

**HIGHVIEW COLLEGE  
LIVING IN THE GREEN -  
STUDENT ENGAGEMENT AND BEHAVIOUR  
MANAGEMENT SUPPORT POLICY**



Developed by	DP Pastoral Care	2012
Updated by	Student Wellbeing Leadership Team	2024
Ratified	College Board	Nov 2024

**Rationale**

The Highview College Student Engagement and Behaviour Management Policy, as an integral part of our overall commitment to ecumenism and Student Wellbeing, is focused on the personal growth of each individual student; helping him/her to grow and develop responsibility to promote a caring and safe school culture.

Caring about our students means that a major part of the behaviour management process will be helping them to learn from their mistakes. They will be given time to reflect on their behaviour and supported to explore ways of behaving differently. At the same time, the policy assists teachers in maintaining a non-disruptive learning environment where all students have opportunities to engage fully in their learning.

This approach to behaviour management is based on our philosophy which promotes respect and care for each person. Each student is consequently to be treated fairly and justly and we encourage students to treat staff members in a similar manner. The overarching aim of behaviour management within our Student Wellbeing system is to uphold the Highview College values, (Growth, Respect, Aspiration, Compassion, Excellence).

Highview uses the SWPBS (School-wide Positive Behaviour Support) as the framework for our behaviour management philosophy. This framework is multi-tiered to help schools be even more effective places. It establishes a social culture, and the behaviour supports needed to improve social, emotional, behavioural, and academic outcomes for all students. SWPBS is flexible enough to support student, family, and community needs.

### SWPBS at Highview includes the following tiers:

<b>TIER 1</b>	<p><b>“Living in the Green”</b></p> <p><b>Looks like -</b></p> <p>Positively engages with the Highview Community.</p> <p>Demonstrates GRACE Values.</p> <p>Receives affirmations and awards.</p> <p><b>Resulting in -</b></p> <p>Student has full Highview privileges.</p>
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<b>TIER 2</b>	<p><b>“Amber”</b></p> <p><b>Looks like -</b></p> <p>A pattern of problematic behaviour is emerging.</p> <p>Student receives several behaviour notes across a short period from multiple staff.</p> <p><b>Resulting in -</b></p> <p>Meeting with the Head of School is required to develop a Return to Green Plan, via a behaviour support plan. Parents are informed.</p> <p>May have limited Highview privileges e.g.: reduced play areas, different locker area, reduced access to some extracurricular events.</p>
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**TIER 3**

**“Red”**

**Looks like -**

An ongoing period in the Amber without improvement.

Student receives many behaviour notes from multiple staff.

A combination of minor and major behaviours is noted.

**Resulting in -**

A Case Management Team established. Regular review meetings.

May have limited Highview privileges as outlined in their behaviour support plan.



## Tier 1: Living in the Green

When students enter classrooms at Highview, it is usual to:

- Remove hats
- Enter in an orderly manner
- Stand in their place quietly and exchange greetings with you
- Stand whenever an adult visitor enters the room (unless the visitor indicates otherwise)
- Sit quietly after being invited to do so

During class lessons at Highview, it is usual for students to:

- Raise their hand and wait for acknowledgement from the teacher if they need to ask a question or wish to contribute
- Maintain appropriate noise levels
- Listen respectfully during class discussions

When leaving classes at Highview, it is usual for students to:

- Replace any furniture that has been moved from its usual position, and place chairs under tables (or safely on top of them at the end of the day)
- Pick up all litter from the floor
- Stand and leave only when directed to do so by the teacher
- Leave in an orderly fashion

Every College staff member is responsible for implementing school-wide positive behaviour practices and preventative strategies for all students.

At Highview College teachers:

1. Know their students, their learning needs and can identify students who have an Individual Education Plan (IEP) or have diverse learning needs.
2. Share student learning and wellbeing information on a regular basis via SEQTA.
3. Promote an environment where respect is accepted, embraced and extended.
4. Provide an inclusive and positive environment by using students' individual names at the beginning of a lesson and then throughout the class by asking a question of content or checking in with each student in every class.
5. Build positive relationships with students by establishing predictable, fair and equitable classrooms through discussion with each class. Record your agreement for reference throughout the year.
6. Engage and empower student voice in the development and implementation of whole school and classroom expectations.
7. Explicitly teach, reinforce and acknowledge agreed expected behaviours, for each student in our care.
8. Use a calm voice and move around the room and check in with individual students.
9. Monitor attendance, wellbeing and the academic progress of students with the view to recognise and support students at risk. Refer concerns to DELTA Mentor teacher and record on SEQTA.
10. Differentiate a learning program that challenges all students. Planning teaching programs that are targeted to each student's point of need.
11. On occasion meet with students at a mutually convenient time to assist students to complete work or to discuss issues
12. Provide support structures to facilitate Individual Education Plan (IEP)
13. Room 1 is available to support students with their learning. Learning Diversity staff will update attendance roll and SEQTA accordingly.

