

Suspension and exclusion information for parents and carers

If your child has been suspended or the principal is considering excluding your child, you might be:

- feeling upset
- angry at the school, your child or another child.

You might want to defend your child no matter what. You might feel that school's decision is unfair.

It's always important to hear all sides of the story. You can try to work with the school and your child to get them back to school. You can help by:

- staying calm
- talking with your child about what happened
- talking with the school about what happened
- developing a plan with the school and your child.

Why do behaviour problems happen?

Most students behave safely and positively if they can. When a student can't, it's usually because they don't have the skills to do what they are being asked to do.

A student might still be learning communication, emotional or social skills. Or the student might not be able to use their skills because they are feeling upset, stressed or unwell. Some students are trying to meet their needs for friendship, respect and inclusion, but haven't done this in the best way.

How does suspension or exclusion help?

Suspension and exclusion are not used as punishment. They are responses to student behaviour that affects the safety and learning of others.

Suspension and exclusion:

- help schools to be safe and positive learning places for everyone
- are used when other things have not helped students to behave safely and positively
- are problem solving processes
- help students, parents, carers and the school work out how to support students to behave safely and positively in future.



What is suspension?

Suspension:

- is a short term response to concerning student behaviour that affects the safety and learning of others
- means that the student does not go to school for between 1 and 5 school days
- is decided by the principal
- cannot be for more than 15 school days or 4 times in one school year without the approval of an Education Director.

All principals report to a local Education Director.

What is exclusion?

Exclusion:

- is a longer term response to serious student behaviour that affects the safety and learning of others
- means that the student does not go to school for between 4 and 10 calendar weeks or the rest of the school term
- can only happen if the student has first been suspended for between 1 and 5 school days
- is decided by the principal
- cannot be for more than 20 weeks in one calendar year without the approval of the Education Director.

When can a student be suspended or excluded?

The law says that the school principal can suspend or exclude a student. This can only happen when the principal believes on reasonable grounds that:

- ‘the student has threatened or perpetrated violence; or
- the student has acted in a manner that threatens the safety or wellbeing of a student, member of staff or other person associated with the school (including by sexually harassing, racially vilifying, verbally abusing or bullying that person); or
- the student has acted illegally; or
- the student has interfered with the ability of a teacher to instruct students or of a student to benefit from that instruction; or
- the student has acted in a manner that threatens the good order of the school by persistently contravening or failing to comply with rules applying within the school with respect to behaviour.’

A student can also be suspended if:

- ‘the student shows persistent and wilful inattention or indifference to school work’

These points are from the *Education and Children’s Services Act 2019*.

How is the decision made?

The principal has to act fairly and look at each situation. The principal has to be satisfied that a suspension or exclusion is the most appropriate response to the behaviour. They do this by considering:

- the student's behaviour - how serious is it and how often does it happen?
- how the student has responded to behaviour consequences in the past
- the supports in place to help the student
- if the student needs extra help so they can be included at school
- if a suspension or exclusion will help prevent the behaviour in future
- if a suspension or exclusion will help the school to be a safe and positive learning place for everyone
- if a suspension or exclusion is safe for the student
- if other things can be done to help the student to behave safely and positively.

What to expect

What happens if my child is suspended?

The school will explain the decision to suspend your child to you and your child. You and your child will be given a 'Notice of suspension from school. This will tell you:

- how many days your child is suspended for
- the date your child should return to school
- the reason for the suspension
- to contact the school to make a time for a Reconnection meeting.

The suspension (between 1 and 5 days) starts on the first school day after the decision to suspend.

The school does not have to provide your child with school work when they are on suspension.

Reconnection meeting

During the suspension a 'reconnection meeting' must be held to:

- plan your child's return to school
- develop a behaviour support plan – this will support your child's safe and positive behaviour.

If you cannot come to a reconnection meeting before your child returns to school, your child must be offered an alternative program. This will be in place until you have the meeting or find another way to develop the behaviour support plan.

What happens if the principal is thinking about excluding my child?

The school will explain why the principal is thinking about excluding your child from school.

You and your child will be given a 'Suspension pending directions' notice. This will tell you:

- your child is suspended for 5 school days
- the reasons why the principal is thinking about excluding your child
- to contact the school to make a time for a 'directions conference' within 5 school days.

The suspension starts on the first school day after the decision to suspend.

The school is not required to provide your child with school work during the 5 day suspension.

Directions conference

During the 5 day suspension, a 'directions conference' is held to discuss the behaviour and what should happen next. The directions conference is with you, your child, school staff and other people who can help.

At the directions conference:

- the school will explain to you and your child why the principal is concerned about the behaviour
- your child can respond to the principal's concerns
- you and your child can provide information you would like the principal to consider in deciding whether to exclude
- depending on their role, other people at the meeting might also provide information
- the principal will make a decision to exclude or not to exclude.

If the principal does not exclude your child, your child can return to school at the end of the suspension. A behaviour support plan is developed to support your child's safe and positive behaviour.

What happens if the principal excludes my child?

You and your child will be given a 'Notice of exclusion from school'. This will tell you:

- the start and end dates of the exclusion
- the reason for the exclusion
- the date of the 'Reconnection meeting' – this is held before your child comes back to school.

You and your child will be given 'Appeal against exclusion from a school' paperwork. The appeal process will be explained to you.

You and the school will work out an alternative learning program for your child. This provides work, learning and behaviour goals during the exclusion. Schools do not have to provide an alternative learning program for your child if they are 16 years or over.

The alternative learning program will include the supports your child will receive to help them during the exclusion. A behavior support plan is developed.

