

4

Procedures and Regulations for responding to behaviour



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Within this section, the content of the shaded boxes indicate regulations and procedures that must be adhered to.

Catholic schools strive to create environments that are supportive of all individuals. Our schools strive to enhance a sense of belonging and demonstrate a caring concern for the wellbeing of all of their members. However, every school has some students whose ability to respond appropriately to school expectations requires serious school action. These behaviours may be characterised as persistently disruptive to the learning and teaching program, disrespectful of school rules and codes of conduct, or harmful to the wellbeing and security of its community. In this context, Brisbane Catholic Education schools ensure that disciplinary measures and sanctions are not initially approached as punitive actions, but aim to foster responsibility for actions and behavioural change in students.

Longitudinal studies provide outcome data indicating that, without successful intervention, students who experience chronic school behaviour issues will face major long-term adjustment problems as adults (Sprague and Walker, 2000).

Supporting students with severe and repeated inappropriate behaviour is a difficult and often emotionally strenuous area of work for school staff. School-based interventions, approaches and supports for this group of students need to be systematic, intensive and ongoing. Effective use of preventative systems of school behaviour support will provide opportunities for this to occur. Preventative systems also provide strong support for intensive intervention programs, by maintaining a consistent behavioural environment.

These *Regulations and Procedures* apply to the behaviour of students at school, on the way to and from school, and while away from the school site on school-endorsed activities. They may also apply to behaviour outside of school hours and off school premises, when there is a clear and close connection between the school and the behaviour of students. This may include the use by a student of social networking sites, mobile phones and/or other technology to intimidate, harass, bully, or threaten another student or staff member.

Proactive strategies for promoting better behaviour

The following five strategies are supported by current research as effective approaches to reducing challenging behaviour (Lewis and Sugai, 1999):

- Social skill training
- Academic and curricular restructuring (adapting curriculum to meet need)
- Proactive support (preventative teaching)
- Individual behaviour interventions (individualised assessments/approaches)
- Parent training (teaching parents positive support skills).

(See Toolkit for detailed suggestions.)

Appropriate student interaction

Our schools are committed to non-violent management of student behaviour. Actions that involve the deliberate application of force with intent to harm or punish a student should not be employed. Any such use of force would represent a breach of both *Brisbane Catholic Education's Student Protection Policy* (Revised 2012) and the Catholic Education Archdiocese of Brisbane *Employee Code of Conduct* (2008), page 15. ([Refer to: Employee Code of Conduct \(2008\).](#))

Note: The use of corporal punishment is prohibited in all BCE schools.

There are instances where physical contact is a necessary part of the learning and teaching process (Refer to Employee Code of Conduct, page 14). BCE employees must exercise caution to ensure that this contact is appropriate and acceptable for the duty being performed. Whether or not an action is acceptable will depend on the age, maturity, health and other characteristics of the student. As well, employees should always be aware of any behaviour support or individual plans in place for a student.

Furthermore, the *Brisbane Catholic Education Student Protection Reporting Processes* (2012) states that

- All adults have a responsibility to care for children/students, to positively promote their wellbeing and to protect them from any kind of harm
- Every child/student has a right to protection from harm, and
- The wellbeing and best interest of the child/student are paramount.

Emotional and/or psychological abuse is described as behaviour that can destroy the confidence of a child or young person, resulting in significant emotional harm or trauma. Consideration should also be given to children or young people's physical state. The philosophy followed or the processes in place at a school should not in any way contravene the *Student Protection Policy* or the *BCE Employee Code of Conduct*.



Each school is responsible for implementing *the Brisbane Catholic Education Student Behaviour Support Policy* by developing a *Whole School Student Behaviour Support Plan* that will

- Be developed as part of the school's Strategic Renewal Plan, and be consistent with the Brisbane Catholic Education *Strategic Renewal Framework 2012-2016*
- Explicitly identify the shared values and expectations of a Christ-centred Catholic school to form and reinforce positive student behaviour and relationships
- Include a code of expected student and staff behaviour, guided by the *Student Behaviour Support Policy* and the *Student Behaviour Support: Guidelines, Regulations and Procedures*
- Document whole school approaches that proactively support positive student behaviours and respond to inappropriate behaviours
- Specify procedures for applying fair, development-appropriate and age-appropriate consequences for infringements, ranging from the least intrusive practices and sanctions to the most stringent step of exclusion
- Reiterate Brisbane Catholic Education Policy that corporal punishment is expressly prohibited in all Catholic schools
- Outline an ongoing program of staff professional learning in terms of familiarisation, skill development and philosophical approach
- Be published, promoted and available to all members of the school community
- Be regularly reviewed by the school community within the context of the School Cyclical review process, *Strategic Renewal Framework 2012-2016*, and the processes outlined in the *Student Behaviour Support: Guidelines, Regulations and Procedures*
- Be informed by data collected for the purpose of planning and evaluating the effectiveness of the school's Student Behaviour Support Plan.