## **Tier 2: Amber Zone**

In addition, the College recognises some students may require additional support to meet expected learning and relational behaviours. The teacher responds to unexpected low-intensity behaviours that interrupt the learning environment by drawing on a range of strategies that may include:

1. Analysing classroom behaviours through observation and record keeping and identifying patterns of unexpected behaviours.
2. Establishing a comprehensive understanding of the student's background and needs through reading the Student Information Tab for each student on SEQTA and reading through historical notes.
3. Discussing concerns or issues with the DELTA /Mentor or Team Leader.
4. Creating a Return to Green Plan to explicitly teach, reinforce and acknowledge the agreed expected behaviour.
5. Affirming expected behaviours from peers within the class as a model of what is required.
6. Scaffolding the student's learning program as required by moving around the room and supporting each student to be engaged in the lesson.
7. Arranging a respectful reminder conversation with the student to discuss concerns with the previously agreed understanding of expectations.
8. Working with students to facilitate a supportive group of peers.
9. Using the space within the classroom to create a less disruptive situation.
10. Organise for students to complete work in a lunch CAST session (Coordinated Academic Study Time = CAST) via a referral through the SIP panel.
11. Participate in Restorative Practice with students, this can be done after class if time permits, and the situation suggests. If not, teachers may choose to refer the student to a Reflect and Reset for a Restorative Conversation, supported by a Head of Year. This referral is also completed in the SIP panel and held during lunch.
12. When a student's behaviour is very disruptive or disrespectful to others or has the potential to harm themselves or others the teacher should phone Reception from the classroom phone (Dial 100) and request that a Head of School attend to remove the student from the class.

If the Head of School deems that the student is not ready to return to class productively, the student may be excluded from classes for the remainder of the day. Students will be supervised by the Head of Year or in Room One, in line with the Highview College Seclusion and Restrictive Measures protocols (Appendix One).

## **The Follow Up**

Communicating concerns as relevant to: DELTA Mentor Teacher, Head of Year, Curriculum Leader and recording these on SEQTA.

Consulting with parents via phone or interview with the support of the Head of Year.

Work with the Learning Diversity Team to review learning outcomes and discuss if additional support in Room One could assist the students learning.

## **Tier Three: Red Zone**

When concerns arise about a student's on-going behaviour, or when a student is displaying repeated patterns of problematic behaviour that are not addressed by the above measures, Highview College will implement an intensive targeted response to identify and address the presenting issues.

The College adopts a staged team response to a significant incident or ongoing challenging behaviour. In consultation with the Heads of Year, a Case Management Team will be established to support staff and the student. The team may include: Highview Directors, Heads of Year, Heads of Department, Highview Psychologist, Learning Diversity Staff, DELTA Mentor Teacher, and allied health workers or advocates.

They will work to develop a positive behaviour management plan.

This may involve the following support strategies:

1. Developing a Behaviour Support Plan and/or Safety Plan where appropriate for individual students
2. Student and family attend a family meeting with Case Management Leader to review their commitment to College expectations and procedures
3. Seek additional support from external Health or Allied Health providers where required

**Highview College abides by all relevant legislations and, as such, corporal punishment is prohibited. On occasion disciplinary measures may be implemented and could include:**

- Consequences negotiated with relevant staff and/or families.
- Withdrawal from timetabled class if a student's behaviour significantly interferes with the rights of other students to learn, the capacity of a teacher to teach a class, or the safety of other students and staff.

Students will be supervised in line with the Highview College Seclusion and Restrictive Measures protocols (Appendix One).

- Reduced access to areas of the College e.g.: oval, gym, specific corridors or indoor spaces.
- Where a student is unable to calm down and is in a heightened state of anxiety or is a danger to self or others, the parents/guardians will be asked to take the student home for the remainder of the school day.
- Ongoing Case Management meetings with families.
- Suspension (in-school and out of school) and Expulsion (See Appendix Two).

### **Behaviour and Organisational Wellbeing Support Plan**

- These are aids for students who are trying to improve their strategies of resilience, self-direction, control and application.
- A student may be placed on a Return to Green plan by a Head of Year.
- This may be done after recommendations from classroom teachers and following involvement with the DELTA Mentor.
- The Return to Green plan will either be carried by the student or on SEQTA, depending on which format the family and student choose.
- The Head of Year will contact parents to discuss the purpose of the Return to Green plan.
- Heads of Year will inform all relevant staff when a student has a Return to Green plan.
- Three or four positive behaviours are listed at the top of the plan, which are desirable for the student to achieve better outcomes.
- The Return to Green plan is signed by the class teacher or noted in SEQTA every lesson (and by yard duty teachers at lunchtimes when appropriate).
- Teachers should acknowledge when the desired behaviours have been demonstrated in that lesson using praise and affirmations.

At the end of each week, Return to Green plans are checked by the relevant Head of Year who will discuss progress with the student. They will also contact the student's parents with an update and record the outcome in a SEQTA file note.

### **Review or Withdrawal of Enrolment**

On occasion a student's enrolment may be reviewed or withdrawn where the parents/guardian and/or student do not uphold the Enrolment Agreement, Parent Code of Conduct and/or Student Code of Conduct. These documents are shared on the College Learning Management System and are discussed as part of the enrolment process.



### **Communication of this Policy**

This policy can be accessed via the Highview College website and is also saved on the Learning Management system under the parents documents tab.

### **Review of this Policy**

At Highview College, we are committed to continuous improvement of our systems and practices. We intend this policy to be a dynamic document that will be regularly reviewed in consultation with staff, students, parents, guardians and careers to ensure it is working in practice and updated to accommodate changes in legislation or circumstances. The College will maintain a history of updates to the policy.

This policy was ratified by the College Board in Nov 2024 and will be reviewed again in 2027.

### **Related Policies and Documents**

- Codes Of Conduct: Staff, Parent/Guardian and Student
- IT Resources Policy
- Privacy Policy
- Student Anti Bullying Policy

## **Appendix One: Seclusion and Restraint Protocols**

This protocol outlines when physical restraint and seclusion are permitted to be used at Highview College and lists practices that are not permitted to be used at Highview College. This policy details reporting and notification requirements and the responsibilities that staff have in relation to incidents of physical restraint and seclusion.

