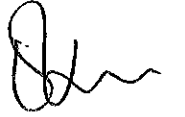
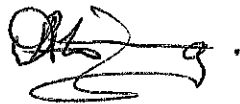




VCAL Suspension and Expulsion Policy and Procedure

Policy number	P-62		
Version number	1.0		
Drafted by	Veronica Kioria		
Responsible person CEO	Veronica Kioria	Signature 	Date: 22/05/19
Approved by the Board:			
On behalf of the Board	David Ling President	Signature 	Date: 22/05/19
Scheduled review date	December 2021		

Basic Beliefs/Purpose

Diamond Valley Learning Centre (DVLC) is committed to providing a safe, inclusive and positive learning environment for all students and will exclude students in response to serious misconduct and dangerous or violent behaviour. This policy should be read in conjunction with the VCAL Student Behaviour Management Policy.

Scope

This policy applies to the Chief Executive Officer (CEO), and to VCAL program staff, students and volunteers.

Policy Guidelines

DVLC expects that VCAL students will take responsibility for their own behaviour. On enrolment and at least annually, VCAL students (and their parents/ guardians / carers if under 18 years) are required to sign a statement of their rights and responsibilities, including expectations about student conduct.

DVLC has a range of strategies to manage student behaviour, and will only take disciplinary action to exclude students from school in cases of serious misconduct, or where earlier interventions have failed to address behavioural issues. All illegal activities will be reported to the police.

DVLC does not use detention as a disciplinary measure, or permit or the use of corporal punishment. Disciplinary actions in cases of serious misconduct may include:

- short suspensions (up to 5 days); and

- expulsion or withdrawal from the VCAL Program, as a last resort.

DVLC considers the following behaviour by students as grounds for suspension:

- threatening behaviour or any behaviour which poses a danger to the health, safety or wellbeing of staff or students;
- violent acts against a person or property, including wilful destruction of property and knowing involvement in the theft of property;
- possession and use of prohibited drugs or substances, or the deliberate assistance of another person to use prohibited drugs or substances;
- consistent behaviour that vilifies, defames, degrades or humiliates another person due to their age, marital status, gender identity, race, religious belief or impairment;
- consistent behaviour that interferes with the wellbeing, safety or educational opportunities of another student; and
- involvement in illegal activities.

Before a suspension is implemented, VCAL staff must give due consideration to the best interests of the student, and the appropriateness of the exclusion measure given the:

- behaviour of the student/s;
- educational needs of the student/s;
- age of the student/s;
- any disability or additional learning need of the student/s;
- residential and social circumstances of the student/s; and
- the wellbeing of the whole school community or vulnerable individuals within it.

DVLC will not send students home unless there has been a significant incident involving violence, property damage, or the sale or consumption of illicit substances. Parents / guardians / carers will be contacted prior to a student being suspended or sent home, and will be requested to attend a meeting prior to the student's return to classes. If the student is under 18 years, supervision arrangements will be discussed with parents / guardians / carers. Families will also be supported to engage with appropriate services that may assist with the management of the student's behaviour or issues.

The maximum continuous period a student can be suspended is five (5) days unless there are violence issues, drug use, or significant mental health issues (or similar circumstances), where treatment will need to be taken before a safe return to school can occur. Where possible, DVLC will provide the suspended student with appropriate and meaningful school work. A suspension must end at the end of the school term in which it was imposed. All suspensions will be reviewed prior to the student's return to school. Repeated suspensions, or suspensions for prolonged periods may lead to the student being considered for expulsion.

DVLC considers the following behaviour to be grounds for expulsion:

- any behaviour for which the student could be suspended;
- student behaviour of such magnitude that the need for the student to receive an education is outweighed by the need to maintain the health, safety and wellbeing of DVLC staff and students and the effectiveness of the school's educational programs.

Prior to expulsion, the CEO and relevant DVLC staff will meet to ensure that:

- a comprehensive range of strategies has been implemented to meet the educational, social and emotional needs of the student;
- the student's inappropriate behaviour is persistent, despite these strategies; and
- immediate suspension, pending expulsion is appropriate given the student's behaviour, age, educational needs, disabilities, additional learning needs, and residential and social circumstances.

A decision to expel a student is made by the CEO. The student and their family will be informed of the decision, and will be actively supported by DVLC management and VCAL staff to engage with appropriate support services and look at alternative educational options for the student.

