

PROCEDURES



Catholic
Education
Commission
Tasmania

RESPONSE TO UNACCEPTABLE STUDENT BEHAVIOUR PROCEDURES

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1 AUTHORITY AND APPLICATION

Date of approval	30 June 2022
Source of approval	Catholic Education Commission Tasmania
Start date	8 July 2022
Date of review	June 2025
Date of amendments	N/A
Previous procedures replaced by this Procedure	N/A

SIGNED:

Chair of the CECT**DATE:**

07.07.2022

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2 RELATED DOCUMENTS

This Procedure should be considered in conjunction with the following related documents:

Applicable Laws	All laws in connection with the carrying out of work or the Workplace including: <ul style="list-style-type: none">• <i>Anti-Discrimination Act 1998 (Tas)</i>• <i>Education Act 2016 (Tas)</i>• <i>Privacy Act 1998 (Cth)</i>
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3 PURPOSE

The aim of these procedures is to provide some structure around how Catholic Schools in Tasmania and the Tasmanian Catholic Education Office (TCEO), handle cases of unacceptable behaviour of a student and provision of support and assistance to a student so as to reduce the likelihood of action including internal or external suspension, negotiated transfer or expulsion. Catholic Education Tasmania (CET) takes incidences of unacceptable behaviour by students very seriously, as it has a duty of care to ensure the safety and well-being of not just the individual student involved, but also to all the other students and staff in its care. In handling incidences of unacceptable student behaviour, the student should be treated fairly, with respect, dignity and appropriate pastoral care offered to the student and their family.

4 DEFINITIONS

For the purposes of this Procedure:

- **Archdiocesan Schools** – the thirty-five Catholic schools and colleges owned by the Roman Catholic Church Corporation of the Archdiocese of Hobart.
- **Catholic Education Tasmania** - means Catholic Education Commission Tasmania (CECT) controlled workplaces including the Tasmanian Catholic Education Office (TCEO), Archdiocesan Schools and adjunct business undertakings such as childcare operations, as well as Dominic College Glenorchy Limited and Ministerial Public Juridic Person (MPJP) Schools operating in Tasmania.
- **Catholic Schools** – means Archdiocesan Schools, MPJP Schools and Dominic College Glenorchy Limited Schools operating in the Archdiocese of

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Hobart.

- **CECT** – means the Catholic Education Commission Tasmania.
- **Dominic College Glenorchy Limited** – own and operate Dominic College within the Archdiocese of Hobart.
- **Enrolment** – the enrolment of the Student in the school in accordance with the Terms of Enrolment that form part of the Enrolment Form.
- **Enrolment Form** – the form recording the Student’s application for enrolment in the school.
- **External Suspension** – when a school asks the Student to leave for a short period of time up to a maximum of ten school days.
- **Expulsion** – when a school removes a Student permanently from the school and terminates the Student’s enrolment. Expulsion, depending upon the circumstances, may mean that the Student is also prohibited from enrolling in any other CET school.
- **Internal Suspension** – when a school removes a Student from class and the Student remains on campus under supervision.
- **Ministerial Public Juridic Person (MPJP)** – A Ministerial Public Juridic Person is an entity that has been established by a Catholic Religious Institute or Congregation. Edmund Rice Education Australia (EREA) has been established as a MPJP by the Congregation of Christian Brothers to carry out their mission. MPJP Schools are St Francis Flexible Learning Centre and St Virgil’s College, which are owned and operated by EREA within the Archdiocese of Hobart.
- **Parents** – means the parent/s of a child/student and/or the legal guardian as identified by appropriate documentation.
- **Regional Principal Leaders** – The Regional Principal Leader: North/South employed by the Tasmanian Catholic Education Office to oversee the Archdiocesan Schools located in the North or South of the state.
- **Student** – any child enrolled in a Catholic School for Kindergarten to Year 12.
- **TCEO** – means the Tasmanian Catholic Education Office.
- **Transfer** – when a school transfers a Student to another school.

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5 COVERAGE

These procedures cover and apply to all Catholic Schools and adjunct business undertakings operating in the Archdiocese of Hobart.