### **Summary**

- Physical restraint and seclusion is only permitted at Highview College in exceptional circumstances where it is immediately required and reasonably necessary to protect the safety of a student or another person. Physical restraint and seclusion are not permitted at any other time.
- No person – including a parent/carer, clinician, practitioner, or student – can authorise, consent to, or approve the use of physical restraint or seclusion in a school.
- Every instance of physical restraint and seclusion must be recorded on the College's Learning Management System and included in the monthly Principal College Board Report.

### **Application of this Protocol**

It is the responsibility of the Highview College Principal to ensure that this protocol and associated guidance are complied with. The Principal and staff will review these protocols on an annual basis through discussion at staff meetings and Board Meetings. Highview College will ensure these protocols are communicated to new staff on induction and included as a link in staff handbooks/manuals.

Highview College will comply with existing obligations to protect the privacy of students and data when managing incidents of physical restraint and seclusion.

Highview College will communicate this policy to their school community by saving this on the document section of the parent portal on the Learning Management system.

### **What is physical restraint?**

Physical restraint is the use of physical force to prevent, restrict or subdue the movement of a student's body or part of their body. Students are not free to move away when they are being physically restrained.

A plain English version of this definition is that physical restraint is when someone physically stops a student from moving.

Physical restraint does not include protective physical interventions which use physical contact to block, deflect or redirect a student's actions, or disengage a student's grip, but from which a student can move freely away.

### **What is seclusion?**

Seclusion refers to leaving a student alone in a room or area from which they are prevented from leaving by a barrier or another person. This includes situations where a door is locked as well as where the door is blocked by other objects or held closed by another person.

A plain English version of this definition is that seclusion is when a student is in a room or space on their own that they cannot get out of.

This definition of seclusion does not include supervised situations (where student activity is overseen or watched over by a staff member) such as:

- where one or a few students are taught away from their peers
- exiting a student from their class for the purposes of supporting the student's ability to re-engage with the class at a later point
- the temporary removal of a student from their regular classroom activities because their behaviour significantly interferes with the learning of other students, the capacity of a teacher to teach all students, or where the student's behaviour creates a risk of harm to themselves or others
- a behaviour intervention strategy that directs a student away from an activity in one area to another to prevent an escalation of behaviour
- the suspension, detention, or expulsion of a student

- exam and other situations where a student can freely exit an area.

## **Authorisation to use physical restraint and seclusion**

The Restraint and Seclusion Protocol authorises school staff to use physical restraint and seclusion when reasonable and immediately required to protect the member of staff, the student, or any other person from acts or behaviour that might be dangerous to them. The primary purpose of using physical restraint and seclusion is to prevent harm to a student or someone else.

Children cannot consent to being physically restrained or secluded.

Parents/carers cannot consent to the use of physical restraint or seclusion.

Clinicians or practitioners cannot authorise, consent to, or approve the use of physical restraint or seclusion in a school.

## **Use of physical restraint and seclusion to prevent immediate harm**

College staff may only use physical restraint and seclusion where:

- there is an imminent threat of physical harm or danger to a student or others and
- the physical restraint and seclusion are reasonable in all the circumstances and
- there is no less restrictive measure available in the circumstances.

During physical restraint and seclusion incidents, the student/s must be visually monitored for signs of distress and pain to ensure the student's physical health is not jeopardised and that the student, other students, and staff are safe.

Staff must ensure that the use of physical restraint and seclusion is time limited and that it stops as soon as the immediate threat of harm or danger to the student or others has passed.

## **When physical restraint and seclusion are prohibited**

School staff must never use physical restraint and seclusion as behaviour management techniques, for convenience, as retaliation, or to discipline or punish a student.

Physical restraint must never be used where it has the effect of:

- covering a student's mouth or nose, or in any way interferes with breathing
- taking a student to the ground into the prone or supine position
- putting stress on a student's joints

- applying pressure to the neck, back, chest or joints
- deliberately applying pain to gain compliance
- intentionally causing a student to fall
- having a person sitting, lying, or kneeling on a student.

The following behaviours are prohibited:

- headlocks, choke holds, basket holds, bear hugs, therapeutic holding or wrestling holds (including full or half nelsons)
- using a hog-tied position
- straddling any part of a student's body
- dragging a student along the ground.

Physical restraint and seclusion must never be included in a student plan including behaviour support and student safety plans.

Designated seclusion rooms and areas that are primarily used for the purpose of seclusion are not to be used at Highview College.

Preventing a student from leaving an area normally used by students with a locking mechanism is prohibited.

Doors and door handles installed in such a manner as to prevent a student from leaving the room unassisted are prohibited.

Physical restraint is not permitted to be used to vaccinate a student.

## **Actions required after an incident of physical restraint or seclusion**

### **Report the incident**

Staff members involved in the incident must immediately notify the Principal or their delegate.

Every incident of physical restraint or seclusion must be reported as an incident to the Principal and noted on SEQTA.

### **Notify parents/carers.**

The Principal or their delegate must, as soon as practicable (for example, within the same school day), inform parents/carers following an incident in which physical restraint or seclusion has been used with their child.

### **Employee misconduct**

The use of physical restraint or seclusion outside the Restraint and Seclusion Protocol may also constitute reportable conduct in circumstances where the restraint or seclusion could also be an allegation of:

- physical violence committed against, with or in the presence of a child
- behaviour causing significant emotional or psychological harm to a child
- significant neglect of a child.

