



# MARIST CATHOLIC SCHOOL

## PROCEDURE: **Stand downs & Suspension**

### **Section 14 Education Act 1989**

Principal may stand-down or suspend students if satisfied on reasonable grounds that

- (a) The student's gross misconduct or continual disobedience is a harmful or dangerous example to other students at the school; or
- (b) Because of the student's behaviour, it is likely that the student, or other students at the school, will be seriously harmed if the student is not stood-down or suspended

### **Definition of Terms /Clarification of procedures.**

**Stand down:** the formal removal of a student from school for a specified period. Stand downs of a particular student can total no more than 5 school days in a term or 10 school days in a year.

**Suspension:** The formal removal of a student from the school until the Board of Trustees decides the outcome at a disciplinary meeting. Only a principal can suspend a student. At the disciplinary meeting conducted by a sub-committee of the Board, the committee excluding the principal may decide to:

- a) lift the suspension without conditions;
- b) lift the suspension with reasonable conditions;
- c) extend the suspension with reasonable conditions, for a reasonable period; or
- d) exclude the student

**Exclusion:** The formal removal of a student aged under 16 years. The school has to use its best endeavours to re-enrol the student at another school within 10 days and advise the Ministry of Education if all efforts have failed. This is an extremely serious action that may deprive a child of an education and must therefore only be used for primary age children in extreme situations when all other avenues have been exhausted

N.B. the term 'expulsion' is used when the child is aged over 16, and may choose not to continue their education.

### **Guidelines**

1. Marist Catholic School shall adhere to the latest MOE regulations on stand downs, suspensions and exclusions. (Currently: Guidelines for Principals and Boards of Trustees on Stand downs, Suspensions, Exclusions and Expulsions –2012).
2. The principal nor any other staff will pre-determine a stand down, suspension or exclusion. Instead any or every incident must be responded to on the basis of that event alone.
3. Gross misconduct of a sudden nature, will need to be 'striking and reprehensible' to justify removal
4. The principal, alone, will determine if the situation meets the level of a) or b) above following a fair investigation and will keep notes on all aspects of the incident that led to that decision.
5. Parents will be given letters and information sheets prescribed by the Ministry of Education outlining their rights
6. A disciplinary sub-committee comprising of three board members will meet within 7 days of any suspension. (or within 10 days if at the end of a school term). A staff member will be present to take minutes of the proceedings.

7. The principal will send the family and the disciplinary committee the relevant papers 48 hours before the meeting. These notes will outline the meeting procedure, the principal's report of the suspension, any other material to be presented at the suspension and the options available to the Board.
8. Parents are welcome to bring advocates to a disciplinary hearing, who will be invited to speak at an appropriate time. Often these people will have prepared written statements with copies for the committee.
9. All proceedings of a disciplinary subcommittee are confidential and minutes of these meetings are not part of the public record.
10. Parents will be advised of the disciplinary sub-committee's decision by phone the next day, and this will be followed up with a decision in writing.
11. Wherever possible, the school will prefer to work through the 'restorative justice' process and help them to manage behavioural and social difficulties at school, but will also be mindful of the rights of other students to pursue their education without undue disturbance.
12. The Board will inform all parties in writing and ensure the decision is formally notified to the Ministry of Education
13. If the decision is to exclude a student, the school is required to make every effort to find another school for the student.

### **Suspension Meeting Protocols**

1. Nominate a secretary to keep minutes. All minutes and information are kept 'in committee'.
2. Keep in mind that this must be a fair process. The board must act fairly and reasonably.
3. Chairperson outlines why this meeting has been called. The chair assures all parties at the meeting
4. that the only information to be considered by the meeting will be the written information supplied by the principal to all, and any information that emerges during the hearing.
5. The four possible outcomes of the meeting are explained. A phone number to relay the board decision to the parents is agreed
6. Chair invites the Principal to report on the events that lead to suspension.
7. Disciplinary sub-committee may ask questions of principal to clarify matters.
8. Chair invites the parents of student to respond.
9. Chair invites pupil and/or any supporters to respond.
10. Disciplinary sub-committee may ask questions of the pupil, their parents or supporters to clarify matters.
11. New information may come to light. The Board may, therefore, adjourn or may feel able to take cognizance of it in their deliberations without taking a break.
12. The pupil, parents, supporter, principal and /or deputy principal leave the meeting.
13. Board of Trustees adjourn to consider all the information and make a formal decision.
14. The Board Secretary will remain to record the outcome and to draft the response to the parents as per board instructions and in accord with Ministry of Education guidelines.