6 OBLIGATIONS AND ACCOUNTABILITIES

- a) All Catholic Schools are strongly encouraged to have a School Wide Positive Behaviour Policy and relevant processes, endorsed by the School Board and the Regional Principal Leader.
- b) A Catholic School's School Wide Positive Behaviour Policy and its processes can be audited by the TCEO at any time for compliance, to ensure alignment with the CECT Response to Unacceptable Student Behaviour Policy and Procedures.
- c) A copy of the Catholic School's School Wide Positive Behaviour Policy is to be published on the school website. The school website should also have a copy of or a link to the CECT Response to Unacceptable Student Behaviour Policy.
- d) Principals are to ensure that all school staff are aware of and familiar with the school's School Wide Positive Behaviour Policy and processes and the CECT Response to Unacceptable Student Behaviour Policy and Procedures.
- e) Catholic Schools are obligated to communicate with all parties involved throughout any action taken under the Response to Unacceptable Student Behaviour Policy.
- f) The Principal is to record all action taken in response to a Student's behaviour in the Student's confidential file to ensure the school has a complete record of issues and actions. Action taken to externally suspend or expel a Student must also be recorded using the relevant CETKP form.

7 GENERAL PRINCIPLES

- a) Schools are encouraged to have a School Wide Positive Behaviour Policy and develop processes for responding to and managing unacceptable behaviour of a Student at an operational level. The School Wide Positive Behaviour Policy and its processes are to be in alignment with the CECT Response to Unacceptable Student Behaviour Policy and Procedures.

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- b) Every reasonable option should be explored by the Catholic School in dealing with unacceptable behaviour of a Student. Catholic Schools are required to take appropriate earlier steps before activating the Response to Unacceptable Student Behaviour Policy and its processes.
- c) A Catholic School's School Wide Positive Behaviour Policy and its processes should cover the following three areas relating to unacceptable student behaviour:
 - 1. developing an understanding of why the Student is displaying such behaviour and responding to the behaviour without reprimand (where possible)
 - 2. consequences, positive behaviour support and internal suspension; and
 - 3. immediate external suspension of the Student where there is an immediate threat to the health and safety of other students or staff.

Cases of transfer, internal or external suspension and/or expulsion of a Student are covered by the CECT Response to Unacceptable Student Behaviour Policy.

In implementing the Response to Unacceptable Student Behaviour Policy, Catholic Schools must:

- 1. Provide the opportunity for the Student to present their version of events. The Student must be offered the support of an adult support person of their choosing and the School will ensure the Student's choice of an adult support person is accommodated before proceeding. An adult support person can be a school staff member, school counsellor, a family member such as parent/guardian, older sibling, aunt, or uncle etc.
- 2. Contact the Student's parents to inform them of the breach of policy.
- 3. Arrange for an interpreter if one is required.
- 4. Meet with or speak to the Student and the Student's parents and/or support person to explain the reasons for the action taken.
- 5. Ensure the outcomes of all meetings/calls undertaken are recorded in writing with a copy to be placed on the Student's confidential file and

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provided to the parents.

- d) Following each step of the process in place for addressing unacceptable student behaviour, the Principal or delegate must:
1. Write to the Student's parents stating the reasons for the actions taken regarding the Student.
 2. Clearly identify the relevant rules, policies, standards of behaviour alleged to be breached.
 3. Explain to the parents that the situation has escalated to an unacceptable level and the Student's unacceptable behaviour warrants either internal or external suspension, negotiated transfer or expulsion.
 4. Allow the Student and/or the Student's parents to give a response either in writing or verbally.
- e) In developing the Catholic School's School Wide Positive Behaviour Policy and processes the Principal can seek the assistance of the TCEO if necessary.
- f) If the Student's unacceptable behaviour continues to occur after the Catholic School has followed the steps outlined in its processes under its School Wide Positive Behaviour Policy, the Principal is to contact the Regional Principal Leader North or South regarding taking action under the CECT Response to Unacceptable Student Behaviour Policy to internally or externally suspend, negotiate a transfer, or expel a Student. If immediate action is required by the Principal to protect the health and safety of others in the school, Principals are to inform the Regional Principal Leader North or South of the action taken within 24 hours.
- g) All matters of the internal or external suspension, negotiated transfer or expulsion of a Student are to be overseen by the Principal at the school level and must be approved by the appropriate level at the TCEO as outlined in the CECT Response to Unacceptable Student Behaviour Policy.
- h) If a Student is externally suspended there needs to be a clearly documented education plan as to how the Student would continue with their education whilst suspended. This education plan is to consider the period of suspension and all staff should support this process. A copy of the education plan is to be given to the Student and/or the Student's parents, and a copy placed on the Student's confidential file.

