



## Secretary's Instruction

# NO 4 FOR SUSPENSION, EXCLUSION, EXPULSION OR PROHIBITION OF STATE SCHOOL STUDENTS

### Statement

This Secretary's Instruction outlines the processes for responding to unacceptable behaviour of a student before suspension of that student may be used, processes to be followed when issuing a detention or immediate and non-urgent suspension, and the requirement for educational instruction for students during suspension.

**Date published:** February 2023

# Secretary's Instruction No 4 for Suspension, Exclusion, Expulsion or Prohibition of State School Students

I, Tim Bullard, being the Secretary of the Department for Education, Children and Young People make the following instruction pursuant to section 128 of the *Education Act 2016*.

## 1. Purpose

1.1 The purpose of this Secretary's Instruction is to determine –

- a. processes for responding to the unacceptable behaviour of a student before suspension of that student may be used
- b. processes for responding to unacceptable behaviour of a student, including detention and suspension
- c. the requirement for educational instruction for students who are suspended.

## 2. Scope

2.1 This Instruction applies to students enrolled at State schools. It should be read in conjunction with the *Secretary's Instruction No 3 for Unacceptable Behaviour of Students and Volunteers at, and Visitors to, a State School or School Activities*.

2.2 This Instruction came into effect on 10 July 2017.

## 3. Instructions

### 3.1 Behaviour management policy

3.1.1. The Principal of a State school must develop a policy that outlines what the Principal considers to be unacceptable behaviour, and the processes for responding to unacceptable behaviour.

3.1.2. In accordance with a school's policy on behaviour management, a Principal must develop processes for managing the unacceptable behaviour of a student, including:

- a. preliminary attempts to resolve a student's unacceptable behaviour
- b. detention, in-school suspension or non-urgent suspension of the student
- c. immediate suspension of the student where there is an immediate risk to the health or safety of another student, teacher or another person
- d. referral of matters to the Secretary for exclusion or expulsion.

3.1.3. Before resorting to disciplinary action, Principals must proceed through a continuum of alternative measures to address the unacceptable behaviour, except in the case of immediate health and safety risk to students, teachers or other persons.

3.1.4. Steps should be undertaken by teachers and Principals to understand the issues contributing to the student's unacceptable behaviour, including talking to the student about their behaviour, understanding whether there is anything going on outside of school that may be impacting on their behaviour, and responses such as time out, or as otherwise appropriate for students of a particular year level.

3.1.5. A Principal must have in place a process for the return of students to school after a period of suspension, exclusion or expulsion.

### **3.2 Detention of a student**

3.2.1. The Principal or teaching staff of a school may impose a detention as a consequence of unacceptable behaviour in accordance with the school's policy on behaviour management.

3.2.2. The process for detention should be explicit in the school's policy and should be considered an appropriate response for unacceptable behaviour in the first instance.

3.2.3. In determining how detention will be delivered at the school, the Principal must consider how the safety and wellbeing of the student will be maintained at all times.

### **3.3 Suspension of a student**

3.3.1. Suspension of a student should be as a last resort, where there is not an immediate threat to the health or safety of another student or teacher. All efforts should be made by the school to resolve the unacceptable behaviour before suspension of the student occurs.

3.3.2. Before a student is suspended for unacceptable behaviour, the Principal must, on a case-by-case basis as appropriate, attempt to resolve the behaviour by, for example:

- a. seeking to understand the issues contributing to the student's unacceptable behaviour, whether they be school-based issues or issues outside of the school that are impacting on the student's behaviour (eg family or relationship problems)
- b. providing assistance or referral to appropriate supports
- c. talking to the student about acceptable and unacceptable behaviour at school, and the process if the unacceptable behaviour continues
- d. involving parents/carers in discussion on how to address the student's unacceptable behaviour.

### **3.4 Educational instruction for a student while suspended**

3.4.1. If a student is suspended from attending class or school, full-time or part-time, the Principal is to arrange for, and ensure that the student is provided with, appropriate education during the period of suspension.

3.4.2. In determining appropriate education for the student during the period of suspension, a principal or teacher should consider:

- a. the developmental needs of the student
- b. whether the education activity or program will engage the student in a meaningful way

- c. whether the educational instruction is appropriate taking into consideration the period of suspension (eg for a one-day suspension the student may be required to complete a re-entry/reflective piece around their behaviour that resulted in their suspension).

## 4. Definitions

Term	Definition
<b>Detention</b>	is any relatively short period when a student is required to remain at school in a student's 'non-class' time (recess, lunchtime, recreation time, after school) or excluded from normal classes, or from a particular class, pending negotiated conditions for re-entry.
<b>Exclusion</b>	is the temporary, full-time or part-time withdrawal of a student's right to attend school for more than two weeks.
<b>Expulsion</b>	is the full-time withdrawal of a student's right to attend a particular State school.
<b>In-school suspension</b>	is the temporary, full-time or part-time suspension of a student during class time, where the student remains at school.
<b>Prohibition</b>	is the permanent full-time withdrawal of a student's right to attend any State school.
<b>Suspension</b>	is the temporary, full-time or part-time withdrawal of a student's right to attend school for a period of two weeks or less (maximum 10 school days).

## 5. Details

**Authorised by:** Tim Bullard, Department for Education, Children and Young People Secretary

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**Last significant review:** 10 July 2017

## 6. History of changes

Effective date	Last update date	Policy version no.	Notes
14 February 2023	December 2022	2	<ul style="list-style-type: none"><li>• 3.2.3 inserted</li><li>• 1 minor edit</li><li>• new DECYP template</li><li>• change of nomenclature to reflect new Department</li></ul>