



THE COUNCIL OF THE KING'S SCHOOL

STUDENT SUSPENSION AND EXPULSION POLICY

(TUDOR HOUSE, PREPARATORY SCHOOL AND SENIOR SCHOOL CAMPUSES)

DOCUMENT TITLE: Student Suspension and Expulsion Policy
DATE APPROVED: July 2021
REVIEW DATE: July 2022
RESPONSIBLE: School Executive

1. Purpose of Policy

- 1.1 The behaviour of individual students at the School can underpin and influence the overall tone and success of the School. It can have a significantly positive or detrimental impact upon other students. It is the responsibility of the staff and ultimately the Headmaster to assist students to behave correctly and within the bounds of the School's rules and ethos. There will be occasions when the behaviour of a student may lead to the student being suspended for a period or suffer the most serious punishment of expulsion.
- 1.2 This Policy articulates the context in which the School exercises its right to suspend or expel a student. It also describes the Procedure observed by the School when suspending or expelling a student. Whilst describing the significant elements of that Procedure it is not intended to be exhaustive or overly prescriptive particularly in respect to the time period in which the Procedure may take place. The need for procedural fairness to be observed by the School towards students is acknowledged within this Policy.
- 1.3 The Headmaster or Acting Headmaster retains sole authority to expel a student from either the Preparatory School, Senior School or Tudor House.

2. Discipline Generally

- 2.1 The School's Policies and Procedures related to the discipline of students generally are available within a number of School publications including the Student Code of Conduct, Parent Information Booklets and Student Enrolment Forms. A copy of the Rules and Regulations applying to students and their behaviour can be found in the Student Code of Conduct of the School Diary given to each student in the Preparatory School (Years 2 to 6), the Senior School (Years 7 to 12) and the Rights and Responsibilities of Students and Discipline at Tudor House (PK – 6) in student handbooks.
- 2.2 Students are required to abide by the School's rules and to follow the directions of teachers and other people acting with the School's authority. In general, no student shall say or do anything contrary to good order, decency and common sense. Students are expected at all times to behave courteously, to show consideration for others and for the community as a whole, to value self-respect and the good name of the School. Where disciplinary action is required, penalties imposed vary according to the nature of the breach of discipline and a student's prior behaviour.
- 2.3 In accordance with those several Policies and Procedures corporal punishment is not permitted under any circumstances at The King's School.

3. Legal Obligations

3.1 Education Amendment (Non-Government School's Registration) Act 2004

The New South Wales Education Standards Authority (NESAs) has set out its expectations of Non Government Schools registered by the NSW Minister for Education in its Manuals, viz:-

NESA Manual for Registration and Accreditation of Non-Government Schools

"3.7 Discipline

3.7.1 A registered non-government school must have Policies relating to discipline of students attending the school that are based on principles of procedural fairness.

3.7.2 A registered non-government school must have Policies related to discipline of students attending the school that do not permit corporal punishment of students."

The most serious disciplinary sanctions against a student enrolled at the School are suspension or expulsion and the School acknowledges the need to ensure these sanctions are imposed only after a correct Procedure is observed.



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3.2 Contract with Parents

Each student's parents or guardians have entered a contract with the School Council. One of the conditions of that contract addresses the suspension and expulsion of students, viz:-

"Students enrolled at The King's School are bound by all rules and regulations authorised by the Headmaster for the conduct of the School. The School reserves the right to suspend or expel a student if the Headmaster (or any person authorised to act in his place) in his discretion considers this action is advisable."

Or

"If the Headmaster (or any person authorised to act in his place) considers that:

- (a) a student has seriously breached the school rules;
- (b) a student has otherwise engaged in conduct which is prejudicial to the School or its students or staff;
- (c) a student is not making satisfactory progress; or
- (d) a mutually beneficial relationship of trust and co-operation between the parent and the School has broken down to the extent that it adversely impacts on that relationship,

the School may exclude the student permanently or temporarily from the School at its absolute discretion and no remission of fees will be granted."

3.3 Judicial Review

The School is aware that, like all institutions, it can be subject to judicial review and through the implementation of this Policy it seeks to eliminate any need for such review to occur.

4. School's Values

- 4.1 The School promotes a number of values which are located on KingsNet - <https://kingsnet.kings.edu.au/our-school/our-headmaster>.

Integrity

"We live our lives with integrity. To demonstrate integrity means to live a life that is integrated and balanced, cohesive and coherent. As a community of integrity, we are unified and work together for the common good. We are trustworthy and reliable, we follow through with conviction and courage. Integrity is strongly aligned with responsibility and honesty, for when we are true to ourselves and one another and exercise responsibility, we demonstrate our integrity.

DEMONSTRATE INTEGRITY."

- 4.2 The School will strive to reflect the qualities described within this Value and uphold the high standards expected of an institution based in the Christian faith.

5. Risk Management in Respect to Suspension and Expulsions

- 5.1 Safeguarding the welfare of all students in the School's care is of paramount importance to the School. The adverse impact the suspension and/or expulsion can have on a student is not underestimated. Equally, the School recognises that each student, staff member or visitor to the School has a right to undertake their activities at the School in an appropriate environment and that the behaviour of a student cannot be permitted to place that in jeopardy. Therefore, the School reserves the right to deal with a student, whose behaviour is determined to be in breach of the various disciplinary publications mentioned above, by way of suspension or expulsion in accordance with this Policy.

Of these sanctions, suspension is far less serious and may be for a period as little as one day. The School often needs to impose this measure almost immediately in certain circumstances in order to ensure the safety of the student, their fellow students, staff and the School. Therefore, the School reserves the right to pursue the Procedure below in a more expedient manner in light of all the circumstances leading to a suspension.