Interventions

Individual Behaviour Support Plan

An individual behaviour support plan might be a key intervention required to support students. If that individual behaviour plan is based on the function of the behaviour, it will be more likely to support the needs of the student and encourage behaviour change. One method of developing an individual behaviour support plan is through the use of Functional Behaviour Assessment (FBA). FBA is a process of data collection and problem solving to examine and understand challenging behaviours. Training is available for Functional Behaviour Assessment (FBA). Refer to toolkit and training options for other suggestions. School Service staffs are available to assist schools implement this process if required.

Time out

'Time out' definition

'Time out' can be used as a proactive or reactive strategy. 'Time out' can be defined as giving a student time away from their regular program/routine in a separate area within the classroom or in another supervised room or setting. At a more serious level, 'time out' from the classroom may be in the form of 'in school suspension' in another classroom or under the supervision of a member of the leadership team or another staff member. 'Time out' lies along a continuum of procedures that assists students to self-regulate and control their behaviour. 'Time out' can be defined as the "Exclusion from normal classes, or from a particular class or activity, pending negotiated conditions for re-entry".

'Time out' purposes

'Time out', used appropriately, can provide an effective response to challenging behaviours. The use of 'time out' must be planned and purposeful. It should be considered as a method that allows the student time away from the situation to reflect and regain composure; the outcome of 'time out' should be a reduction in the behaviour.

Principles for use of 'Time out'

- 'Time out' can be used as a strategy to enable students to manage their own behaviour.
- 'Time out' can assist a student in the calming down process.
- 'Time out' can be used as a strategy to reduce the frequency of a particular behaviour.
- The purpose of 'time out' may also be to temporarily relieve the teacher and other students.
- 'Time out' is only one of a range of management options. It should be consistent with the developmental and individual needs of the student.
- When 'time out' is used, it is important to ensure that all staff, students and parents are aware of its intended purpose and procedures.
- 'Time-out' will not be effective if the student does not want to return to class, or views 'time out' as a means of escape from an undesirable situation.
- The regular use of 'time out' for a particular student should be documented and analysed, with a view to reducing the frequency of its use and to determine the function of the behaviour.

Use of consequences and sanctions

Consequences for inappropriate behaviour should be determined by individual need and situation. The initial consideration is: Does the behaviour require an imposed consequence? If so, what effect will the consequence have now and over time?

Consideration needs to be given to the past history of the student, especially in terms of disability, abuse, or trauma. When determining consequences or sanctions, consider the following points:

- Predetermined consequences may be ineffective and incompatible with the inappropriate behaviour. Consider whether consistent responses might prove problematic when they do not help the student to use more appropriate behaviours at any given moment;

- There may be merit in ignoring the inappropriate behaviour while establishing future instructional situations to teach the alternative behaviour. As well, aim to provide immediate, powerful and consistent reinforcement when you see the student behaving more appropriately;
- Whether the consequence is instructive or only suppressive. That is, does the consequence actually help the person to learn an alternative behaviour for the next time the same or a similar situation arises?
- Do not assume that ineffective consequences will become effective if used often enough or if strengthened. If individual needs are not met, the behaviour will most likely continue;
- Continue to gather ongoing assessment information to understand the conditions under which behaviour occurs and does not occur.

Understanding the conditions under which behaviour occurs can help shift the focus to prevention and instruction and reduce the need for consequences. This can be especially important for students who may have experienced personal trauma, such as some students in Care of the State (See [Calmer Classrooms](#) resource). Shifting away from reliance on negative consequences to addressing inappropriate behaviour is difficult. On a broad level, it may require ongoing examination of some well-established educational practices. On a personal level, it will require us to reflect on our own behaviour. Such examination and reflection can result in a more appropriate use of consequences to build skills with long-term benefits for students.

