be home.

21. Principal, parents, pupil and whanau/support leave to ensure fairness.

22. Discipline Committee makes its decision - considering each of the options it has available to it. The decision and the reasons for it must be recorded in writing.

23. Parents contacted with the decision of the Committee - Discipline Committee.

24. In the event that parents do not attend the meeting, the Discipline Committee will consider all the evidence and facts, when making its decision. Their decision will be communicated in written form to the parents within two working days of the decision having been made.

## **Procedures for each option following the decision by the discipline committee**

### **Suspension Lifted**

- Pupil returns to school immediately
- Decision to lift the suspension is recorded by the BOT (Principal)
- BOT (Principal) notifies the parents in writing
- BOT (Principal) notifies the Ministry using form SDS 2

### **Suspension Lifted Subject to Conditions**

- Pupil returns to school immediately
- Pupils must meet certain conditions - these must be reasonable and achievable
- Decision to lift the suspension with conditions is recorded by the BOT (Principal)
- BOT (Principal) notifies the parents in writing
- BOT (Principal) notifies the Ministry using form SDS 2
- If conditions are not met the Discipline Committee may reconsider its decision (page 18 - 19 of Ministry guidance book on stand downs and suspensions)

### **Suspension Extended**

- Suspension continued for a reasonable period of time and conditions will apply – these must be reasonable and achievable and aimed at the student returning to school
- BOT (Principal) notifies parents in writing
- BOT (Principal) notifies the Ministry using form SDS 2
- The Principal is required to take all reasonable steps to ensure that guidance and counselling and an appropriate educational programme is provided for a suspended student
- If conditions are not met the Discipline Committee may reconsider its decision (page 18 - 19 of Ministry guidance book on stand downs and suspensions)
- If suspension is extended for 4 weeks or more, Boards are required to monitor whether the student is meeting the conditions. The Principal must help the BOT to do this by reporting at each regular meeting following the decision. A copy of the report is to be given to the parent
- BOT (Principal) notifies the Ministry when the suspension has ended and when the pupil returns to school using form SDS 3

### **Exclusion**

- The Discipline Committee may decide to exclude the pupil from the school if they are aged under 16
- The BOT (Principal) must notify the parent in writing
- Notify the Ministry by completing the form SDS 2
- The Principal is required to try to arrange another school for the pupil
- The Principal consults parents
- The Principal asks a reasonably convenient school to take pupil

- Principal places student within 10 school days - if unable to do so Principal inform the Ministry who will arrange for placement
- Principal removes child's name off register
- Principal informs Ministry of placement details - to be reported on Ministry form SDS 3 or SDS 5

### **Communication lines**

*(Communications can be from the Principal or designated person)*

- Contact the relevant parents/ caregivers/ agencies
- Inform the Board Chairperson
- Inform the Board and Staff
- Inform parents of the relevant class or school community if deemed appropriate to do so, while protecting confidentiality as much as possible
- Inform the MoE according to guidelines above
- Provide updates to each of the above as deemed necessary on a case by case basis
- Nominate who will speak to the media if required

***Reviewed: SEPTEMBER 2020***