



## **Policy: Stand Downs, Suspensions and Exclusions**

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### **Policy Statement**

This policy enables Jireh Christian School (“the School”) to provide a range of responses for cases of varying degrees of serious misbehaviour to minimise the disruption to a student’s attendance at School and facilitate the return of the student to School when and if that is appropriate.

Every participant in the process of stand downs, suspensions and exclusions, is to be guided by the following principles:

1. the need for every participant to understand the processes, practices, and procedures;
2. the need for every participant to treat every other participant with respect, which includes recognising and respecting New Zealand’s cultural diversity;
3. the need to recognise the unique position of Māori;
4. the need for every participant to be guided by the School’s vision to be Christ-like in all its dealings, finding the necessary balance between truth and grace, and seeking to help students to be more like Christ in their lives;
5. the need for every participant to recognise that the Board has a responsibility to maintain a safe and effective learning environment at the School.

Stand-downs and suspension are serious steps that will only be taken when considered absolutely necessary. The School’s hope and intention will be to seek restoration with the child and their family, if possible. As part of its responsibility to provide pastoral care, in consultation with the student’s family, the School may seek outside agencies to assist the student such as their church, Christian counsellor or another designated agency.

The Principal and Board will comply with the provisions of the Education and Training Act 2020, the Ministry of Education Guidelines, and the Education (Stand Down, Suspension, Exclusion, and Expulsion) Rules 1999 in respect to standing down, suspending or excluding a student.

### **Procedural Guidelines**

#### Principal’s Responsibilities

##### Stand-downs

1. The Principal has the responsibility to stand down a student. He/she must be satisfied on reasonable grounds that:
  - 1.1. the student’s gross misconduct or continual disobedience is a harmful or dangerous example to other students at the school; or
  - 1.2. because of the student’s behaviour, it is likely that the student, or other students at the school, would be seriously harmed if the student were not stood down.
2. Immediately after a student is stood down, the Principal must tell the Secretary of Education and a parent of the student—
  - 2.1. that the student has been stood down; and
  - 2.2. the reasons for the Principal’s decision; and
  - 2.3. the period for which the student has been stood down.

The Principal will provide the student and the parents with the information on stand downs provided by the Ministry.

3. The Principal who has stood down a student will arrange a meeting to discuss the stand down as soon as is practicable if considered appropriate or requested to do so by the student and/or the



parents/caregivers. The only people who may be present are the Principal, the student, the student's parents and any person who may contribute, in the Principal's opinion, a helpful form of advice. The student may wish to have a support person present.

4. A stand-down may be for 1 or more specified periods, and —
  - 4.1. the period or periods may not exceed 5 school days in any one term;
  - 4.2. a student may be stood down more than once in the same year but for not more than 10 school days in total in that year;
  - 4.3. in calculating the period of a stand-down, the day on which the student was stood down, and any day on which the student would not have had to attend school in any event, will not be counted;
  - 4.4. the Principal may lift the stand-down or shorten it.
5. If, following a stand-down meeting, the Principal considers there were not reasonable grounds for the stand down, he/she will withdraw the stand down and ensure that all persons who were told of the stand down are notified that it has been withdrawn.
6. When a student is stood down, the principal must take all reasonable steps to ensure that the student has the guidance and counselling that are reasonable and practicable in all the circumstances of the stand-down.
7. The student may attend School if the student or a parent asks the Principal and the Principal considers that it is a reasonable request. The student must attend school if the Principal reasonably considers that it is appropriate because:
  - 7.1. Of the student's educational programme; or
  - 7.2. The student needs to receive guidance and counselling.Otherwise, the student must not attend.
8. When investigating serious misconduct, the Principal may only seek an admission from a student when a parent or alternative contact is present and the Principal must build a background picture of the student from information held within the School.
9. During a standdown the student must stay on the roll. They may only be removed if they enrol at another school or are granted an exemption from enrolment by the Ministry.

