

Suspension Policy

Melton Primary School aims to ensure a safe and inclusive school environment for everyone. The Schools Student Engagement Policy outlines these aims. The purpose of this policy is to ensure all Victorian government schools comply with legislative and departmental policy requirements when implementing suspension procedures.

Summary

- Suspension is a serious disciplinary measure and principals must consider alternative interventions and supports for students before proceeding to suspension as the appropriate action.
- Only a principal (including an acting principal) of the student's enrolled school has authority to make the decision to suspend a student. This authority cannot be delegated.
- Detailed requirements exist for the suspension process and it is essential that principals refer to the full mandatory [Suspension Guidelines and Procedures](#) in the Guidance tab when they are considering suspending a student.
- This policy is underpinned by Ministerial Order 1125.

Details

- [Ministerial Order 1125 - Procedures for Suspension and Expulsion of Students in Government School](#) defines the grounds and process for suspensions and expulsions in Victorian Government schools.
- When considering or implementing a suspension, principals must refer to and apply the procedures set out in the mandatory [suspension guidelines and procedures](#) in the Guidance tab. These guidelines and procedures have been developed to support and guide principals to meet their legal and policy obligations when they are implementing suspension procedures.
- Suspension is a serious disciplinary measure and is best reserved for incidents when other measures have not produced a satisfactory response. Principals must consider alternative interventions and supports that can be provided to the student to address the reasons for the behaviour before proceeding to suspension.
- The department's [Student Engagement Policy](#) and associated guidance and resources helps principals to promote positive student behaviour and respond to challenging student behaviour. The student engagement guidance also provides principals with supports and resources regarding disciplinary measures, refer to [Behaviour - Students](#).

Authority to suspend

Only principals and acting principals have the authority to make the final decision to suspend a student from the school of which they are the principal. This authority cannot be delegated. Principals must seek regional director approval to suspend a student for more than 5 consecutive days or more than 15 days in total in a school year.

Prevention

- Teach school-wide classroom expectations and consequences.
- Early identification of students with academic, social, behavioural difficulties.
- Establish classroom processes for collection and use of data.
- Provide a physical environment conducive to positive behaviours & effective learning.
- Provide engaging lessons, reward positive behaviours, ensure student voice.
- Intervention:
- Form a student support group including teacher/s, student, parents, other professionals (SSSOs). Should discuss possible suspension if likely.
- Develop and implement an Individual Learning Plan/Behaviour Management Plan/Behaviour Support Plan with strategies.
- Teach and / or build pro-social replacement behaviours.
- Refer to community agencies to work with student support group.

Grounds for Suspension

In order for suspension to be an option, the following conditions must be in place. The student's behaviour must have occurred:

- whilst attending school
- or travelling to or from school
- or while engaged in any school activity away from the school
- or travelling to or from any school activity

and, the student's behaviour must meet one or more of the following conditions:

- behaves in such a way as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person
- causes significant damage to or destruction of property
- commits or attempts to commit or is knowingly involved in the theft of property
- possesses, uses or sells or deliberately assists another person to possess, use or sell illicit substances or weapons
- fails to comply with any clear and reasonable instruction of a staff member so as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person
- consistently engages in behaviour that vilifies, defames, degrades or humiliates another person based on age, breastfeeding, gender, identity, impairment, industrial activity, lawful sexual activity, marital status, parent or carer status or status as a carer, physical features, political belief or activity, pregnancy, race, religious belief or activity, sex, sexual orientation, personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes
- consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student

Note: For incidents between students that occur outside of school hours or in locations other than those listed above, a suspension cannot be used as a response. The impact of cyberbullying (and other behaviours) outside of school hours or off school premises on students is acknowledged, however, if the behaviour does not occur at school or a school activity or when travelling to or from school or school activity, suspension is not an available recourse. If incidents outside of school hours are connected to behaviour that does meet the grounds and location requirements for suspension, this external behaviour may be considered when determining the response to an in-school incident.