### **Provide support to those involved**

Following the use of physical restraint or seclusion, appropriate supports must be offered to all affected students, including, but not limited to, physical and psychological needs and ongoing monitoring and recovery support.

Where an incident impacts on the health, safety, and wellbeing of staff, the Principal or delegate must consider whether a report to WorkSafe is required (contactable on 1800 136 089). Staff should be encouraged to access the Employee Assistance Program for counselling support following an incident.

### **Document the incident**

Highview College must document every incident of physical restraint and seclusion. Written records must be added to the confidential tab on the Learning Management System.

### **Reflect, review and plan**

Following an incident of physical restraint or seclusion, the Highview College must consider any preventative and de-escalation strategies that might reduce the likelihood of an incident happening again.

### **Legal framework for this policy**

School principals, teachers and all staff working with students in a school have a legal duty of care to students to take reasonable steps to minimise the risk of reasonably foreseeable harm to students. This duty of care cannot be delegated to others.

It is also unlawful to directly or indirectly discriminate against a student based on their disability. The definition of disability under discrimination legislation is wide and includes behaviour that is a symptom or manifestation of a disability. In these cases, physical

restraint and seclusion may amount to discrimination as a form of unfavourable treatment of a student because of their disability where reasonable adjustments have not been made.

The Victorian Charter of Human Rights and Responsibilities requires school staff to act consistently with human rights and to consider relevant human rights, including the rights of students to be treated with respect and dignity, when making decisions, including decisions about student behaviour that poses an imminent threat of physical harm or danger to the student or others.

## Appendix Two Suspension and Expulsion Protocols



### Suspension

Suspension is the process of excluding a student from the standard instruction or educational opportunities being provided to other students at the school for part of a day, a full day, or multiple days.

Suspension is a serious disciplinary measure and at Highview College this is reserved for incidents where other measures have not produced a satisfactory response. Before considering a suspension, the College seeks to understand the reasons for a student's behaviour and considers alternative educational and wellbeing supports and interventions that can be provided to the student to effectively address the reasons.

The College recognises repeated or lengthy suspensions may not address the reasons for a student's behaviour and may risk leading to poorer outcomes for a student's engagement in education. The College uses restorative practice to proactively address these behaviours and promote better outcomes for the student in the future.

Suspension occurs when a student's attendance to class is temporarily withdrawn, on the authority of the Principal for a set period of time.

Suspension allows the parties involved to reflect on and enter into dialogue about the behaviour and circumstances that have led to the suspension, and to plan and/or review learning and behaviour supports to assist a student to engage positively with school and learning.

There are two forms of suspension:

### **1. Internal suspension**

The student is excluded from the standard instruction or educational opportunities being provided to other students, but can still undertake educational activities on the College premises for the period of the suspension in the form of:

- In-school suspension: This occurs when the student may be present at school, but not participating in/attending scheduled classes or activities for a specified period of time.

Internal suspensions should focus on encouraging the student to exhibit more positive behaviours, to increase their level of participation and, where appropriate, to learn problem-solving and/or conflict resolution skills.

### **2. External (out-of-school) suspension**

The student's right to attend school has been withdrawn for a defined period of time. Responsibility for the student's safety and welfare during this time is transferred to the parents/carers/guardians/relevant persons. The student is not to be on the College premises during the period of suspension.

An external suspension is designed to allow a period of time when the College, parents/carers/guardians/relevant persons and the student involved can work together on the resolution of the problem that has led to the student's suspension. This may include reviewing systems of support in place to mitigate risks.

In all suspension cases, Highview College will ensure a continuation of educational opportunity by providing the student with meaningful work, and monitor the completion of that work, until the period of suspension concludes.

The enrolment agreement explicitly records at the time of acceptance of the enrolment of a student that unacceptable behaviour by a child may result in suspension or termination of the child's enrolment.

## **Procedures for Suspension**

### **Authority for suspension**

Only the Principal has the authority to suspend a student from Highview College. This authority cannot be delegated.

The Principal is responsible for ensuring all procedures associated with suspension are followed correctly.



## **Grounds for suspension**

The Principal has authority to suspend a student if the student:

- behaves in such a way as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person
- causes significant damage to or destruction of property
- commits or attempts to commit or is knowingly involved in the theft of property
- possesses, uses or sells or deliberately assists another person to possess, use or sell illicit substances or weapons
- fails to comply with any clear and reasonable instruction of a staff member so as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person
- consistently engages in behaviour that vilifies, defames, degrades or humiliates another person based on age, breastfeeding, gender, identity, impairment, industrial activity, lawful sexual activity, marital status, parent or carer status or status as a carer, physical features, political belief or activity, pregnancy, race, religious belief or activity, sex, sexual orientation, personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes
- consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student

## **Period of suspension**

A student cannot be suspended for longer than 5 days at any given time unless both of the following apply:

- the Principal has implemented an immediate suspension and is considering whether to expel the student
- the College Chair has approved the longer period for the purpose of undertaking the expulsion procedures

Additionally, a student cannot be suspended for more than 15 school days in a school year without the written approval of the College Chair. If a student is suspended for a period which is longer than the days left in a term, the Principal should consider the likely disruption to the student's learning before imposing a suspension that will continue into the following term.

## **The relevant person**

Due to the seriousness of suspension and expulsion, Ministerial Order 1125 requires that students who are subject to suspension and/or expulsion processes have a 'relevant person' to participate in the process, to provide support and advocate for them. For most students this will be a parent or carer.