Formal sanctions

Formal sanctions include the following:

1. Detention
2. Suspension
3. Negotiated Change of School
4. Exclusion

It is expected that formal sanctions will be imposed only **when all other reasonable steps** to deal with the situation have been taken, unless the situation is serious and immediate. The proposed action should appropriately address the best interests of the student and the security, safety and learning environment of other members of the school community. Following segregation, re-entry consultation will occur with the student to provide feedback and restorative planning and support. Discussions and ongoing evaluation may be undertaken in collaboration with appropriate available support networks.

This document specifies certain processes that must be followed in each case of a formal sanction. These processes are intended to achieve the following objectives:

- To protect the rights of the students, staff and learning community;
- To help find ways to negotiate, with the student, a plan for change to acceptable patterns of behaviour;
- To keep the parents/care givers of the student informed and, if possible, engage them in the negotiations to secure a change to acceptable patterns of behaviour by the student;
- To safeguard the right of teachers to be able to teach without inappropriate disruption;

- To safeguard the right of other students to learn without inappropriate disruption;
- To ensure that sufficient and accurate documentation is made and kept;
- To indicate sources of assistance for schools;
- To adhere to legislative provisions about authority to act, accountability and review;
- To provide the school community with an explicit statement of disciplinary sanctions and procedures; and
- To protect Brisbane Catholic Education and its schools against allegations of proceeding improperly.

The processes associated with formal sanctions assume that

- Students, parents/caregivers and teachers have been fully informed about the school's Student Behaviour Support Plan
- Teachers are fully conversant with the school's procedures for formal sanctions
- Parents/caregivers have been informed that a serious problem exists as soon as it is identified and
- Adequate consultation has occurred with all appropriate stakeholders to best support the student.

For students with high support needs there are two requirements:

- Action must be taken to review the implementation and efficiency of educational adjustments and behavioural plans; and
- Advice must be sought from school personnel who support the student in advance of any formal sanctions being imposed.

These documents make it clear that in every case where formal disciplinary sanction is under consideration, the impact on the student's education and wellbeing must be carefully assessed. The more serious the sanction under consideration, the more carefully must the school assess firstly, whether all other reasonable steps to deal with the situation have been taken and secondly, whether the proposed action is, in fact, in the best interests of the student and the school.

Student Behaviour Support: Guidelines, Regulations and Procedures should be read in the context of the *Brisbane Catholic Education Student Behaviour Support Policy*, and the school's own Student Behaviour Support Plan. These documents may assist schools to review or even frame their own support plan and ideally the above-mentioned points can be used to create a school-site-specific checklist for formal sanction procedures.

Rules and sanctions within support plans should clearly embrace the Catholic Christian values of dignity, justice and the essential goodness of each person created in the image and likeness of God.

The rules and sanctions should, therefore

- Be consultatively formulated, positive in orientation and purposeful
- Be just and reasonable and incorporate the possibility of forgiveness
- Encompass a range of options
- Be supportive and enforceable
- Contribute to the development of justice and fairness in the school
- Foster responsibility for actions
- Positively support changing, healing and restorative practices.

An authentically pastoral formulation of rules and sanctions will ensure that the following factors are considered:

- The age and stage of development of students and their developmental needs;
- The capacity of students to understand what is required of them and why;
- The particular life circumstances the student is currently experiencing;
- The need for the adequate supervision of students and the health and safety of staff and students;
- The implications of various options for the physical and psychological wellbeing of students;
- The implications of various options for the legal rights and responsibilities of teachers and other staff;
- The degree and extent to which parents/care givers have been informed of the student's behaviour and progress.

However, in some cases of inappropriate behaviour, 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. Detention, suspension, negotiated change of school and exclusion are options available to the school in these situations. Collaboration amongst school staff, students and parents/carers is an important aspect of student behaviour support in Brisbane Catholic Education schools. All participants should be fully aware of the procedures and of their place in the context of the school's Student Behaviour Support plan.

In implementing these procedures, school staff should ensure that no student is unlawfully discriminated against and that their individual situations, such as age, individual needs, impairments, and the developmental level of the student, are considered. When dealing with a student with an impairment, consideration must be given to the requirements of the [Disability Discrimination Act](#) 1992, the [Education \(General Provisions\) Act](#) 2006 Qld and the [Anti-Discrimination Act](#) 1991 Qld.

