

4.3.3 Student Discipline – School

Revision	1.0		
Issue Date			
Issue Date	June 2024	Review Date	June 2025
Responsible Position	Principal	Approval Authority	Board
Scope	This policy applies to all staff of Warrah Specialist School		
Related Documents and References	<p>Code of Conduct for Care and Protection of Children –Sets out information about the standards of behaviour expected of all.</p> <p>WHS Policy – identifies the obligations imposed by Work Health and safety legislation on the School and staff members.</p> <p>Discrimination, Harassment and Bullying Policy – summarises obligations in relation to unlawful discrimination, harassment and bullying.</p> <p>Feedback and Complaints Management Policy - Provides the steps taken by the School in addressing feedback and complaints.</p>		

Overview

This policy will be used in conjunction with the information supplied in *2.0 Educational Context and Behaviour Supports*.

The provision of learning and educational support for students with disability requires teaching and management techniques that can adapt to varied and sometimes unpredictable behaviour.

Warrah’s guiding philosophy is to respect the rights, responsibilities and aspirations of people with disability. Within the school environment, this means being consistent and proportionate in our responses to disruptive behaviour.

The requirements set out in section *B9, Discipline*, of the *NSW Registered and Accredited Individual Non-government Schools Manual (September 2023)* must be followed when dealing with issues related to student discipline. This includes

- following the ‘hearing rule’,
- promoting the ‘right to an unbiased decision’ in all dealings with students, parents or caregivers,
- conducting investigations without undue delay,
- ensuring that a conflict of interest does not exist. When possible, split investigation and decision-making duties between the Principal and Assistant Principal,
- clearly defining the alleged behaviour and keeping parents or caregivers fully and regularly informed,
- completing an Incident form if required,
- documenting any actions or decisions taken that will impact students or staff,
- Reporting to police any action by a student that could constitute a criminal offence,
- making reasonable inquiries or investigations before making a decision,
- allowing the student and parent or caregiver to respond, if appropriate, and seek support from a teacher or other advocate,

- considering a student, parent or caregiver response when finalising any decision.

Roles of the Principal and Assistant Principal

The roles of Principal and Assistant Principal may be regarded as interchangeable except for a recommendation of student expulsion. Student expulsion requires that investigation and decision-making duties are kept separate.

In general, the Assistant Principal will complete all investigations and make recommendations and the Principal will make the final decision on an expulsion. When this is not possible due to absence, a suitable replacement will be designated for either role. Under no circumstances will the roles of investigation and decision-making be combined.

Record Keeping

Detailed records must be created and maintained for any serious student misbehaviour, particularly where the behaviour may lead to suspension or expulsion.

All documentation in relation to disciplinary measures will be kept in a secure place for access only by the Principal or Assistant Principal.

Corporal Punishment

Corporal punishment in any form is not permitted for any reason at Warrah. Warrah does not, under any circumstances, explicitly or implicitly, sanction corporal punishment by parents, caregivers or other non-school persons.

Daily Behaviour Management

The overriding policy at Warrah is to manage student behaviour within the Positive Behaviour Support Plan for students enrolled in the school and to maximise a student's opportunity to learn, grow and excel. When unacceptable behaviour is noted, staff may use various methods to calm a student and help them reengage with students and staff in a positive way. This may include

- moving students away from a student who may be experiencing difficulty,
- providing supports that help calm and reassure the student,
- removing materials, tools or other items that might pose a risk to the student,
- use of approved Nonviolent Crisis Intervention (NVC) strategies if other methods have not been successful and the safety and well-being of the student, other students or staff is still at risk.

If student behaviour is more serious and cannot be managed as outlined above, further steps can be taken to help modify behaviour. Regardless of the methods used, it is critical that the rights of the student are considered and respected.

Disruptive Behaviour

Disruptive behaviour can take many forms. Some disruptions are minor and can be managed within the Positive Behaviour Support Plan for students enrolled in the school. However, some incidents are more serious in nature and may require steps to modify the behaviour. Some examples of serious disruptive behaviour include:

- physical violence against students or staff or self harm,
- damage to property, whether intentional or unintentional,
- inappropriate interaction with other students or staff including actions that are sexual in nature,
- continuous noise or activity that consistently disrupts school activities or instruction,
- any other behaviour or act that has a negative impact on the safety, well-being, dignity or rights of the student or other students or staff.