## **Additional considerations for certain students:**

### **Aboriginal and Torres Strait Islander students;**

When considering a suspension for an Aboriginal or Torres Strait Islander student, a Principal should engage a Koorie Engagement Support Officer (KESO). The KESO can support the school and family to find the best outcome for the student, and connect the school and family to any local or regional supports.

### **Students with disability;**

Highview College has a legal responsibility to ensure that reasonable adjustments are put in place for students with a disability so that they can access their education on the same basis as students without a disability. This includes support to address behaviour related to the disability. For students with disability, any decision in relation to suspension must be consistent with the Ministerial Order 1125, the Charter of Human Rights and Responsibilities, anti-discrimination laws and any other relevant laws, such as duty of care and occupational health and safety.

### **Students with separated parents.**

For students who have separated parents, it is important to remember that suspension and expulsion are serious disciplinary measures and therefore all parents and carers must be notified of the intention to suspend or expel the student.

In circumstances where there is more than one parent or carer who would like to participate in the suspension and expulsion process, it is important to involve all of them in the process, unless doing so is not in the best interests of the student, or is not consistent with an intervention order (IVO).

### **Application**

Suspension only applies if the student engaged in the behaviour referred to above occurs while at school, travelling to or from school, is identifiable as a member of the school community or while engaged in any school activity away from school (including travel to and from that activity).

### **Criminal Offences**

Some wrongful behaviours of a serious nature are by definition criminal offences. These may include criminal damage of property, possession of a weapon, theft, assault with weapons, use, possession or distribution of drugs. The grounds for suspension are indicative only and not exhaustive.

When a Principal determines that a serious criminal offence has occurred, they will be mindful of the Highview's duty of care, including those owed to students who are victims or offenders and to staff working with the student. The incident will be reported to the police at the earliest opportunity.

## Process

### 1. Procedures for suspension

- 1.1 In determining whether a student should be suspended, the Principal will ensure that suspending the student is appropriate to:
  - a) the behaviour for which the student has demonstrated
  - b) the educational needs of the student
  - c) any disability the student may have
  - d) the age of the student
  - e) the residential and social circumstances of the student.
- f) Before implementing a suspension, the Principal will ensure that principles of procedural fairness are followed in the decision-making process, including that:
  - a) Students who are subject to suspension processes have the right to a 'relevant person' to participate in the process, provide support and advocate for them. For most students this will be a parent or carer.
  - b) In situations where the parent or carer is unavailable or unwilling to act as the relevant person for their child, they can nominate an alternative relevant adult.
  - c) The Principal explains to the student the allegations or reasons why the suspension is under consideration
  - d) the student has had the opportunity to be heard
  - e) any information or documentation provided by the student or their parent/guardian/carer/relevant person has, where necessary and as soon as reasonably practicable, been taken into account in making the decision regarding suspension
  - f) other forms of action to address the behaviour for which the student is being suspended have been considered.
- 1.2 When providing procedural fairness to a student the Principal will ensure that they do so in a manner which does not prejudice any relevant investigation on the request of Victoria Police.
- 1.3 Prior to an internal or external suspension taking effect, or on the day of implementing a suspension with immediate effect, the Principal will ensure the following occurs:
  - a) identify the family/parent/guardian/carer/relevant person
  - b) give verbal notification to the student and notify the family/parent/guardian/carer/ relevant person via telephone or in person of the reason/s for the suspension, the School days on which the suspension shall occur and where the suspension will occur. This will be followed by notification in writing or email within one business day.

- c) provide contact details for additional support services to the student and their family/parent/guardian/carer/relevant person, as appropriate
  - d) clarify where the internal suspension will occur on campus
  - e) provide meaningful school work when the student is to be suspended for three days or less
  - f) develop a Student Absence Learning Plan and Return to School Plan after Suspension or Expulsion when the student is to be suspended for more than three days
  - g) provide the student and their family/parent/guardian/carer/relevant person with written notification which must include:
    - the reason/s for suspension
    - the school days on which the suspension shall occur
    - clarification regarding if the suspension is internal or external
- 1.4 The Principal or delegate may implement a suspension with immediate effect if the student's behaviour is such that they are putting the health, safety and wellbeing of themselves or any other person at significant risk.
- 1.5 Where the Principal or delegate implements a suspension with immediate effect, the Principal may determine to expel the student while the student is on suspension.
- 1.6 Where the Principal or delegate implements a suspension with immediate effect, the Principal or delegate will provide supervision of the student until the student is collected by the family/parent/guardian/carer/relevant person or a person chosen as an emergency contact for the student
- a) if the student is in out-of-home care or if the student cannot be collected by the parent, until the student is collected by an adult who is residing with and providing care to the student until the end of the school day
- 1.7 Where requested, Highview College will provide links to counselling available for the student and/or their family/parents/guardians/carers/relevant persons.
- 1.8 All documentation related to student suspensions is recorded on the student file on the Learning Management system under a confidential tab. This tab forms a register of all suspensions.

## **2. Return to school meeting**

A return to school meeting will be conducted with the family/parents/guardians/carers/ relevant persons before the student's return to school. The student is required to attend this meeting.

The Principal will inform the family/parents/guardians/carers/relevant persons who will be in attendance at the return to school meeting.

The family/parents/guardians/carers/relevant persons may request that a support person attend the return to school meeting with them. The support person may provide emotional support and reassurance. They are not advocates. The support person's details must be provided to the Principal prior to the meeting.

A Return to Green Plan can be created as a result from this meeting to support the student's return to expected Highview behaviour.

