

BOARD PROCEDURES - SUSPENSION MEETINGS

[From MOE Guidelines – stand downs, suspensions, exclusions and expulsions]

Introduction by meeting chair – Facilitate introductions and open with a welcome and outline what four outcomes can occur from the meeting.

lift the suspension without conditions, lift the suspension with conditions, extend the suspension for a reasonable period with conditions, exclude the student if U16 or expel if over. Report is tabled, all parties have had opportunity to read and respond. Student and whānau have opportunity to present views to the board. Board clarify through questions to school staff or parents/student.

1 – Acknowledge the purpose of the meeting

Purpose of the Suspension meeting: Independent review of principal’s decision

The Board suspension meeting is an automatic review of the suspension process. At a suspension meeting, the principal has a completely different role from the rest of the board, which independently reviews the principal’s decision to suspend. **The board independently reviews the principal’s decision.** While the board may end up agreeing with the principal, it must be sure itself that the incident was fairly investigated, and was of a nature where suspension was an option (ie it amounted to gross misconduct, continual disobedience or behaviour risking serious harm).

2 – To assist this – use the same test as the Principal

When making their decision, the Board must apply exactly the same tests as the principal: Board need to respond to questions below.

- a** Was the incident gross misconduct, continual disobedience or behaviour risking serious harm? and
- b** If the incident was gross misconduct or continual disobedience, did it set a harmful or dangerous example to other students at school? and
- c** What part did the student’s individual circumstances play? This needs to be covered directly and signalled in the meeting. Ask questions if clarification is needed.
- d** What further action is appropriate?

3 – The Meeting

The student, the student’s parents, and their representatives are entitled to attend the meeting, speak at it, and have their views considered by the board before it makes its decision. The Board may, however, proceed with considering the suspension if they choose not to attend or participate.

4 - Making the decision

Before The Board makes their decision, they may try to get all the parties at the meeting to agree on what the decision should be. The Board may suggest a possible outcome to the student and invite comment. Involving everyone increases the chances of achieving a fair and workable outcome. The Board does not, however, need agreement to make their decision.

This is a balancing exercise and the Board must take into account all relevant circumstances. To do this, the Board may consider:

- a** how other students have been affected
- b** whether leniency would be appropriate
- c** obligations regarding natural justice, and
- d** obligations to provide a range of responses for cases of varying degrees of seriousness.

If the student and parents are asked to withdraw from a meeting then the principal must withdraw too and anyone else other than BOT members. If board members deliberate in private with the principal or ask the principal questions in the absence of the student and parents, this may lead to accusations of bias.

Decisions available

The Board must make only one of the following four decisions:

If you think the student should:

attend your school again full-time

attend your school again full-time but have further specific responsibilities placed on them

remain out of your school for a set period of time in order to fulfil specific responsibilities placed on them

leave your school

then you must:

lift the suspension without conditions

lift the suspension with conditions

extend the suspension for a reasonable period with conditions (aimed at facilitating the return of the student to school)

exclude the student if he or she is under 16 or expel the student if he or she is over 16

If the student returns with conditions it must be the next school day and a full time programme.

Conditions

Conditions allow you to formally manage the student's behaviour and provide pastoral assistance. They should be

a reasonable; and

b aimed at facilitating the return of the student to school (if you are extending a suspension).

To help you do this, you should ask: Is a condition:

a related to the incident or causes behind the incident?

b achievable?

c within the control of the student (ie, can the student comply with it)