1. Detention

Differences exist between responses for Primary and Secondary students because of different developmental levels. Communication regarding detention procedures at a school should be outlined in the school's Student Behaviour Support Plan. The Principal of a school, if satisfied that a student has behaved in an inappropriate manner, may impose a detention on that student. This authority may also be delegated to teaching staff in accordance with each school's Student Behaviour Support Plan. The use of detention as a method of managing student behaviour is at the discretion of each school.

In the event that a school employs detention as a method of discipline, that school must ensure the following:

- **That the detention is an appropriate response to the behaviour;**
- **That the detention itself is age and development appropriate, and that the student is adequately supervised for the entire period of detention** (*what is adequate will depend on the student's age, stage of development and any special needs*);
- **That the student's safety and wellbeing needs are addressed, and that the student is given appropriate access to food, drink facilities and toileting facilities;**
- **That if the school intends to detain the student after normal school hours, the parents/caregivers of the student are notified and the school is informed of the arrangements in place for the student's travel from school to home.**

Definition of 'Detention'

A detention is any period when a student is:

- Required to remain at school, in a particular location or in an activity, in 'non-class' time, such as recess, lunchtime, recreation time, after school, or non-school days.

Detention purpose

To clarify, the form of 'detention' that is used in schools is not related to that in formal detention centres / systems. The opportunity exists during a detention to use that time to repair relationships, use restorative practices, make plans for appropriate behaviour and rehearse alternative behaviours. The processes associated with detention may be couched within frameworks such as the 'Responsible Thinking Process'. A detention should be constructive and age-appropriate. Detention can signal to a student that their inappropriate behaviour will be met with an immediate consequence. That is, detention can be a deterrent to inappropriate behaviour.

Detention guidelines

A member of the teaching staff should supervise detentions, especially if curriculum is being taught. If school officers or any other staff members supervise students in detention or in a Responsible Thinking Classroom (RTC), it is the obligation of the school to ensure that these staff members are capable and supported. When students are detained at school before or after school hours, it is necessary to notify parents/caregivers and give adequate notice. Furthermore, if detention will jeopardise a student's safe transport home, the detention should be postponed until alternative arrangements can be negotiated with the student's parents/carers. The guidelines for detentions should be explicit in the school's Student Behaviour Support Plan. Where detention involves out-of-class time, the following guidelines should be noted:

- Detention should be one stage in an explicit support plan involving fair warning systems, which all students and their parents/caregivers understand. The procedure and the organisation of the procedure should be well thought out beforehand;
- The detention process or place should be reasonably comfortable and appropriate to the activity planned. It should not be so public that it makes an example of the student (such as outside the Principal's office);

- The student should be readily observable and supervised by an appropriate member of the school staff;
- The student should understand that return to class is contingent on a negotiated agreement to behave in an appropriate way;
- Interaction between a student and the supervising staff member should be emotionally neutral: the aim should be for the student to devise a plan that negotiates re-admission to class

2. Suspension

Suspension should be used only when other available measures have been implemented without success, where the situation is serious, or demands an immediate response.

A student should be suspended for the shortest time necessary, and the school, the student and their parents/caregivers should use the suspension period as an opportunity to both reflect on the current difficulties and develop positive, student-focused re-engagement strategies.

The Principal of a Brisbane Catholic Education school may suspend, full-time or part-time, a student from that school *for a period up to 10 school days* or part thereof, if satisfied that the student has behaved in an inappropriate manner, or if the Principal believes that the student's attendance poses an inappropriate risk to members of the school community. A suspension may take place in school or out of school.

In the absence of the Principal of the school, the Acting Principal may exercise the authority to suspend. The Principal may delegate this authority to other members of the school's leadership team in his or her absence.

Definition of 'Suspension'

Suspension is the temporary, full-time or part-time withdrawal of a student's right to attend school and/or school related functions for a defined period of time. Suspension is only one strategy for managing inappropriate behaviour and is most effective when it highlights the parents/caregivers responsibility for taking an effective role, in partnership with the school, to support and modify the behavior of a student. The school and parents/caregivers should work together, with the aim of assisting a suspended student to rejoin the school community as quickly as possible.

