

KAIKORAI VALLEY COLLEGE



STAND DOWN, SUSPENSION, & EXCLUSION POLICY

Aim

To provide guidelines on procedures to be followed when circumstances arise that could involve the suspension or expulsion of a student from school.

Purpose

1. While the school aims to be guidance-centred and provide counselling to create an environment where all students behave with consideration, circumstances may arise where the stand-downs, suspensions, exclusions and expulsions of a student from school may need to be considered.
2. It is important that all procedures are in accord with i) Education & Training Act 2020 Sections 80-88 ii) Sections 13 to 18 of the Education Act 1989, iii) Education (Stand down, suspension, exclusion and expulsion) Rules 1999, and iv) principles of natural justice and the Health and Safety at Work Act 2015.

General Guidelines

1. A *stand down* is the formal removal of a student from school for a specified period. Stand downs for a particular student can total no more than 5 school days in a term or 10 school days in a year. A *suspension* is the formal removal of a student from school until the Board of Trustees decides the outcome at a suspension meeting. *Exclusion* means the formal removal of a student aged under 16 from the school and the requirement that the student enrol elsewhere. *Expulsion* means the formal removal of a student aged 16 or over from the school.
2. A Discipline Sub-Committee will be appointed on a case by case basis. This Sub-Committee shall have a quorum of three members. The Board of Trustees will delegate the power to make decisions on suspended students to this Sub-Committee.
3. The grounds for stand down or suspension must be either:
 - i) The student's gross misconduct or continual disobedience is a harmful or dangerous example to other students, or
 - ii) Because of the student's behaviour, it is likely that the student or other students will be seriously harmed if the student is not suspended.
4. All reasonable steps must be taken to ensure that all facts relating to a case are known and correct.

Procedure – Stand Downs

1. Where possible, the Principal* will consult with the Senior Leadership Team and staff before imposing a stand down. This Principal will also, where possible, contact

- parents/caregivers/whanau prior to any decision, to inform them that a stand down is a possible outcome of the incident that has occurred.
2. The Principal may stand a student down for up to five school days in a term, or ten school days in a year. The Principal must advise:
 - i) The Board of Trustees
 - ii) The secretary through the district office of the Ministry of Education.
 - iii) A parent/guardian of the student (unless they have turned 20) that a stand down has occurred, why, what period of time it is for and when the student may return to school, their rights to a meeting and the student's right to counselling. (The student will be encouraged to meet with the counsellor.)

Procedures – Suspension

1. The Principal may suspend a student for an unspecified period of time. The Principal must consult with other members of the Senior Leadership Team. The Principal must then tell:
 - i) The Board of Trustees
 - ii) The secretary through the district office of the Ministry of Education.
 - iii) A parent/guardian of the student (unless they have turned 20) that a suspension has occurred, their rights to a meeting and the student's right to counselling, and an outline of the ensuing procedure (see 2).
2. When a student is suspended, the Discipline Committee must meet within seven school days or if the end of term occurs less than seven school days after the suspension takes effect, then the meeting must be held by the end of the tenth calendar day after the decision is made to suspend, and either
 - i) Lift the suspension with or without conditions.
 - ii) Extend the suspension with reasonable conditions for a reasonable period.
 - iii) Exclude or expel the student
3. The parents/guardians must be given reasonable notice of the date and time and their right to representation at a Discipline Committee Meeting. They must also receive a copy of the Principal's report to the Board, and other reports to be presented at the meeting, at least 48 hours prior to the meeting. The Principal, parent/guardian, student, any representatives and any third party facilitator should withdraw from the meeting before the committee reaches any decisions. The public should be excluded from such meetings to protect the privacy of parents/guardians and students.
4. If the student is excluded, the Principal must try to arrange enrolment at another school.

Procedures – Expulsions

1. Only students who have reached the school-leaving age of 16 may be expelled
2. While students over the legal school leaving age do not have the protections afforded in law to younger students, procedures similar to those for an exclusion should be adopted in the case of an expulsion.

Students Posing a Health or Hygiene Risk

1. Under section 19 of the 1989 Education Act, the Principal may exclude from school a student who they believe is not clean enough to attend school or may have a communicable disease.

Summary

1. These procedures need to be considered with reference to The Ministry of Education, 'Guidelines for principals and boards of trustees on stand-downs, suspensions, exclusions and expulsions', <https://www.education.govt.nz/assets/Documents/School/Managing-and-supporting-students/Stand-downs-suspensions-exclusions-and-expulsions-guidelines/17-5-18-SuspensionLegalGuideWEB-1.pdf>

* All references to 'Principal' in this policy also refer to the person with delegated authority to act as Principal in the Principal's absence.

Date of Confirmation by the Board of Trustees	29 May 2024
Reviewed	