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A. Purposes

The board aims to minimise suspensions and exclusions.

The purpose of this procedure is to:

- a. To provide clarity and consistency for school management and the Board of Trustees when considering suspensions and possible exclusions.
- b. To ensure that the principles of natural justice and fair process are adhered to.

B. Ministry of Education Guidelines

These school guidelines are to be read in conjunction with the Ministry of Education guidelines found on the Ministry of Education website:

<http://www.education.govt.nz/school/managing-and-supporting-students/student-behaviour-help-and-guidance/stand-downs-suspensions-exclusions-and-expulsions-guidelines-part-2/>

C. School Guidelines

1. Management Team

- a. When contemplating a suspension on the grounds of *gross misconduct* the principal and management team must consider what alternatives are available within the school's pastoral care programme.
- b. If the alternatives have been practically exhausted, the principal and management team should consider a suspension on the grounds of *continual disobedience*.
- c. If a student's conduct is such that it may warrant suspension on both the grounds of *gross misconduct* **and** *continual disobedience*, then the student can be suspended on the grounds of *continual disobedience*, notwithstanding that co-offenders with lesser disciplinary records at the school may be suspended on the grounds of *gross misconduct*.

- d. The Principal will prepare a report for the Board and parents/caregivers giving a factual account of the incident. The principal's report should be written so that it is comprehensive and substantially assists the Board to reach a decision. The report will include:
 - i) The student's full name and date of birth
 - ii) A brief account of the events leading up to the incident
 - iii) A full description of the incident
 - iv) Information about people or property affected by the incident
 - v) Any disciplinary action already taken in relation to the event
 - vi) A brief summary of the pupil's time at Christchurch South Intermediate School including any information about prior needs and support provided

- e. Before the suspension meeting the student and caregiver will have received:
 - i) a copy of the Principal's report and any supporting documentation to be made available to the Board.
 - ii) Information on where to access MOE information for parents.

2. Board of Trustees Discipline Committee

- a. At a suspension meeting the discipline committee must consider all options available: lifting the suspension immediately, lifting the suspension with conditions, extending the suspension with conditions, and exclusion.
- b. When considering options for a suspension on the grounds of *gross misconduct*, in accordance with the principles of natural justice, the discipline committee must consider only consequences of and actions to manage behaviour around the particular misconduct incident.
- c. When considering options for a suspension on the grounds of *continual disobedience*, in accordance with the principles of natural justice, the discipline committee must consider only the incidents and pastoral care programme directly referred to in the principal's report or which subsequently arise at the meeting. Exclusion would usually only be applicable if all alternatives available within the school's pastoral care programme have been practically exhausted.
- d. Student's suspended for the same incident may have different outcomes depending on their involvement, the grounds for the suspension, and other relevant individual circumstances.

D. Acting Fairly and Reasonably

- a. Natural justice can be defined as **the obligation to act fairly and reasonably in the circumstances**. What is required will vary according to the situation. The principles of natural justice must guide the making of any decision that will affect a person's rights, obligations or interests.
- b. The Board of Trustees must also act fairly and reasonably. In addition to those principles of natural justice set out above which apply to the board meeting, the Board must receive the Principal's report and hear with an open mind what the student/parent/representative has to say. The chairperson must be prepared to rule whether specific information or material presented by

either the Principal or the student/parent/representative is relevant in considering the suspension.

- c. The rules allow for the Board to decide on the process it will use to arrive at its decision on the outcome of a suspensions meeting. However, to meet the Principle of natural justice that the person “bringing the charge” (the Principal who suspended the student) shall not also be the final arbiter, the Board should make its decision without the recommendation or vote of the Principal.
- a. Any trustee who personally knows the student concerned or who has any other personal association with the circumstances of the suspension should declare this at the outset. It would be usual for that trustee to consider whether there is a potential conflict of interest which might make it appropriate not to take part in the suspension meeting. Cultural or other considerations, however, may mean it is appropriate under some circumstances for the trustee to continue to be involved.
- b. When new information comes to light during a suspension meeting, all parties have the right to adjourn the meeting to consider the new information.

E. The Suspension Meeting Procedure

(Where appropriate the meeting procedure may be amended to meet the particular circumstances.)

The meeting chairperson:

- a. Calls the meeting to order and receives a motion to go into committee
- b. Invites others attending the meeting into the room and introduces them
- c. Explains the process including matters such as “recording” and “in committee”
- d. Invites the Principal to present his/her report
- e. Establishes whether the report is factually correct – invites those present to comment or ask questions for clarification. Amends the report if necessary
- f. Invites others to present reports. (All reports presented must have been made available to the parent/caregiver 48 hours before the suspension meeting)
- g. Invites the parent/caregiver and/or student to provide his/her/their version(s) of events
- h. Invites Board members to ask questions for clarification
- i. Invites the student’s supporters to offer information on behalf of the student
- j. Asks the Principal, staff, student and student’s parent(s)/caregiver(s) and support(ers) to leave the room. . Alternatively all parties may remain during the deliberation, if appropriate. Note, these are the *only* alternatives, either all parties remain or all parties leave.
- k. Leads the Board deliberation on the suspension. *A “Deliberation” is a discussion of all sides of an issue*
 - i) Leads a review of the information presented:
 - decides which information is spurious, hearsay, or irrelevant, and puts it aside.
 - reviews the relevant material.
 - keeps a very brief summary of the deliberations.
 - appreciates that students suspended for the same incident may have different outcomes depending on their involvement, the grounds for the suspension, and other relevant individual circumstances.

- ii) Considers the options available to the Board,
 - lift the suspension without conditions;
 - lift the suspension with reasonable conditions;
 - extend the suspension with reasonable conditions for a reasonable period;
 - exclude the student.
- l. Invites others to re-join the meeting and informs them of the decision
- m. Thanks the others and asks them to leave
- n. Moves that the Board go out of committee and that the Principal informs the relevant parties of the Board's decision
- o. Closes the meeting

This procedure is reviewed as part of the Christchurch South Intermediate School Board of Trustees' programme of review.