Suspension may occur, if so decided by the school principal, after he/she has

- Ensured that other appropriate and available student support strategies and discipline options have been applied and documented
- Ensured that other appropriate support personnel available, both within the school system and externally, have been involved
- Taken reasonable steps to ensure that discussion appropriate to the circumstances has occurred with the student and/or parents/caregivers regarding specific misbehaviour that the school finds inappropriate and which may lead to suspension
- Recorded all action taken in appropriate school files/systems or Brisbane Catholic Education Student Behaviour Support database.

Principals may suspend, consistent with these procedures, where behaviour includes the following:

- Persistent non-compliance: Students, who in their relationships with staff, are persistently disobedient, insolent or engage in verbal harassment and abuse;
- Persistent disruption: Students who persistently disrupt and prevent the learning and teaching of others; and
- Breach of school's Student Behaviour Support Plan: Students who seriously breach the school's published rules and regulations.

Immediate suspension

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, or the presence of weapons, knives, or illegal drugs. (Refer to [Management of Weapons in Schools](#) and [Management of Drug Related Incidents in Schools](#).)

Principals **may suspend immediately** any student whose behaviour includes the following, but is not exclusive to:

- Possession of alcohol or a suspected illegal drug: Brisbane Catholic Education states that schools must be places that are free of illegal drugs. Suspension may occur immediately if the substance is alleged by the student to be an illegal drug or alcohol, or is confirmed as illegal. The matter should be referred to the police. (See also BCE's *Medication to Students: Routine, Emergency and over the counter* [Guidelines](#) and [Management of Drug Related Incidents in Schools](#)).
- Violence or threat of serious physical violence: Any student intentionally causing injury or threatening serious physical violence against another student or member of the school community, or themselves, may be suspended immediately. The matter should also be reported in accordance with Student Protection processes
- Concerning or serious sexual behaviour: The matter should also be reported in accordance with Student Protection Processes
- Possession of a weapon or knife: Any student possessing a weapon or using or threatening to use any item or instrument as a weapon may be suspended immediately. The matter should be reported to the police. (Refer to the BCE Guideline – [Management of Weapons in Schools](#))
- Verbal abuse: Principals should take developmentally appropriate expectations into account in relation to verbal abuse by a student.

Suspension purpose

Suspension is imposed as a disciplinary measure, and in some cases is implemented to ensure the safety of other students and staff. The purpose of suspension is to

- Signal that the student's present behaviour is not acceptable
- Allow a cooling-off period and time to muster school and/or Brisbane Catholic Education resources, and also set in motion a plan for assisting the student to demonstrate appropriate behaviour
- Establish a negotiation process for the student's re-entry to the school, based on the student achieving some explicit goals related to improved behaviour

- Ensure that the student's parents/caregivers are aware of the seriousness of the student's behaviour and are involved in the process of negotiation for re-entry
- Protect the right of staff and students to establish environments that promote a positive learning environment for all.

A school is not obliged to provide a student with schoolwork during suspension; however, Principals may provide such work if they consider it appropriate to do so. Parents/caregivers have responsibility for their children while they are under suspension. Therefore, parents/caregivers need to know that their child may not attend school or school-related functions. Furthermore, parents/caregivers have a responsibility to provide appropriate supervision. In a situation where parents/caregivers refuse to accept responsibility for their child during suspension (for example, by continuing to send the child to school), the Principal should inform the Area Supervisor.

Suspension is not to be used as response to poor attendance. (Refer also to the documentation on [Attendance](#).)

Re-admission procedures should be formally stated in the school's Student Behaviour Support Plan, and should be reinforced.

- **Any single suspension cannot exceed ten (10) school days without being referred to the Director - School Services.**
- **Indefinite suspension, where the student is continually re-suspended is not acceptable.**
- **Suspension can be part-time, in which event the student is not permitted to attend school for certain times of the day or certain days of the school week. Part-time suspension should not span more than ten (10) school days in total.**
- **By mutually agreeable arrangements, a student's enrolment may be suspended while the student attends an alternative education program**

Suspension guidelines

The processes associated with suspension are often subject to close scrutiny. It is therefore important that all the following procedures must be carried out in a way that conforms to the *Student Behaviour Support Regulations and Procedures*, with accuracy and attention to all aspects of the process.