There are three main types of disruptive behaviour: minor, major and critical.

Minor Disruptive Behaviour

Minor disruptive behaviour includes incidents that

- are isolated infractions of school rules,
- do not cause physical harm to the student displaying the behaviour or other students or staff,
- do not violate the rights of others,
- do not require the escalation of the incident to the attention of the Principal or Assistant Principal.

An incident report must be filed

- if the behaviour is likely to become more serious in nature,
- if the incident has occurred previously and there is a likelihood that it might continue.

Minor incident reports will be recorded in the Incident Register and the register monitored to ensure incidents do not recur. Recurring incidents by a student may require the creation of a Comprehensive Behaviour Support Plan (see below).

Major Disruptive Behaviour

Major disruptive behaviour includes incidents that

- impact or violate the rights of others,
- puts the student displaying the behaviour or other students or staff at risk of physical harm.

Major incidents must be reported to the Principal or Assistant Principal as soon as possible. The Principal or Assistant Principal will determine if the incident is such that it requires a modification to the school environment to accommodate the behaviour or if a Comprehensive Behaviour Support Plan is required.

Major incident reports will be recorded in the Incident Register and the register monitored to ensure incidents do not recur or that modifications to the school environment have been successful in managing the behaviour.

Critical Disruptive Behaviour

Critical Disruptive Behaviour includes incidents that

- are sudden, unexpected and possibly violent,
- of such nature that they endanger the student displaying the behaviour or other students and staff,
- involve physical assault.

Critical disruptive behaviour must be addressed immediately and comprehensively to ensure the risk to the student displaying the behaviour and other students and staff is eliminated or reduced to an acceptable level.

Critical incidents must be reported to the Principal or Assistant Principal as soon as the safety of all students and staff has been restored.

The Principal or Assistant Principal will contact the parent or caregiver directly to inform them of the incident and actions put in place to support the student during the incident and after the incident.

The Principal or Assistant Principal, in consultation with appropriate staff, will determine if the incident is such that it requires further modification to the school environment to accommodate the behaviour, or if a Comprehensive Behaviour Support Plan is required.

Incident reports will be recorded in the Incident Register and the register monitored to ensure incidents do not recur or that modifications to the school environment have been successful in managing the behaviour.

Physical Intervention

If standard behaviour management cannot be used to address the disruptive behaviour, or if it has not been successful, physical intervention may be required.

In all instances, the least impactful form of intervention required to modify or stop the behaviour will be used.

Some examples of physical intervention are

- placing yourself between students,
- blocking a student from advancing,
- leading a student to another location,
- removing dangerous objects from the immediate area,
- restraining the student on a short term basis only.

Regardless of the physical intervention used, corporal punishment must never be used as a method of trying to stop disruptive behaviour.

Comprehensive Behaviour Support Plan

When student behaviour cannot be effectively managed within the standard guidelines set out in *2.0 Educational Context and Behaviour Supports*, a Comprehensive Behaviour Support Plan (CBSP) will be developed.

It is important that the health, well-being, rights and dignity of the student are given the highest priority when developing a CBSP.

A CBSP is always created with input from, and consultation with, parents or caregivers, the Principal and Assistant Principal, teachers and other staff as appropriate.

External guidance may also be required from doctors, mental health specialists, the Association for Independent Schools or other agencies that can assist in providing the best outcome for the student.

The CBSP will consider

- the steps already taken to modify the behaviour,
- the input from other stakeholders as referenced above,
- what reasonable further steps could be taken to help modify the behaviour,
- what is possible within the context of the physical environment and available resources of the school,
- what outcomes are to be achieved with the introduction of the CBSP,
- the appropriate duration for the use of the CBSP,
- the measurements to be used to determine the efficacy of the CBSP.

Once the CBSP has been completed, a meeting is held to discuss and review with the parents or caregiver and all relevant staff. Any minor modifications required as a result of this meeting are made and the CBSP is

issued and implemented.

All meetings must be documented in writing and disseminated to all stakeholders.

Following implementation, the student is monitored as outlined in the CBSP. Based on the results of the implementation, minor changes to the CBSP may be made.

If major changes are required, or if the changes implemented are not successful in altering the disruptive behaviour, the CBSP will be reviewed to determine if further changes are required or if further steps must be taken. Any major changes must be discussed and agreed with all stakeholders.