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- i) At the end of a period of an external suspension or if an expulsion has been reconsidered, the Principal or delegate is to meet with the Student, Student's parents, and relevant staff to develop an education plan for re-entry in the school, that is consistent with the CECT Response to Unacceptable Student Behaviour Policy. A copy of this education plan is to be provided to the Student and/or Student's parents, relevant staff, and the Regional Principal Leader North or South. A copy is to also be placed on the Student's confidential file.
- j) If it is feasible and in the best interests of the Student, the Principal and Regional Principal Leader North or South, can help facilitate the negotiated transfer of a Student to a new school, either within the Catholic education system or in the other Tasmanian education sectors.
- k) If the action of the Student is considered to be a breach of the criminal law, the matter will be referred to Tasmania Police.
- l) If a decision is made to transfer a Student to another Catholic School, the Principal will facilitate this transfer and ensure all enrolment information is transferred to the new Catholic School, in accordance with the Enrolment Form. If the Student will be transferring to a school in another educational sector, the Principal can facilitate the transfer of the Student's enrolment/personal information to the new school with the consent of the Student (or their parent(s) on their behalf).
- m) If a decision is made to externally suspend a Student for unacceptable behaviour, the initial period of suspension will be for a maximum of 10 school days. Periods of suspension are not to be allocated consecutively. The Regional Principal Leader North or South is to be consulted by the Principal of the external suspension of a Student for unacceptable behaviour unless there is an immediate threat to the safety of others at the school.
- n) An external suspension longer than 10 school days will require further deliberation between the Principal and Regional Principal Leader North or South and detailed discussions with the Student, parents and relevant school staff members. Any final period of external suspension that will be longer than 10 school days is to be forwarded to the Regional Principal Leader North or South for approval.
- o) If there is an immediate threat to the safety of the students and staff from the behaviour of another Student, the Principal can immediately externally suspend

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the Student and follow up with the Regional Principal Leader North or South regarding the situation.

- p) At the end of a period of suspension, the Student and/or the Student's parents are required to participate in a meeting with the school Principal or delegate and relevant staff members to:
1. develop a mutual understanding between the parties for the future direction of the Student's learning and expected behaviour
 2. develop strategies to implement this agreed understanding.

The outcomes of this meeting will be recorded in writing and a copy provided to the Student and/or Student's parents. A copy will be placed on the Student's confidential file. The same process would occur if the decision to expel a Student was overturned by the Executive Director or Deputy Executive Director/s of Catholic Education Tasmania as result of a review process.

- q) The expulsion of a Student should only be used as a last resort when all other avenues have been exhausted, or there is a serious risk to the safety of students and staff in the school's care.
- r) Regarding a Student expulsion, all Catholic schools must refer these matters to the Executive Director or Deputy Executive Director/s of Catholic Education Tasmania for approval. The Executive Director or Deputy Executive Director/s of Catholic Education Tasmania will advise the Regional Principal Leader North or South and Principal of the school of his/her decision.

8 REFERENCES

Department of Education, *Secretary's Instruction No. 3 For Unacceptable Behaviour of Students and Volunteers at, and Visitors to, State Schools or School Activities*, July 2017, <https://publicdocumentcentre.education.tas.gov.au/policies>

Department of Education, *Secretary's Instruction No. 4 For Suspension, Exclusion, Expulsion or Prohibition of State School Students*, July 2017, <https://publicdocumentcentre.education.tas.gov.au/policies>

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