- Suspension documentation for a full day or longer
- As soon as is practical after a suspension takes place, the Principal will ensure that a full report is written on the background and reasons for suspension, with the period of suspension clearly specified.
- A copy of the Principal's letter to the parents/caregivers or record of the conversation between the Principal and the parents/caregivers should be attached to the report. Copies of the report and attached letter/record of conversation should be placed on the school file, and placed in the student's file.
- For a suspension lasting less than one school day, a note should be made in the student's file.
- For a suspension of one or two days, reporting remains in the school.
- For a suspension of longer than two days, Principals should notify the Area Supervisor.

Suspension decision

The Principal will inform the student and parents/caregivers of the grounds on which the decision to suspend has been made. The student and parents/caregivers will then be given the opportunity to respond. The conditions relating to the suspension can be discussed with the parents/caregivers, and their responses may be taken into consideration. Some situations may require discussions about continued access for the suspended student to attend school-based activities, such as apprenticeships or traineeships.

Notification to Parents/caregivers for a day or more suspension

- A student may not be sent out of school before the end of the school day without a parents/caregivers being notified, and, if necessary, agreement reached about arrangements for collecting the student from school.
- Notification may take place by phone, but parents/caregivers must also be notified of the suspension, in writing, within a reasonable time period. Notification must be delivered by a safe method, and could be initially communicated via email to alert the parents/caregivers to the suspension. It is often useful to telephone the parents/caregivers and to follow up the phone call with the written notification.

In all cases, the notification will

- Indicate the reasons for the suspension
- Advise the length of the suspension, the expected return date and the conditions to be met to enable return
- Outline the responsibility of parents/caregivers for the care and safety of the student who is under suspension, and the clear expectation that the student will continue with studies while suspended and away from the school
- Indicate the importance of parents working cooperatively with the school in resolving the matter
- Request a parental conference at the school. (The school's Student Behaviour Support Plan should make it clear that a parental conference is a normal part of the procedure for suspension and re-entry and that it is expected parents/caregivers will attend.)
- Refer parents/caregivers to the school's published Student Behaviour Support Plan.
- Send a copy of the correspondence between the school and the parents/caregivers to the Guidance Counsellor and the Area Supervisor. The Principal may ask the Area Supervisor and/or Guidance Counsellor for assistance in re-entry procedures.

Student Behaviour Support (SBS) database record

- Post suspension, the Principal will arrange for details of the suspension to be entered into the Student Behaviour Support database. The SBS database system provides data for the Principal to use in compiling a report and formulating a letter to parents/caregivers.
- If the school does not have access to the database, details should be entered into the school data collection system.

Re-entry process

The re-entry conference will usually take place in the school and will be facilitated by the Principal. In instances where there has been a problematic relationship between a parents/caregivers and the school, the Principal may find it beneficial to call upon a third party such as the Area Supervisor or Guidance Counsellor, to facilitate the meeting.

If, despite the school's requests, parents/caregivers are unwilling to attend a re-entry meeting, the Principal should refer the matter to the Area Supervisor. Alternative options may need to be considered to facilitate the student's return to school. Alternatively, the Area Supervisor, in consultation with the Director-School Services, may consider commencing proceedings for exclusion.

Students attending special programs, such as school based apprenticeships or training, are not automatically precluded from attending their program if they are suspended. This will be determined by the school, parents and the training provider. The determination should occur before the student is next due to attend the program.

Suspension Re-entry

As part of the re-entry process, the Principal or authorised delegate will convene a meeting with the student and the parents/caregivers to discuss the basis of maximising successful reintegration into the school, before the student returns to school. The aims of the parental conference are to

- Ensure that the parents understand the seriousness of the student's behaviour and the need for disciplinary action
- Encourage a mutually supportive position between the school and the student's parents for the action that the school is taking, and
- Outline the re-entry plan, conditions, and follow-up evaluation for the student's re-entry to school.

Re-entry is conditional on this process taking place. Re-entry may be deferred until such a meeting takes place or until a resolution is reached.

3. Negotiated change of school

In some circumstances, a change of school to another Catholic school, to a school in another sector, or to an alternative educational setting, may be agreed to be the most appropriate means to responsibly support a student's wellbeing and/or learning needs. Such a change, known as a negotiated change of school, offers the student an opportunity for personal growth and for a fresh start in an environment more suited to the student's needs and circumstances.

Negotiated change of school for a student may also be an appropriate method to protect the wellbeing of a school community (for example, when a student's continuing presence poses a danger to that community's safety). Schools are advised to develop and document a procedure in relation to a negotiated change of school.

