

Exclusion Procedures



The termination of a student's enrolment from Lavalla Catholic College (the College) is a carefully weighted decision taken when the interests and wellbeing of the student and/or the wider College community are most likely to be best served by following this course of action, and after the College has diligently discharged its responsibilities towards the student.

In all processes where termination of enrolment is being considered, matters shall be dealt with in an open, just and measured manner, and the student and parents /guardians will be treated with respect and fairness.

Decisions regarding termination are reserved to the Principal of the College who is required to follow the principles and procedures described in this document.

The Principal and other members of staff involved in any process of investigation shall be mindful that as Christian educators they are agents of the Gospel and shall strive to bring evangelical values such as truth, reconciliation, hope and compassion to their actions and attitudes, and eschew non-Christian views such as retribution, prejudice, intolerance, anger or lack of kindness.

Principles and Procedures

1. Possible reasons leading to termination of enrolment

The Principal is entitled to initiate a process leading to a termination of enrolment in one or more of these situations:

- 1.1 persistent non-compliance by a student when exhaustive attempts for redressing the situation have proved recurrently unsuccessful;
- 1.2 one or more incidents of serious misconduct which endangers the moral or physical safety of others students or staff, or threaten the good order of the College, for example the selling of illicit drugs, the threatening of staff or students with a weapon, serious assault on a student or member of staff, major crime or the facilitation of criminal activity;
- 1.3 the failure of parents / guardians to honour the conditions of enrolment after reasonable attempts to redress the situation have been unsuccessful, for example the refusal of parents / guardians to ensure their child's attendance in class or participation in other mandatory programmes, lack of resolution regarding non-payment of fees.

2. Possible reasons for intervention and/or suspension of enrolment

The Principal may suspend the enrolment of a student in these situations:

- 2.1 during the time that termination of enrolment is being considered for matters described in 1.1 above;
- 2.2 as the result of a serious or persistent breach of conduct and prior to an interview with the student and the student's parents / guardians for the purpose of determining the conditional and/or provisional arrangements under which enrolment may be resumed (for example, following bullying or harassment of students or staff, disruptive behaviour, use of alcohol or drugs while at a College activity or in College

uniform, ongoing failure to meet minimum academic requirements, conduct bringing the College into disrepute, ongoing refusal to meet codes of behaviour or dress);

- 2.3 in order to diffuse an extreme situation or allow an event to continue without interruption for other students (for example, the brandishing of a weapon, or the discovery of drugs on a camp), and for which time and space are required before the matter can be dispassionately or thoroughly investigated;
- 2.4 in order to require the student to participate in a non-disciplinary intervention to redress a specific matter (for example, a particular learning difficulty; anger management counselling; medical leave; overseas exchange; exploration of other educational or employment options).

3. Some Guiding Principles

In any process or interaction associated with the suspension or termination of a student's enrolment for a disciplinary issue, the Principal and staff of the College shall be mindful that they are addressing a grave matter, one which can have a lasting impact on the young people involved. They should ensure that these principles shape their approach:

- 3.1 They do not lose sight of their primary roles as Christian educators, not allowing themselves to act simply as police or as judges. Their aim must remain to use any situation as an opportunity for evangelisation. That is to say, for example, they must strive to keep a sense of hope and belief alive in the young person, they must delight in truth, they must be kind and compassionate, and they must act justly
- 3.2 They never confuse the person with the deed – condemning the latter but never the former
- 3.3 They look for whatever opportunities may exist for reconciliation and for restoration of right relationships, employing the principles of restorative justice wherever it is appropriate and possible to do so in the context of the wider College community
- 3.4 Their motivations or intentions should never be primarily punitive, but aimed at fostering the growth and a sense of fairness in the young person.

4. Protocol for sending a student home when suspended

- 4.1 The decision to suspend the enrolment of a student may be taken only by the Principal, or by the Deputy Principal acting within pre-agreed guidelines.
- 4.2 When the decision is taken, parents / guardians are notified by telephone by the Deputy Principal, or by a Head of House acting on the instruction of the Deputy Principal or Principal. Arrangements are agreed for the way by which the student will be collected or will travel home. If necessary, the student will remain in a suitable place at the College until he or she can be collected or travel.
- 4.3 A letter signed by the Principal will be given to the student and/or emailed to the parent / guardian on the day of the suspension of enrolment, indicating the reasons for it, what is required as the next step, and any other relevant considerations or requirements.

5. Process to be followed for considering termination

These are the elements for including in a process which the Principal may initiate for considering the possible termination of a student's enrolment as a result of a disciplinary matter:

- 5.1 The student's enrolment is suspended, as described in 3 above.
- 5.2 During the student's suspension, a person delegated by the Principal (often the Deputy Principal) shall manage a thorough but expedient investigation into the matter under consideration, in order to ascertain all relevant facts, both those that are irrefutable and those that may be contested.
- 5.3 A summary of this investigation shall be presented to the parents / guardians prior to any meeting with the Principal, and their response sought. This is managed by the person leading the investigation, not the Principal. It is best done in person, but may need to be done by a mix of telephone and email.
- 5.4 The outcome of the investigation and communication with the family or families is presented to the Principal. As a Marist, the Principal shall then take time and space to consider carefully all the issues, to consult, and to pray about it.
- 5.5 At a mutually agreeable time, and usually within a week, the parents / guardians and student meet with the Principal. The Principal may choose to meet with the parents / guardians before bringing in their child. During the meeting, the Principal shall first gain assurance that the parents / guardians know and understand the facts of what has occurred, and any relevant policies and expectations of the College. The Principal may include the Deputy (or other member of staff) in the meeting to assist with this. The Principal shall enter into dialogue with the parents / guardians to weigh up the various factors in play and the options before them. The Principal shall try to arrive at a consensus with them on the best way forward for their child and for the College, always mindful of the guiding principles in 3 above.
- 5.6 If the mutually agreed outcome is the termination of enrolment, the Principal shall do all that is possible to have the student feel fairly treated, and with viable options for the next step in the student's life. The Principal shall actively assist the family, if it wants, in arranging a start in another school or pathway.
- 5.7 In the event that a mutually agreed outcome cannot be reached, and where the parents / guardians feel that they wish to contest the Principal's decision because of inadequacies of process or errors of fact, then the matter can be referred to the Regional Director of Marist Schools Australia. The Regional Director shall ascertain whether or not there is cause for a reconsideration of the matter, and commission an independent investigation to assist in this. Any process so initiated by the Regional Director shall be carried forward as expeditiously as possible.
- 5.8 In the event that the parents / guardians remain dissatisfied and opt for redress at law, then the College shall also normally refer further carriage of the matter to its own lawyers.