For more information on responding to online incidents of concern, refer to [Cybersafety and Responsible Use of Digital Technologies](#).

Suspension Procedures

The following information provides guidance to schools on investigations, decisions, notification and follow up for the school suspension process.

First steps – before suspension

Determine if suspension is an option.

Suspension is a serious disciplinary measure and is best reserved for incidents when other measures have not produced a satisfactory response.

A principal may only suspend a student if the location and nature of their behaviour meets certain conditions. For information on when suspension may be an option, refer to Grounds for Suspension under [Suspension Considerations](#).

Conduct a preliminary investigation

The principal should conduct a thorough investigation to establish:

- the nature of the behaviour(s)
- the student who committed those behaviour(s)
- the context in which it was committed, and
- any other relevant circumstances in relation to the incident or behaviour.

Consider options

When determining if suspension is appropriate for a particular student, consideration must be given to:

- the behaviour for which suspension is being considered
- the educational needs of the student
- any disability the student may have
 - disability is defined under the Equal Opportunity Act 2010 (Vic)

- it is not limited to students in receipt of specialist services or funding under the [Program for Students with Disabilities](#)
- the age of the student
- the residential and social circumstances of the student, including whether the student is Aboriginal or Torres Strait Islander or culturally and linguistically diverse background or is in out-of-home care
- whether the suspension would unfairly impact a student from a particular cultural background - for example, if the suspension would fall on a day which would prevent a student from a particular cultural background from participating in a cultural activity day about that student's culture.

Consideration should also be given to previous incidences of challenging behaviour and the support/disciplinary measures employed to respond to these.

For more information, refer to [Behaviour - Students](#).

Consider information provided by student or family

Before proceeding to a suspension the principal must ensure the following:

- that the student has had the opportunity to be heard
- that any information or documentation provided by the student or the relevant person has been taken into account in making the decision regarding the suspension.

Consider supports and other forms of action

When deciding whether or not to proceed to a suspension, the principal must consider alternative interventions and supports that can be provided to the student to address the reasons for the behaviour.

In addition, when determining whether to suspend a student with a disability, principals must ensure that reasonable adjustments have been made to assist the student to address the behaviour where this is a manifestation of disability. Where the relevant behaviour was related to the student's disability, Principals should contact the Legal Division for further advice before making a final decision on suspension.

For a summary of key wellbeing interventions and supports available to Victorian government schools, refer to:

- [Map of key mental health and wellbeing support \(PDF\)](#)
- [Map of key mental health and wellbeing support \(DOCX\)](#)

Next steps - decision, notification and action

In making their decision, the principal should consider their legal obligations and [principles of administrative decision making \(PDF\)](#) (staff login required) as detailed in this guidance.

If the behaviour of a student meets the grounds for suspension and the principal decides to suspend, they must determine:

- whether the suspension will be undertaken in school or out of school
- the day on which the suspension will commence (including whether it will be an immediate suspension)
- the period of suspension.

Immediate suspensions

Principals may implement an immediate suspension if the student's behaviour is putting the health, safety and wellbeing of themselves or any other person at significant risk.

Where a principal decides to implement an immediate suspension, they must ensure the student is appropriately supervised until:

- the student is collected by a parent/carer, or parent's emergency contact person, or
- the end of the school day or activity if the parent/carer or emergency contact person is unable to collect them earlier.

When a principal has implemented an immediate suspension, the principal may determine whether or not to expel the student.

Further information on immediate suspensions is available in the [Implementing the suspension](#) section.

Period of suspension

A student cannot be suspended for longer than 5 days at any given time unless both of the following apply:

- the principal has implemented an immediate suspension and is considering whether to expel the student
- the regional director has approved the longer period for the purpose of undertaking the expulsion procedures set out in the [Expulsions policy](#).

Additionally, a student cannot be suspended for more than 15 school days in a school year without the written approval of the relevant regional director.