### Suspensions

1. The Principal has the responsibility to suspend a student. He/she must be satisfied on reasonable grounds that:
  - 1.1. the student's gross misconduct or continual disobedience is a harmful or dangerous example to other students at the school; or
  - 1.2. because of the student's behaviour, it is likely that the student, or other students at the school, would be seriously harmed if the student were not suspended.
2. When deciding whether to suspend a student, or request a reconsideration meeting, the Principal may consult with a parent or alternative contact before making a decision. When considering the above, the Principal must include incidents of grave misconduct of the actual incident and any other supporting information.
3. Immediately after a student is suspended, the Principal must tell the Secretary of Education and a parent of the student—
  - 3.1. that the student has been suspended; and
  - 3.2. the reasons for the Principal's decision.

The Principal will provide the student and the parents with the information on suspensions provided by the Ministry.



4. Following a decision to suspend a student, the Principal will provide a report with all relevant information to the Board.
5. The Principal will take all reasonable steps to ensure that the student has access to guidance and counselling and that an appropriate educational programme is provided to the student (including consideration of **whether** the student should attend at school during the suspension period), minimising educational disadvantages from the absence.
6. When investigating serious misconduct, the Principal may only seek an admission from a student when a parent or alternative contact is present and the Principal must build a background picture of the student from information held within the School.
7. The student may attend school if the student or a parent asks the Principal and the Principal considers that it is a reasonable request. The student must attend school if the Principal reasonably considers that it is appropriate because:
  - 7.1. Of the student's educational programme; or
  - 7.2. The student needs to receive guidance and counselling.

### *Suspension meeting*

1. As soon as practicable following a suspension the Board will convene a suspension meeting.
2. As soon as practicable (but at least 48 hours prior to the meeting), the Board will provide the student and their parents/caregivers with the following in writing:
  - 2.1. notice of time and place of the suspension meeting;
  - 2.2. information on the potential consequences of the suspension meeting including that the Board may:
    - 2.2.1. lift the suspension, potentially with conditions;
    - 2.2.2. *extend the suspension for a reasonable period, with conditions aimed at facilitating the student's return to school;*
    - 2.2.3. monitor the student's progress toward a return to school; or
    - 2.2.4. exclude or expel the student and require them to enrol at another school.
  - 2.3. procedures that will be used during the suspension meeting including advice that the student and parents may attend and speak at the meeting; and
  - 2.4. those parts of the following that, in the board's opinion, it would have no ground to withhold if the student made a request for the following under the Privacy Act 2020:
    - 2.4.1. the Principal's report to the board on the reconsideration of the suspension; and
    - 2.4.2. any other material about the reconsideration of the suspension to be presented by the Principal or the Board at the meeting.
3. The student, a parent of the student, and their representatives are entitled to attend the suspension meeting.
4. During the suspension meeting, the Board:
  - 4.1. must allow an adjournment for consideration of any new information if any is presented during the meeting;
  - 4.2. may require the attendees at the meeting, (including the Principal) to withdraw while it determines an outcome;
  - 4.3. Before making a decision whether to lift or extend the suspension or to exclude or expel the student, must have due regard for each circumstance relevant to the suspension and carefully consider each statutory option available;
  - 4.4. must take all practicable steps to ensure that material presented at a suspension meeting, and the discussion that takes place there, are not disclosed to anyone except as required by law;
  - 4.5. Before making its decision, may try to get all the parties at the meeting to agree on what the decision should be; and
  - 4.6. must record its decision and reasons in writing.



### *Suspension with conditions*

A student's suspension may be lifted with conditions.

If a student's suspension is extended with conditions, the Principal must monitor the student's progress. The purpose of the conditions is to assist and support the student to return to School.

If an extended suspension is for four weeks or more a report will be provided by the Principal to the Board at each regular Board meeting. This report must comment on whether the student is meeting the conditions imposed and how they are progressing with the education programme provided by the Principal.

The student must return to School once either they have met the conditions set by the Board or the extended suspension expires (whichever occurs first).