The Principal should provide the parents/caregivers with an opportunity to discuss the implications of the negotiated change of school, and provide information about why the change is being proposed.

The following matters should be considered:

- The environment that would best provide for the student's learning, personal, social, emotional and spiritual needs
- Which school would provide an educational program suitable to the student's needs, abilities, and aspirations
- The process by which the change is to be negotiated
- The support required by the student and parents to make the transition
- To include all considerations, determinations and communications in a documented record.

These and other relevant matters should be included in a documented record of Negotiated Change of School. If a negotiated change of school cannot be achieved, the student should remain enrolled at their current school, unless the circumstances require a recommendation to the Executive Director for exclusion.

4. Exclusion

In extreme circumstances, a Principal may, in consultation with the Area Supervisor, make a submission to the Director - School Services, recommending the exclusion of a student from a Brisbane Catholic Education school. The Director - School Services, will, in turn, forward this submission with his/her own recommendation to the Executive Director for decision.

- A Principal may not exclude a student on his or her own authority.
- A decision to exclude from a Brisbane Catholic Education school can only be made by the Executive Director on recommendation from the Principal, through the Area Supervisor and Director - School Services.
- In cases where recommending an exclusion from a Brisbane Catholic Education school is being considered, the gravity of the circumstance requires that particular emphasis be given to all aspects of procedural fairness.

Definition of 'Exclusion'

Exclusion is the full-time withdrawal of a student's right to attend a particular school and school related functions, on the authority of the Executive Director. Exclusion from one school does not prohibit the enrolment of the student in another Brisbane Catholic Education school, unless the student has been specifically prohibited by the Executive Director from attending all Brisbane Catholic Education schools.

Exclusion purpose

The purpose of exclusion is to

- Signal that the student's behaviour is not accepted in a particular school because it seriously interferes with the safety and wellbeing of other students or staff
- Remove the student from an established environment in which inappropriate behaviour patterns have become entrenched
- Provide the student with an opportunity for a fresh start in another school, which may prove to be better suited to the student's needs; and
- Give an opportunity for respite and relief to a school that has done everything in its power to support the student.

Exclusion guidelines

Exclusion for serious noncompliant behaviours will be considered only as a last resort because of the serious long-term consequences for the student and the family. Students will not normally be excluded unless a clearly documented range of intervention strategies has been tried and unless the cause of the behaviour has attempted to be identified and addressed, for example, through a Functional Behaviour Assessment. Schools need to be aware of the legal and equity issues applying to the exclusion of marginalised students and students in Care of the State.

Exclusion signals that the student's behaviour has continued to be inappropriate, despite the best efforts of the school. The Executive Director may approve a recommendation for exclusion where there is evidence that the school has, over an extended period, consistently applied and reviewed appropriate individual support or intervention plans. The exception is when the student's behaviour has been so extreme, such as the committing of a serious illegal act, that immediate exclusion may be judged to be necessary.

Where a serious breach of the school's Student Behaviour Support Plan has occurred, the Principal may provide parents and students with a range of available options. Students can be excluded from a particular school only through the procedures outlined below. The procedures apply both to students of compulsory school age and to those beyond it. Parents/caregivers have a right to know the processes involved in exclusion, as well as of their right to withdraw the student from the school. Where a parents/caregivers exercises the right to move the student to a new school prior to the application of exclusion, the Principal or delegate is expected to facilitate the transition to the new school, if there is a request to do so.

Exclusion Procedure

The Principal will

- **Consult with the Area Supervisor.**
- **Brief as needed with the Parish Priest.** *"In a Parish School the Parish Priest should be briefed in relation to recommendations to exclude a student"* from *"Collaborating for Mission: The Parish and the Catholic School"* 2013.
- **Place the student on suspension for the maximum period of ten (10) school days pending the outcome of the decision-making process. This action should be taken irrespective of any action by another agency, including the Queensland Police Service.**
- **Notify the student and the parents/caregivers that the initial period of suspension will be for ten (10) school days, but that exclusion from the school is being considered, giving reasons for the proposed action and allowing seven (7) school days for the student, parents/caregivers to respond.**
- **Provide the parents/caregivers, or student (if the student is living independently) with a copy of all the documentation on which the proposal to exclude is based (while mindful of protecting the anonymity and privacy of possible complainants and/or witnesses). The Principal may exercise discretion to remove the names or other identifying information of complainants or witnesses, provided it does not affect the ability of the student or parent to respond to the proposal to exclude. This consideration will be unique in each case and guidance should be sought from the Area Supervisor.**
- **Consider any response from the student and parents/caregivers before formulating a recommendation to the Executive Director.**
- **Request a meeting with the student's parents/caregivers to outline the process and the reasons for the recommendation.**
- **Provide the parents/caregivers with information about the implications of exclusion, their right to appeal, and the appropriate procedures for submitting an appeal.**
- **Forward the recommendation to the Director - School Services detailing the reasons, the action taken to moderate the students' behaviour (where appropriate), a copy of all required documentation and any response from the student, parents/care givers.**
- **A copy of all documentation is also forwarded to the Executive Director.**