In either circumstance, principals must complete the [Application for regional director approval of suspension more than 5 consecutive days and/or more than 15 days in total in a school year form \(DOCX\)](#) (staff login required).

If a student is suspended for a period which is longer than the days left in a term, the principal should consider the likely disruption to the student's learning before imposing a suspension that will continue into the following term.

Implementing the suspension

Prior to the suspension taking effect, or on the day of taking immediate action, the principal must complete all of the following:

1. identify the relevant person
2. notify the student (verbally) and the relevant person (via telephone or in person) of the reason/s for the suspension, the school days on which the suspension shall occur and where the suspension will occur
3. provide contact details for additional support services to the student and the relevant person as appropriate
4. arrange for appropriate school work to be provided to the student for the period of the suspension as follows, where the student is suspended for:
 - 3 days or less, provide meaningful work
 - more than 3 days, develop a student absence learning plan and return to school plan. Schools may wish to consider using the department's template [Student Absence Learning Plan \(DOCX\)](#) (staff login required) and template [Return to School Plan \(DOCX\)](#) (staff login required)
 - more than 5 days, in addition to the above requirements, a teacher should be designated as a key point of contact for the student and their family
5. provide the student and the relevant person with a [Notice of Suspension \(DOCX\)](#) (staff login required) which must include:
 - the reasons for the suspension
 - the school days on which the suspension shall occur
 - and copies of the student absence learning plan and return to school plan, if required
6. provide the student and their relevant person with a copy of the [parent brochure - procedures following suspension](#). Consistent with the Charter and anti-discrimination legislation, documentation should be provided in alternative formats and community languages in order to meet the communication needs of the student and relevant person
7. record the suspension on CASES21. For support to record the suspension in CASES21 refer to [Chapter 6 merit and discipline in the CASES21 administration guide](#).

It is important to discuss the reasons for the suspension with the student so that they understand why it is happening and what needs to change. Giving the student the opportunity to have a voice and influence in the discussion helps to foster their engagement in the process. This engagement may enable the student to take ownership over and make changes to their behaviour.

Final steps – post-suspension follow up and support

The principal should consider whether it is appropriate to convene a student support group meeting with the student, the relevant person, and any other adults or professionals involved in the care of the student.

The purpose of such a meeting is to discuss:

- the student's behaviour that led to the suspension
- a range of strategies to address the concerns, and
- prevent further occurrences of such behaviour.

It is strongly recommended that a meeting be convened if one or more of the following circumstances apply:

- a student and/or their relevant person requests a meeting
- a student has a disability, is Aboriginal or Torres Strait Islander or is in out-of-home care
- there have been three or more suspensions in the school year
- the student has been suspended for the maximum 5 consecutive days.

For more information refer to [Student Support Groups](#).

In all cases of suspension, it is important to consider the student's transition back into school and any disruption to their learning. In many cases, the student will require additional educational or other supports to help address the reasons for the incident and/or any underlying behavioural issues.

Repeated or lengthy suspensions may not address the reasons for a student's behaviour and risks leading to poorer outcomes for a student's engagement in education, especially when suspension is used alone without interventions and supports that address the underlying reasons for the incident(s).

Record keeping

The [Public Records Office of Victoria](#) requires suspension records to be retained for 7 years after the date of suspension unless the suspension results in an expulsion. If a suspension results in expulsion, the suspension records are retained in accordance with requirements for expulsion records which is either one year after the date of the student's last attendance at school or when the student turns 18, whichever is later. For more information regarding record keeping, refer to [Records Management - School Records](#).

Related Policies

- [Behaviour – Students](#)
- [Charter of Human Rights](#)
- [Cybersafety and Responsible Use of Digital Technologies](#)
- [Equal Opportunity and Human Rights – Students](#)
- [Expulsions](#)
- [Student Engagement](#)
- [Student Support Groups](#)

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