### *Reconsideration of suspension*

5. If the student does not comply with the conditions of any suspension, the Principal may request the Board to reconsider the action it took. The Board may reverse or modify the previous decision, after holding a reconsideration meeting. The Board must ensure that a student who has been suspended, and a parent of the student are given written notice of the time and place of the reconsideration meeting as soon as practicable after the Board decides to hold the meeting.
6. A reconsideration meeting must be held within 7 school days of the request or if the request is made within 7 school days of the end of term, within 10 calendar days of the request. The Board must ensure that the following material is given, in writing, to the student and the parent as least 48 hours before the meeting (or within a shorter time agreed by all the parties):
  - 6.1. information on the procedures the Board follows at reconsideration meetings; and
  - 6.2. advice that the student and a parent of the student may attend the meeting and speak at it about the reconsideration of the suspension; and
  - 6.3. those parts of the following that, in the Board's opinion, it would have no ground to withhold if the student made a request for the following under the Privacy Act 2020:
    - 6.3.1. the Principal's report to the Board on the reconsideration of the suspension; and
    - 6.3.2. any other material about the reconsideration of the suspension to be presented by the principal or the Board at the meeting.
7. As soon as practicable after the Board has made a decision on its reconsideration of the suspension, the Principal must ensure that the Secretary is given the information about the decision including the reasons for such decision.
8. A student who has been suspended (including where a suspension is extended with conditions) must remain on the roll. They may only be removed if they enrol at another School or the student is given an exemption from enrolment by the Ministry.
9. If the Board has not sooner lifted or extended the suspension or excluded the student, the suspension of the student ceases to have effect:
  - 9.1. at the close of the 7<sup>th</sup> school day after the day of suspension; or
  - 9.2. If the suspension occurs within 7 days before the end of a term, at the close of the tenth calendar day after the day of the suspension.
10. The Board will deal with the parents/caregivers with love, sensitivity and respect.



### Disciplinary Committee's Delegated Authority

Under Clause 8 of the Education (School Boards) Regulations 2020, certain powers of the Board shall be delegated to the Disciplinary Committee of the Board. The Committee will:

1. Review the Principal's decision to suspend.
2. If the Principal's decision to suspend is upheld, make recommendations to the Board or decide the outcome according to committee as delegated.
3. Uphold the principles of natural justice in suspension meeting procedures.
4. Act in fairness, without bias or prejudice and with confidentiality.
5. Act within legislation and the Ministry of Education guidelines and student (human) rights set out in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993.
6. Act on written information with care taken to assess the information in regards to credibility, hearsay and relevance.

The Board will be kept informed by the Principal of any stand-downs, suspensions, exclusions and expulsions at each Board meeting.

### Exclusions

1. If a student is excluded from the School, the Principal will attempt to find a suitable and convenient School for the student to attend. If an alternative cannot be found, after 10 school days the Principal will inform the Ministry and inform them what steps they took in trying to arrange for the student to attend another school. The Ministry may:
  - 1.1. arrange for or direct another school to enrol the student;
  - 1.2. direct the parents/caregivers to enrol the student at a distance school; or
  - 1.3. following consultation, direct Jireh Christian School to allow the student to return if there is no suitable alternative school.
2. The Principal may refuse to enrol a student who has been excluded from another school unless the Ministry directs otherwise.

## **Legislative Compliance**

Education and Training Act 2020

Ministry of Education Guidelines

Education (Stand Down, Suspension, Exclusion, and Expulsion) Rules 1999

New Zealand Bill of Rights Act 1990

Human Rights Act 1993

## **Review schedule: Triennially**

### **ADOPTED BY BOARD**

Date 18<sup>th</sup> October 2018

Chairperson **G Budler**

Reviewed Date 1<sup>st</sup> September 2020

Chairperson **M Causley**

Reviewed Date 26<sup>th</sup> March 2024

Presiding Member **A Coombridge**