**05 - BEHAVIOUR PROCEDURES - CHARGE-RELATED SUSPENSION**

**TRANSCRIPT**

All Queensland State school principals have the power to decide to use a charge-related suspension. A charge-related suspension is different from a short or long term suspension, in that the end date is flexible depending on when the charges are finalised. A student may be on a charge-related suspension for several months or for a few weeks, depending on the progress of the court case.

A principal may decide to use a charge-related suspension if they are reasonably satisfied that a student currently enrolled at their school has been charged with a serious offence, or an offence other than a serious offence, and they are reasonably satisfied it would not be in the best interests of the other students or staff for the student to continue attending while the charge or charges are pending.

The decision to use a charge-related suspension should be informed by an assessment of the level of potential risk, posed to other students and staff, or sometimes at the student themselves, of the continued attendance at school of the student. There is no requirement for a student who has been charged with a serious offence to be placed on charge-related suspension. It is a decision for the principal to consider on the basis of the information and evidence available, including the potential risk posed by the student's continued attendance at the school.

Charge-related suspensions can remain in place until the charges have been dealt with, meaning the student is acquitted or convicted of the charge, or the student is convicted of another offence arising out of substantially the same acts or omissions as those constituting the charge, or the charge is withdrawn or dismissed, or the trial is discontinued.

Alternatively, a principal may also decide to end the charge-related suspension prior to the matter being finalised by the Queensland Police Service. This may occur, for example, if the principal is satisfied that the best interests of other students or staff would not be compromised if the suspended student returns to school while the charge or charges are pending.

A state school principal is able to access information about charges or convictions against students enrolled at their school, through a formal process established between the Department of Education and the Queensland Police Service. This is the only avenue recommended by the Department of Education for accessing this information, if the information is not proactively disclosed by the student or parents.

Prior to making their decision about a charge-related suspension, the principal will need to document the evidence they are relying upon and provide the student and their parent with an opportunity to view and respond to the evidence. The student and their parent have the right to appeal the decision of the principal, and must be informed of this when the decision is communicated. Students who are on charge-related suspensions will be provided with a regional case manager to support them to continue their education through the period of suspension.

Sometimes a parent will advise the principal that they wish to withdraw their child from the school. However, the charge-related suspension must remain in effect until the charge or charges are dealt with, or the principal is satisfied that if the student was to return to the school, it would no longer not be in the best interests of the other students or staff. Principals should consider the risk to other schools if they pre-emptively exit a student from their school, prior to a charge or charges being finalised.

A principal may progress to a decision of a conviction-based exclusion if the student is convicted and the principal is reasonably satisfied that it is not in the best interests of the school community for the student to attend school.

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