Alternative leaning programs can include:

- placement at another school
- placement at a learning centre
- an alternative program in your child's own school
- an open access program
- learning at home.

During the exclusion

During the exclusion, your child's progress is monitored weekly.

A mid-exclusion review is held to:

- review your child's progress with their learning and behaviour goals
- update the behaviour support plan, if required.

Reconnection meeting

Before your child is due back at school, a reconnection meeting must be held. The reconnection meeting is with you, your child, school staff and other people who can help. Your child's progress with their learning and behaviour goals is reviewed.

If it is agreed that the goals have been met:

- your child is able to reconnect with their usual learning arrangements at school
- the behaviour support plan is updated.

If the goals have not been met:

- the exclusion can be extended (cannot be longer than 10 consecutive calendar weeks or the rest of the school term).

If you cannot come to a reconnection meeting before your child returns to school, your child must be offered an alternative program. This will be in place until you have the meeting or find another way to update the behaviour support plan.

Reconnection meetings and directions conferences

Who will be there?

The people at the meeting include:

- you
- your child
- school staff (for example, principal, other school leaders, teacher, Aboriginal education worker, support staff).

Other people who might be at the meeting include:

- Department for Education staff (for example, a behaviour support coach, special educator, social worker or Aboriginal education worker)
- a support person invited by you (for example, someone in your family, a social worker, support worker or disability advocate)
- other people who might help (for example, service providers or interpreters).

You should discuss who you think would be helpful to be at the meeting with your child's school. You should tell the school if you will be taking a support person.

Behaviour support plans

A behavior support plan is a plan to support your child's safe and positive behaviour. It can be developed at any time when there are concerns about your child's behaviour. It might include:

- the skills your child needs for safe and positive behavior
- how your child will learn the skills they need and who will help them
- what's getting in the way of your child using the skills they already have
- a plan to fix the things that are getting in the way of safe and positive behaviour
- a plan for things to be safe and positive while your child is still learning and practicing the skills
- how progress will be noticed and reviewed
- responses to behaviour concerns in the future

- responsibilities of the school, you and your child
- referring your child to support services within the department or in the community.

Behaviour and suspensions and exclusions

Can students be treated differently for the same behaviour?

Yes.

When a principal decides that a student should be suspended or excluded, they have to look at all the circumstances.

Two students might seem to have behaved the same, but when the principal considers all the circumstances, it might be fair to treat each student differently.

Can my child be suspended or excluded for behaviour that did not happen at school?

Yes.

Your child can be suspended or excluded for behaviour that happened outside of school hours and off school grounds. This is only if there is a reasonable connection between your child's behaviour and the school or school relationships. For example:

- behaviour that happened on the way to school
- behaviour while wearing school uniform or representing the school
- behaviour while on school excursions or camps
- in person or online behaviour towards another student or school staff in the evening or at the weekend.

School grounds and other schools

Can my child be on school grounds while suspended or excluded?

It is against the law for your child to be on school grounds while suspended or excluded. If your child is on school grounds while suspended or excluded, they are committing an offence. Anyone who encourages your child or helps them be at school while suspended or excluded is also committing an offence.

Your child can be on school grounds to go to a 'directions conference' or 'reconnection meeting'.

If your child has other good reasons to be on school grounds the principal can approve this in writing. For example, this might be to:

- receive services on the premises
- go to an alternative learning program.

Can I enrol my child at another school while they are suspended or excluded?

No.

You cannot enrol your child at another school while they are suspended or excluded. If your child needs to enrol at a new school after the suspension or exclusion, they still need support. The principal of your child's current school and the principal of the new school will talk about your child's behaviour. Your child's behaviour support plan will be worked out between both schools, you and your child.

Appeals or complaints

Disagreements about suspensions

You cannot appeal against your child's suspension.

If you cannot resolve a disagreement with your child's school, you can make a complaint to the Department for Education Customer Feedback Unit:

- phone 1800 677 435 (toll free)
- use the online complaint form at www.education.sa.gov.au/schoolcomplaint

Exclusion appeals

You, your child, or an adult acting on your request, or on the request of your child, can appeal against:

- the exclusion
- an extension to the exclusion

on the grounds that:

- the information considered in the principal's decision to exclude was incorrect
- the exclusion process was not followed properly
- the length or conditions of the exclusion are not appropriate.

You will find out about how to appeal an exclusion at the 'directions conference'. You also receive paperwork for the appeal. You must give appeal paperwork to the Education Director at your local education office. You have 5 school days after the directions conference to do this.

If you don't know which local education office to contact:

- ask the school
- phone 8226 1000
- Search for your child's school on www.education.sa.gov.au/findaschool
The school's education office contact details are on the school's listing.

Disagreement about exclusions

If you cannot resolve a disagreement with your child's school or local education office, you can make a complaint to the Department for Education Customer Feedback Unit.

Behaviour support policy

Suspension and exclusion help schools to be safe and positive learning places for everyone. They are used when other things have not helped students to behave safely and positively.

The department's behaviour support policy applies to all public schools. It explains other ways schools support safe and positive behaviour.

- www.education.sa.gov.au/doc/behaviour-support-policy

Your child's school will also have their own behaviour support policy or behaviour code of conduct.

You can find it on the school's website. You can also ask the school for a copy of these documents.

Let's work together

Remember, most students behave safely and positively when they can. Work with the school and your child to support your child and get them back to school.

You can find out more about suspension and exclusion by:

- making an appointment with the principal or another school leader
- contacting your local education office.