The Principal may decide to extend the suspension if the return to school meeting does not meet the desired outcomes.

### **3. Record keeping**

The Principal is responsible for ensuring all records pertaining to any incident involving a suspension are carefully recorded, filed and retained on the School records, including information on the number, reasons and frequency of suspensions pertaining to the student in order to be able to track the occurrence and nature of suspensions at any point in time.

### **4. Communication**

The Principal is responsible for ensuring this information is shared with parents at the time of enrolment and is available on the Learning Management system for all members of the Highview community.

## **Expulsion Protocols**

Expulsion of a student from Highview College will only be considered in exceptional circumstances. Expulsion occurs when a student's attendance at the school is permanently withdrawn by the Principal. Expulsion involves the termination of the contract entered into at the time of the enrolment by the family/parents/guardians/carers/relevant persons. The enrolment agreement explicitly records at the time of acceptance of the enrolment of a student that unacceptable behaviour by a child may result in termination of the child's enrolment.

When a behavioural incident(s) is of such magnitude that an expulsion is considered, it is important that a transparent, fair and supportive process is in place for all parties involved, with appropriate checks and balances at each stage.

Interventions and supports will be implemented and thoroughly documented before an expulsion is considered by the Principal. Expulsions are a serious disciplinary measure and at Highview College these are only to be used as a last resort when all other disciplinary measures, interventions, supports and options have been exhausted.

Highview College complies with the Ministerial Order 1125 which took effect on 16 July 2018. The Order defines the grounds and process for suspensions, expulsions and appeals relating to expulsions of students. The Ministerial Order is complied with in a manner which is consistent with the Charter of Human Rights and Responsibilities Act 2006.

Additional actions must be taken by the Principal who is considering expelling a student who is in out-of-home care, a Koorie student, a student with substantial or extensive levels of adjustment as defined by the Nationally Consistent Collection of Data (NCCD) on School Students with Disability.

### **Reflect and Investigate**

Following a behavioural incident of such magnitude that expulsion may be considered, it is critical to reflect and conduct a thorough investigation to ensure procedural fairness. Expulsion should not be a predetermined outcome of this process.

The Principal of Highview College will engage and collaborate with the staff who can advise on, and facilitate access to, evidence-based interventions, expert supports and services, particularly for vulnerable students and students with complex needs.

At the reflection and investigation stage, it is essential that all supports and interventions implemented are thoroughly documented, and proper consideration is given to the Charter of Human Rights and Responsibilities Act 2006 (Vic) and anti-discrimination obligations. This is important to ensure the best outcome for the student, and to ensure that the Principal has sufficient written evidence to support an expulsion decision if it is later reviewed.

To facilitate reflection and a thorough investigation, critical actions for Principals are:

- immediately responding to the incident
- establishing the context and details of the student's behaviour
- considering the impact on affected parties, including other students at the school
- communicating with students and parent/carer
- considering human rights and anti-discrimination obligations
- only putting an immediate suspension in place if there is significant risk that cannot be managed with the student attending on site
- contacting Independent Schools Victoria, Principal Adviser team and documenting possible options
- taking into account the considerations and actions required for vulnerable students
- considering if new interventions and supports can be put in place
- considering if the behaviour meets one of the grounds for expulsion and is of significant magnitude to warrant proceeding through the expulsion process.

These actions may take place concurrently.

## **Right of appeal against expulsion decision**

Students and their family/parents/guardians/carers/relevant persons have the right to appeal the expulsion decision through the College Board.

Any review of a decision to expel will reference all relevant records to determine if principles of procedural fairness were followed in the decision-making process.

## **Procedures for expulsion**

### **Authority for expulsion**

Only the Principal has the authority to expel a student from the College. The Principal may not delegate their power to expel a student. The Principal holds the ultimate responsibility for ensuring all processes and procedures associated with expulsion are followed correctly.

The Principal will consult with the Chair of the College Board regarding a student's expulsion. The Principal will inform and seek guidance or assistance from the College Board Chair regarding an expulsion decision.

## **Grounds for expulsion**

A Principal may expel a student from the school if, whilst attending school, travelling to and from school or engaging in any school related activity away from school (including when travelling to or from that activity) the student:

1. behaves in such a way as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person
2. causes significant damage to or destruction of property
3. commits or attempts to commit or is knowingly involved in the theft of property
4. possesses, uses or sells or deliberately assists another person to possess, use or sell illicit substances or weapons
5. fails to comply with any clear and reasonable instruction of a staff member so as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person
6. consistently engages in behaviour that vilifies, defames, degrades or humiliates another person based on age, breastfeeding, gender, identity, impairment, industrial activity, lawful sexual activity, marital status, parent or carer status or status as a carer, physical features, political belief or activity, pregnancy, race, religious belief or activity, sex, sexual orientation, personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes
7. consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student and the student's behaviour is of such magnitude that, having regard to the need of the



student to receive an education compared to the need to maintain the health, safety and wellbeing of other students and staff at the school and the need to maintain the effectiveness of the school's educational programs, expulsion is the only available mechanism.

## **Application**

Expulsion will be considered if the student is engaged in the behaviour referred to above while at school, travelling to or from school, is identifiable as a member of the school community, or while engaged in any school activity away from school (including travel to and from that activity).

## **Criminal offences**

Some wrongful behaviours of a serious nature are by definition criminal offences. These may include criminal damage of property, possession of a weapon, theft, assault with weapons, use, possession or distribution of drugs, or sexual assault. The grounds for expulsion listed above are indicative only and not exhaustive.