If any student (or their parent / guardian / carer) feels that they have been treated unfairly, they have the right to complain or appeal any DVLC decision under the Student Complaints and Appeals Policy and Procedure.

Procedure Guidelines

Additional procedures may apply where actions are required in related policies.

1. VCAL teachers must immediately report instances of serious misconduct to the VCAL Coordinator, and follow accident or incident reporting processes.
2. The VCAL Coordinator must immediately communicate with the CEO or DVLC management to:
 - a. determine how best to ensure the safety, health and wellbeing of staff and students;
 - b. determine whether the incident should be reported to police;
 - c. determine if there are grounds for suspension or expulsion;
 - d. ensure that accident and incident reporting processes are implemented; and
 - e. ensure that sufficient support will be available to staff and students.
3. If a decision has been made to suspend a student, the VCAL Coordinator must:
 - a. inform the student's family of the suspension, including the reasons for the suspension, suspension arrangements, supervision arrangements for students under 18 years, and the process for returning to school;
 - b. provide the family with the contact details of appropriate support services for the student;
 - c. ensure that the family is aware of the complaints process and how to appeal a DVLC decision;
 - d. provide the family with written notice of the suspension;
 - e. remain in contact with the family during the suspension (if longer than one day) to monitor student progress towards a return to school;
 - f. meet with the student's family prior to the student's return to school;
 - g. inform the classroom teacher and relevant staff of all arrangements; and
 - h. develop a revised learning plan for the student in conjunction with the teacher and other relevant staff.
4. If a decision has been made to expel a student, the CEO must:
 - a. inform the student's family of the expulsion, including the reasons for the expulsion and alternative education options, and request the immediate removal of the student from DVLC;
 - b. provide the family with the contact details of appropriate support services for the student;
 - c. provide the family with written notice of the expulsion;
 - d. ensure that the family is aware of the complaints process and how to appeal a DVLC decision; and
 - e. inform the VCAL Coordinator and classroom teacher.
5. All VCAL and other staff are required to comply with privacy and confidentiality requirements and follow DVLC policies and procedures at all times.

Definitions

Serious misconduct means any behaviour which poses a danger to the health and safety of staff and students, and may involve a criminal offence. It includes:

- carrying weapons or dangerous articles;
- acts of violence;
- intentional misuse or damage to property, facilities or equipment;
- possession of illegal substances or alcohol while on campus;
- illegal activities carried out on campus;
- theft;
- threatening or bullying behaviour, including verbal abuse; and
- slander or harassment.

Related Policies

P-1 Risk Management Policy and Procedure
P-8 Student welfare and Duty of Care Policy and Procedure
P-11 Occupational Health & Safety Policy and Procedure
P-16 Student Complaints and Appeals Policy and Procedure
P-24 Critical Incident Policy and Procedure
P-26 Access, Anti-Discrimination, Equity, Diversity and Empowerment Policy
P-31 Student Safety and Security Policy
P-35 Mandatory Reporting and Protection of Children Policy and Procedure
P-40 Child Safe Policy
P-44 Student Engagement Policy
P-43 Privacy Policy
P-45 VCAL Attendance Policy and Procedure
P-51 Bullying and Harassment Policy and Procedure
P-56 Accident and First Aid Policy and Procedure
P-54 Excursions Policy and Procedure
P-59 Computer, Internet and Email Usage Policy and Procedure
P-61 VCAL Student Behaviour Management Policy and Procedure

Related Documents

D-028 Student Handbook
D-055 VCAL Student Rights and Responsibilities
Behaviour Management Plan

Legislation

Child Wellbeing and Safety Act 2005
Human Rights and Equal Opportunity Commission Act 1986
Privacy Act 1988
Charter of Human Rights and Responsibilities Act 2006 (Vic)
Children, Youth and Families Act 2005 (Vic)
Disability Act 2006 (Vic)
Education and Training Reform Act 2006 (Vic)
Health Records Act 2001 (Vic)
Occupational Health and Safety Act 2004 (Vic)
Privacy and Data Protection Act 2014 (Vic)

Mapping Information

VRQA Guidelines for Non-school Senior Secondary Education Providers: Minimum Standards for Registration to Provide an Accredited Senior Secondary Course, Standard 3
AQTF Standards 2.1, 2.3, 2.5, 3.2