Where a boarding student is suspended or expelled the School acknowledges its duty of care to that student whilst ever they are in the School's care prior to their collection by their parents or their departure to travel home e.g. overseas flight.



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6. Definition

6.1 For the purposes of this Policy the following meanings apply:-

School – Kindergarten to Year 12, The King's School, Parramatta and Moss Vale.

Internal Suspension – the temporary exclusion of a student from participating in School activities, including timetable classes, breaktimes and sport for the period of the internal suspension. Students will be closely supervised in an appropriate setting and be expected to complete all set work. An internal suspension may be deemed appropriate following discussions between the Deputy Head, Housemaster and parents.

Suspension – the temporary exclusion of a student from the School's premises and participation in any School activities wherever they occur. Suspension does not include those disciplinary measures resulting in any period of detention at School or sending a student home for the remainder of a day. In exceptional circumstances, for example where the safety of a person may be in jeopardy, the School reserves the right to suspend immediately a student before the completion of the Procedure below. The Procedure will be observed as closely as possible, in view of that suspension, by the School at the earliest opportunity. As mentioned above a "Suspension" is viewed as a far less serious sanction than "Expulsion" and is more often the outcome of a disciplinary process than expulsion. It has to be recognised that the need for the less serious sanction of suspension has to be imposed by the School without undue delay to ensure effectiveness. Therefore, in exceptional circumstances, this may mean not all of the procedural steps described below will be able to be always strictly observed by the School.

Expulsion – the expulsion of a student means the conclusion of any educational services being provided by the School to that student from a point in time. A student will generally be first suspended, in the appropriate circumstances, before being expelled subject to the completion of the following Procedure. Expulsion is the most serious disciplinary sanction and the School will ensure the student is afforded all appropriate pastoral support and care whilst the Procedure below is pursued.

7. Procedure in Respect to Suspension and Expulsion of Students

The following is a summary of the several steps that the School observes to seek to ensure natural justice when the suspension or expulsion of a student is a possible outcome of a disciplinary process. Students boarding at the School form a large component of the student population. The School is mindful of the practical constraints upon it when seeking to observe all aspects of the following Procedure caused by some parents not generally being immediately available. The School does undertake to ensure a parent is informed, at the earliest opportunity, of developments in respect to the suspension or expulsion of their child along with a parent's involvement, where possible, in this Procedure. In the absence of a parent, particularly in the case of a boarding student, the student's Housemaster or the Director of Boarding would be closely involved in the Procedure.

- 7.1 The School will inform a student and their parents of the allegations against them that have warranted the disciplinary process to commence. Exceptional circumstances may exist e.g. jeopardising the safety of others, along with maintaining the integrity of any ongoing investigation into related matters, that may warrant only certain information being initially revealed. The student and their parents would subsequently be told further, and usually all, relevant information if deemed appropriate by the School. The exceptional circumstances referred to above may remain for some time.
- 7.2 The School will inform the student and their parents that their misconduct has been sufficiently serious as to warrant the School to consider their suspension or possibly expulsion.
- 7.3 The student and their parents will be given opportunity to respond to the allegations that have been made known to them by the School. That response may be in the form of an explanation, new and additional information not known to the School or other mitigating information.
- 7.4 The School will ensure proper investigation of the allegations made, that relevant parties are heard and relevant submissions considered. Usually a senior member of the teaching staff will be set the task of interviewing appropriate persons, inspecting relevant documents and making relevant enquiries to enable a finding based on the balance of probabilities.
- 7.5 The Headmaster or acting Headmaster will make the final determination as to whether a student is suspended or expelled. In the case of suspension, his authority may be delegated to his nominee. To assist him in reaching a fair and unbiased decision, other senior staff would usually undertake the investigation and arrive at a recommended course of action.



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- 7.6 Where a student is the subject of the disciplinary process and may be facing suspension or expulsion, they will be permitted to have contact with a parent or other support person at the appropriate point in the process if that is reasonably practicable. That point will generally be when sufficient progress has been made in the investigation process to enable the School to form the view that the student may be facing suspension or expulsion.
- 7.7 The School will seek to ensure that the student is given a chance to deal with all allegations or assertions adverse to his interests. The aim is to ensure the student and their parent/support person is aware of all the information available to the School that is contributing to the student's suspension or expulsion. In exceptional circumstances where, for example, the safety of others may be jeopardised, the School reserves the right to not reveal all details of the allegations or assertions made to the student or their parent/support person.
- 7.8 In respect to expulsions, the Headmaster, or his nominee, will provide the student and their parent with a preliminary finding in respect to the disciplinary process and an opportunity to provide the Headmaster with any new and compelling information that may warrant that finding being altered. Should such information not be forthcoming, then the Headmaster will confirm his finding. In respect to the less serious sanction of suspension the student and parent will be provided with an opportunity to provide any new and additional information.

8. Conclusion

- 8.1 It is expected that the publication of this Policy will assist the School Community to better understand the steps that are observed when the suspension or expulsion of a student is the potential outcome of a disciplinary process.
- 8.2 The School seeks to uphold the highest standards and continually improve its practices as one of Australia's leading educational institutions.
- 8.3 The Heads of Campus are responsible for the requirements of this Policy being observed by the School.
- 8.4 This Policy will be subject to ongoing review and comments and suggestions upon its contents can be referred to one of the following:-
- Rev Stephen Edwards, Head of Senior School/Deputy Headmaster – see@kings.edu.au
 - Mr Peter Allison, Head of Preparatory School – pallison@kings.edu.au
 - Mr Wesley Dunne, Acting Head of Tudor House – tudor_head@kings.edu.au
 - Mr Kevin Lee, Clerk to the Council – clerktothecouncil@kings.edu.au

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1	February 2011
2	October 2014
3	June 2019
4	September 2019
5	July 2021

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