When the Principal has determined that a serious criminal offence has occurred, they will be mindful of the College's duty of care, including those owed to students who are victims or offenders, and staff.

The incident will be reported to the police at the earliest opportunity.

## **Process**

### **1) Prior to expulsion**

- a) The Principal will notify the student and their family/parents/guardians/carers/ relevant persons and the Chair of the College Board.
- 2.1 The Principal will convene a Behaviour Support and Intervention Meeting.
  - 2.2 The purpose of the Behaviour Support and Intervention Meeting is to:
    - i) advise the student and their family/parents/guardians/carers/relevant persons that expulsion is being considered
    - ii) ensure all available supports and interventions to support the behaviours of concern are considered for the student
    - iii) outline the grounds for expulsion that are being considered and the evidence to support a finding that the student has engaged in relevant conduct
    - iv) ensure the student and their family/parents/guardians/carers/relevant persons have the opportunity to be heard
    - v) consider the impact of the behaviour of the student on other affected parties



- vi) identify the future educational, training and/or employment options most suited to the student's needs and agree on a course of action in the event expulsion is decided.

## **2) Prior to the Behaviour Support and Intervention Meeting**

- 3.1 Prior to the Behaviour Support and Intervention Meeting, the Principal will contact the student and their family/parents/guardians/carers/relevant persons to:
  - i) advise of the date, time and place for the Behaviour Support and Intervention Meeting
  - ii) encourage them to attend the Behaviour Support and Intervention Meeting
  - iii) advise that if they are unable or unwilling to attend, the student may nominate another adult to attend the Behaviour Support and Intervention Meeting
  - iv) advise of the matters to be discussed at the Behaviour Support and Intervention Meeting, including the impact of key issues on the affected parties
  - v) advise that they may be accompanied at the Behaviour Support and Intervention Meeting by an independent support person of their choice who is not acting for fee or reward
  - vi) advise that if they do not attend the Behaviour Support and Intervention Meeting, the meeting may proceed in their absence and, if expulsion is decided, the course of action may be determined without the benefit of hearing from them.
  - vii) advise that they will also seek the support of an independent approved support person to attend the meeting to ensure all available supports and interventions to support the behaviours of concern are considered for the student and that alternative disciplinary measures are considered for the student and that where appropriate the appropriate education, training and/or employment options are considered for the student
- 3.2 The Principal will determine whether the assistance of an interpreter in any language (including Auslan) is required by any person who is to attend the Behaviour Support and Intervention Meeting and arrange for such assistance to be present at the meeting.
- 3.3 If the student and their family/parents/guardians/carers/relevant persons do not attend the Behaviour Support and Intervention Meeting, the Principal will ensure that key points discussed at the meeting are recorded in writing and sent to the student and their family/parents/guardians/carers/relevant persons.

## Decision regarding expulsion

4.1 Before deciding to expel a student, the Principal will:

- a. properly, fairly and without bias consider all the relevant matters, including the impact of the behaviour of the student on other affected parties, in making their decision
- b. determines whether the expulsion is appropriate when compared to:
  - the behaviour for which the student is being expelled
  - the educational needs of the student
  - any disability the student may have
  - the age of the student
  - the magnitude and impact of the student's actions

4.2 The Principal will notify the student and their family/parents/guardians/carers/relevant persons of the decision to expel or not expel the student within 10 business days of the conclusion of the Behaviour Support and Intervention Meeting.

4.3 If the Principal decides to expel the student, they will provide the student and their family/parents/guardians/carers/relevant persons with the following documentation:

- a) Notice of Expulsion of Students which must state:
  - the ground/s for the expulsion
  - the reason/s for the expulsion
  - the date of the commencement of the expulsion
  - that the student has a right to appeal the expulsion decision.

4.4 The Principal will prepare a summary written expulsion report for the College Board and the report will contain:

- a) a short statement of the history of the student's time at school
- b) the ground/s for the expulsion
- c) the reason/s for the expulsion
- d) considerations in support of the expulsion, including a comprehensive range of strategies which might have been employed
- e) any considerations of the impact of the behaviour on other affected parties

- f) any representation made by the student or their relevant person
- g) a summary of the options considered at the Behaviour Support and Intervention Meeting and why the expulsion was considered necessary
- h) details of the arrangements that have been made for continuing education, training and/or employment of the student
- i) recommendations on whether any further action at the College is required, including strategies at the College level to prevent the repeat of similar circumstances.

4.5 All documentation related to a student expulsion is recorded on the student file on the Learning Management system under a confidential tab.

## **5. Communication**

The Principal is responsible for ensuring this information is shared with parents at the time of enrolment and is available on the Learning Management system for all members of the Highview community and on the College Website.

### **Following expulsion**

#### **5. Process following expulsion**

- 5.1 The Principal will continue to maintain communication with the student and their family/parents/guardians/carers/relevant persons until the student is provided with other educational and development opportunities.
- 5.2 In the case of a student of compulsory school age, the Principal will will continue to maintain communication with the student and their family/parents/guardians/carers/relevant persons to support:
  - a) enrolment at another registered school
  - b) enrolment at a registered training organisation
  - c) engagement with an employment agency or other organisations that provide services that support the future employment of the student.
- 5.3 In the case of a student of compulsory school age, the Principal will provide the student with meaningful work from the time of the expulsion until the student is participating in one or more of the options specified in 5.1, and monitor the completion of that work.
- 5.4 The obligations above do not apply if an exemption to compulsory school age under section 2.1.5 of the *Education and Training Reform Act 2006* (Vic.) applies.
- 5.5 In the case of a student who is beyond compulsory school age, the Principal will provide the student and their family/parents/guardians/carers/relevant persons

with information about other schools or registered training organisations that may provide suitable opportunities for the student, or employment agencies or other organisations that support the future employment of the student.

