



Topic:	Exclusion of Students for Disciplinary Reasons
Policy No:	D-13
Policy Area:	Community
Date For Review:	2021

1. Rationale

The Catholic school strives to create an inclusive Christian community where the message, practice and values of Jesus Christ, as proclaimed in the Gospels, are given practical expression. In this community the cooperation of each member is required in order to create the common good (CS, paras 60 and 61)¹.

Any behaviour that seriously affects or endangers the well-being of the community needs to be addressed.

Catholic schools establish the behavioural expectations for students and provide supportive structures to engage, nurture and promote the wellbeing of the whole school community. 'Every Catholic school (therefore) needs to encourage its students to reflect upon the Christian message by helping them to relate it to their daily lives and aspirations and to understand what it means to be a follower of Christ in Australia today' (Mandate, paragraph 32)².

Despite a school's proactive efforts, there are circumstances when a student's behaviour is unacceptable and warrants exclusion. This policy statement assists schools in assessing whether allegations of student behaviour contrary to the school's expectations may require the exclusion of a student from the school.

Exclusion is an extreme disciplinary action reserved for cases of gross misconduct, serious breaches of school rules, or repeated behaviour that is persistently disruptive. Given the significant implications for the student and their family exclusion is, therefore, to be applied as a last resort.

2. Definitions

- 2.1 Exclusion is the termination of a student's enrolment at a particular school.
- 2.2 Parent includes parents or guardians or carers.

3. Scope

This policy applies to Mercy College.

4. Principles

- 4.1 Mercy College shall have a student behaviour policy which includes the procedures for the exclusion of a student for disciplinary reasons as outlined in this policy statement.
- 4.2 Exclusion means total withdrawal of a student's right to attend a particular school ie. termination of enrolment.

- 4.3 Exclusion is an extreme disciplinary step reserved for cases of gross misconduct, serious breaches of school rules, or behaviour that is persistently disruptive or contrary to the mission statement of Mercy College. Exclusion is a sanction to be applied as a last resort, normally after all other measures have failed.
- 4.4 The parent shall be involved in the exclusion process to the extent described in this policy statement.
- 4.5 The Principal is expected to examine individual cases on their own merits and balance the principle of natural justice with the quality of mercy
- 4.6 The interests of the individual student shall be balanced against the common good of the school community.
- 4.7 The principal in consultation with the Director/employer or their delegate shall have the authority to exclude a student.
- 4.8 Students must be given the opportunity to access support, both pastoral and procedural, throughout the investigation.
- 4.9 The decision to exclude a student shall be the responsibility of the Principal.

5. Procedures

- 5.1 As soon as any allegation is made against a student and following a preliminary investigation by the principal, that, if substantiated, would warrant exclusion, the parent shall be contacted to enable them to be present at any subsequent interviews with the student.
- 5.2 The principal will write to the parent informing them:
 - of the substance of the allegation
 - that an investigation will take place into the allegation and the likely duration of the investigation; and
 - that, if substantiated in whole or part, the principal may decide to exclude the student, and
 - that the student is suspended until that investigation is concluded as deemed necessary by the principal.
- 5.3 Where practicable, the principal should delegate the responsibility to undertake the investigation to a member of the school's leadership group. Should this not be practicable, the principal shall contact the Employment and Community Relations Team of the Catholic Education Office for advice. The investigation shall be based on the merits of the case and provide a fair and unbiased assessment.
- 5.4 The principal's delegate will provide a written report of the investigation to the principal with copies of any statements or other documents referred to by the investigator. The report may or may not include recommendations.
- 5.5 The principal shall consider the written report of the investigation and determine whether exclusion may be warranted under this policy statement. If the principal considers that exclusion is not warranted, he/she may take any other action that they believe is required under the circumstances.
- 5.6 If the principal believes that exclusion may be warranted, he/she shall seek additional information about the allegations or ask their delegate to do so on their behalf. The principal shall consult with the Team Leader of the Students with Disability or Aboriginal Education Teams where a student has a disability or is Aboriginal. The school counsellor, psychologist or social worker shall also be consulted where practicable.
- 5.7 The principal is to contact the parent of the student requesting their presence at an interview between the principal and the student. The principal may invite others as appropriate.
- 5.8 At the interview the principal will detail the allegation and will invite the student to provide any additional information which they believe is relevant to the decision as to whether to exclude.

- 5.9 The principal shall meet with the school's leadership team to carefully consider the facts and circumstances of the situation so as to ensure that the appropriate level of discernment and reflection is given to the decision.
- 5.10 If, after considering the written report of the investigation and the information provided by the student and the parent, including consideration of disability and disadvantage (cultural, geographical and educational), the principal decides that exclusion is not warranted, he/she may take any other action that they believe is required under the circumstances.
- 5.11 If, after considering the written report of the investigation and the information provided by the student and the parent, including consideration of disability and disadvantage (cultural, geographical and educational), the principal decides that exclusion is warranted, the principal shall:
- a) Diocesan Accountable School
Consult with the Executive Director of Catholic Education or the Executive Director's delegate and provide them with reasons for the exclusion prior to formalising the decision to exclude the student.
- 5.12 Given the enormity of the decision, the principal shall meet with the parent where possible. The principal shall follow up with a letter advising that:
- the decision to exclude the student has been made
 - the reasons which resulted in the decision to exclude; and
 - they may choose to withdraw the student from the school within a given timeframe, otherwise the exclusion will proceed
- 5.13 The principal shall work with the parent if assistance is sought to find an alternative school for the excluded or withdrawn student.
- 5.14 The principal shall ensure that detailed records of the events and discussions related to the decision to exclude the student from the school are maintained.
- 5.15 Records pertaining to the exclusion shall be regarded as 'Restricted Access Records' [refer CECWA policy statement 2-D8 The Management of Confidential Information in Schools]³ and be accessible only to employees specifically designated by the principal.
- 5.16 A student whose enrolment is terminated under this policy shall not be removed from the School Register unless the school has provided information and requested permission of the Director or Congregational Leader, and has been authorised to do so in accordance with Section 21(1) of the School Education Act 1999 4.
- 5.17 Parents shall be made aware that should they seek to make a complaint arising from a decision under this policy, it should be made in accordance with CECWA policy statement 2-D1 Disputes and Complaints Resolutions.

6. References

Congregation for Catholic Education, The Catholic School, 1997

http://www.vatican.va/roman_curia/congregations/ccatheduc/documents/rc_con_ccatheduc_doc_19770319_catholic-school_en.html

Bishops of Western Australia 2009, Mandate of the Catholic Education Commission of Western Australia: 2009-2015

Catholic Education Commission of Western Australia policy statement 2-D8 The Management of Confidential Information in Schools'

School Education Act 1999

Catholic Education Commission of Western Australia policy statement 2- D1 Disputes and Complaints Resolution

7. Related Documents

8. Review History

Year of Review	Reviewed By	Amendments/Review
2013	Julie Hornby	Originally released
2016		Reviewed

9. Next Review

Year	Mercy College Standing Committee Responsible
2021	Julie Hornby