School Separation

It may be necessary to remove a student from the school for specific reasons. These include, but are not limited to

- put measures in place to ensure the health and safety of all students and staff,
- allow time for school personnel to make changes to the student's CBSP and plan appropriate supports for the student to assist with successful re-entry,
- to help break a cycle of disruptive behaviour that has not been successfully modified by a CBSP.

The initial decision to invoke school separation is made by the Assistant Principal or Principal in the absence of the Assistant Principal and will take into consideration all previous efforts to alter disruptive behaviour and the likelihood that separation will have a positive impact on the behaviour.

There are three types of school separation used at Warrah: short term suspension, long term suspension and expulsion.

Short term suspension

Short term suspension is limited in duration to a length determined by the Assistant Principal and based on the severity of the disruptive behaviour. This form of separation is used primarily to

- make minor changes to the school environment to adapt to a change in a student's behaviour,
- provide a break for the student following a sudden change in behaviour whose cause cannot be determined,
- provide time to determine the need for the introduction, or review, of a CBSP.

Long term suspension

Long term suspension may be specified when short term suspension has failed to have a positive influence on a disruptive behaviour, or the behaviour is so serious as to warrant a longer period of separation from the school. The Assistant Principal may impose a long suspension of up to and including 20 school days.

In determining if a student's behaviour is serious enough to warrant a long suspension, the Assistant Principal will consider

- the safety of students and staff,
- the circumstances of the particular case,
- factors such as the age, individual needs, disability and developmental level of student.

This form of separation is used primarily to

- provide a further and longer break from the school environment if a sudden change in behaviour has still not been resolved,
- provide time to fully assess a student's on-going ability to prosper in the school

environment.

The Assistant Principal will advise the parents or caregiver of the suspension and the reasons for decision. However, when the safety of the student or others is at immediate risk, the Assistant Principal may suspend the student immediately and advise the parents or caregiver as soon as possible.

The Assistant Principal will advise the parents or caregiver of

- the reason for the suspension,
- the duration of the suspension,
- any changes to school procedures or environment that will be made to help mitigate the reason for the suspension,
- the expected outcomes once the suspension has ended and the student returns to school,
- possible further actions if the disruptive behaviour persists.

The items listed above will be documented and disseminated to all relevant stakeholders as deemed appropriate by the Assistant Principal. The failure of the suspension to achieve the desired outcome may lead to expulsion as described below.

Expulsion

Expulsion may be recommended if a disruptive behaviour is still not resolved following

- the reasonable modification of the school environment,
- the introduction of a CBSP,
- the implementation of both short term and long term suspension,
- a determination by the Assistant Principal that continued attendance at the school would endanger other students and staff.

In addition, expulsion may be required if the student continues to engage in any of the following:

- repeated disruptive and extreme behaviour,
- serious challenging behaviour,
- complex or dangerous behaviour in which the safety, wellbeing and learning for all concerned is impacted.

The school will conduct a thorough investigation of all issues and contributing factors if it is determined that expulsion should be considered. This includes the following as required:

- The Assistant Principal may direct the student not to attend school while the investigation takes place. An investigation will include the student, parents or caregiver being provided with information about the nature of the allegations.
- The student, parents or caregiver will be given an opportunity to respond.

Following the investigation and after hearing from the student, parents or caregiver, the Assistant Principal may make a recommendation of expulsion to the Principle. This recommendation will include

- full details of the investigation,
- representations from the student, parents or caregiver,
- the reasons for the recommendation.

At the same time, the Assistant Principal will advise the student, parents or caregiver that a recommendation for expulsion has been made.

The student, parent or caregiver will have five school days from the date notice is given to appeal any recommendation for expulsion. Any appeal must clearly set out the reasons why the expulsion should not be carried out.

The Principal will review all information provided, including an appeal if one is lodged, and make a final determination on the need for expulsion. In all instances, the Principal's decision is final.

If expulsion is recommended, the Principal will

- advise the parents or caregiver of the final reason for the expulsion,
- offer assistance to find a suitable alternative,
- advise all relevant authorities of the expulsion,
- provide transition assistance when a new organisation is found.

During any consideration for suspension or expulsion the process must be fair, balanced and unbiased and the human rights and dignity of the student must be upheld.