## **Process for appealing the expulsion decision**

### **6. Appeal process**

- 6.1 Highview College Board may appoint an independent consultant to oversee the appeal process.
- 6.2 Students and their family/parents/guardians/carers/relevant persons have the right to appeal the expulsion decision through the Chair of the College Board.
- 6.3 Any review of a decision to expel will reference all relevant records to determine if principles of procedural fairness were followed in the decision-making process.

### **7. Expulsion appeal procedures**

- 7.1 A student and their family/parents/guardians/carers/relevant persons should contact the College Board for further advice regarding lodging an appeal against the expulsion decision and the procedure to be followed.
- 7.2 A student and/or their family/parents/guardians/carers/relevant persons may appeal a Principal's decision to expel the student to the Chair of the College Board on the following grounds:
  - a) there have not been sufficient interventions and strategies utilised prior to the decision to expel where the student has a history of behavioural issues
  - b) the grounds on which the student has been expelled are unfair
  - c) the expulsion process was not followed by the Principal
  - d) other extenuating circumstances.
- 7.3 The Expulsion of Students Appeal must be received by the College Council within 10 business days of the student and their parents/guardians/carers/relevant person receiving the written confirmation of expulsion.
- 7.4 The designated Chair of the College Board will contact the Principal and obtain a copy of the following documents within one business day of receiving the *Expulsion of Students Appeal Information and Form*:
  - a) Notice of Expulsion of Student
  - b) Student Expulsion Report.
- 7.5 The designated Chair of the College Board may appoint an Expulsion Review Panel to review the Principal's decision to expel the student, and will notify the Principal and College Board that a review panel is being formed.

7.6 The designated Chair of the College Board will determine to either:

- a) uphold the decision made by the Principal to expel the student
- b) overturn the decision made by the Principal to expel the student.

7.7 The designated Chair of the College Board will notify the Principal and College Council of the final decision.

### **Expulsion Review Panel**

8.1 Where an Expulsion Review Panel is appointed by the Chair of the College Board the panel will:

- a) provide an opportunity for the student and their family/parents/guardians/carers/ relevant persons to be heard
- b) provide an opportunity for the Principal to be heard – either in person or by some other means considered appropriate by the panel
- c) consider the safety and wellbeing of affected parties, including where the expulsion decision may be overturned, relevant to the grounds of the appeal
- d) complete an expulsion review report for the College Board outlining the relevant facts and considerations, and recommending the decision that should be made in relation to the expulsion appeal.

8.2 **The Expulsion Review Panel will:**

- a) comprise at least three persons who are independent and not associated with Highview College and have no knowledge or other connection to the circumstances of the expulsion
- b) not include a person who participated in the Behaviour Support and Intervention Meeting prior to the expulsion.

8.3 An Executive Officer must be appointed to assist the Expulsion Review Panel.

8.4 The role of the Executive Officer is to:

- a) liaise with the panel members to determine an appropriate date, time and place to convene an Expulsion Review Panel meeting
- b) contact the family/parents/guardians/carers/relevant persons and student and advise them of the following:
  - the date, time and place for the Expulsion Review Panel meeting
  - that they are encouraged to attend the meeting
  - that they may be accompanied at the meeting by an independent support person of their choice who is not acting for fee or reward

- that if they do not attend the Expulsion Review Panel meeting, the meeting may proceed in their absence, and the expulsion review report to the designated Chair of the College Board may be prepared without the benefit of hearing from the student and their relevant person
  - c) determine whether the assistance of an interpreter in any language (including Auslan) is required by any person who is to attend the Expulsion Review Panel meeting and arrange for such assistance to be present at the meeting
  - d) ensure that the panel members receive the following documents prior to the Expulsion Review Panel meeting:
    - Notice of Expulsion of Students
    - Expulsion of Students Appeal Information
    - Expulsion of Students Report
  - e) ensure panel members are fully informed of their role. The Expulsion Review Panel will provide a completed Expulsion Review Panel Report to the College Board within three business days of the conclusion of the Expulsion Review Panel meeting.
- 8.5 The Expulsion Review Panel Report will be considered prior to making a determination, but the Chair of the College Board is not bound to follow the recommendations made by the Expulsion Review Panel.
- 8.6 A determination will be made within 10 business days of receiving the expulsion appeal.
- 8.7 The Chair of the College Board will verbally notify the student, their family/parents/guardians/carers/relevant persons and the Principal of the outcome of the appeal within two business days of the decision being made.
- 8.8 The Chair of the College Board will provide written notification to the student, their family/ parents/guardians/carers/relevant persons and the Principal of the determination made in relation to the appeal.
- 8.9 A copy of the Expulsion Review Panel Report will be sent to the student, their family/parents/guardians/carers/relevant persons and the Principal.
- If the Chair of the College Board overturns the Principal's decision to expel the student, the Principal will ensure that the following actions are implemented as soon as possible:
- a) the student is re-enrolled in the School
  - b) the Principal works with the student, their parents/guardians/carers/relevant persons, and the student's teacher/s to develop a Return to School Plan

- c) the record of expulsion is removed from the student's permanent record
- d) the student and their family/parents/guardians/carers/relevant persons are notified in writing that the expulsion has been removed from the student's record.