Suspension, as part of an application for exclusion, will be entered into the Student Behaviour Support Database or into the school data collection system. Documentation will be forwarded via the Area Supervisor to the Director - School Services for consideration and also forwarded to the Executive Director, for determination.

The Executive Director will consider the application for exclusion and may

- Consult with the Principal, Area Supervisor and Director - School Services
- Provide an opportunity for the student and the student's parents/care givers to be supported by a designated person/s.

While consideration of exclusion from a Brisbane Catholic Education school is being made, the student will remain on suspension. A decision will be made as soon as practicable following the submission reaching the Executive Director. This process may, in extenuating circumstances, lengthen the suspension period beyond 10 days.

Appeals

Appeals by parents/caregivers, or students living independently, are made to

- **The Principal of the school: in relation to a decision to suspend a student for less than three (3) days.** Parents/caregivers, or students living independently, who consider that either correct procedures have not been followed, or that an unreasonable decision has been made, may appeal a suspension that is less than three (3) days to the Principal
- **The Area Supervisor: in relation to a decision to suspend a student for more than three (3) days** from a particular school
- **The Executive Director: in relation to a recommendation to exclude a student** from a Brisbane Catholic Education school.

Note: The fact that an appeal has been lodged does not suspend the operation of the suspension or exclusion.

The Principal of a school will ensure that

- Appeals are made in writing, stating the grounds on which the appeal is being made.
- A parents/caregivers or independent student is given assistance, if required, to help with the appeal process. A support person could assist the parents and student to understand their right to, and the process of appeal.
- The school should also ensure that the parents and student have access to the appropriate paperwork and assistance to complete the paperwork, if necessary.
- Alternative options to respond will be considered.

(Refer to the materials available in the Toolkit.)

In an appeal against suspension, the Area Supervisor will

- Ensure, if possible, that the appeal is determined within two (2) school weeks of its being lodged.
- Ensure that communication lines are maintained with the person or persons making the appeal and that they are continually informed of the progress of the appeal.
- Review all relevant material.
- Ensure that appropriate material and information have been made available to the student and parents/caregivers.
- Discuss relevant issues with the person or persons making the appeal and any other parties, as appropriate.
- Advise in writing all the parties of the decision and the specific reasons for reaching the decision.
- Where an appeal against a suspension is upheld, decide an appropriate resolution.

In the case of **exclusion**, the student will be suspended pending the decision to exclude and the Principal will make an application for exclusion to the Executive Director, through the Area Supervisor and the Director - School Services. When the application has been successful and the Executive Director has agreed, the Principal will write to the parents/caregivers to notify them of the Executive Director's decision.

In an appeal against exclusion the Executive Director will appoint a suitable person or persons to review the decision. Such person/persons will

- Deal with the appeal within four (4) school weeks of its lodgement. (In cases where a parents/caregivers or independent student is receiving assistance for making an appeal, an extension of time may be necessary.)
- 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 and information has been made available to the student and his or her parents/caregivers.
- Advise all the parties in writing of the outcome of the appeal and the specific reasons for reaching the decision.

If the appeal to the Executive Director is successful, consideration may need to be given to both re-instating the student's enrolment and the conditions on which re-enrolment might occur. This will be done through discussion involving the Principal, Area Supervisor and the parents/caregivers. As each situation is different, time frames for review and decision-making may differ.

It is understood that, in practice, Principals are in regular contact with Area Supervisors about suspension and potential exclusions and also seek their advice. In extenuating circumstances, any variation by a Principal to the above processes and procedures would need to be negotiated with the Area Supervisor.