



GUMBAYNGGIRR GIINGANA FREEDOM SCHOOL

BEHAVIOUR MANAGEMENT AND DISCIPLINE POLICY

This version:

Policy reference	GGs010
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Purpose

The purpose of this policy is to outline The Gumbaynggirr Giingana School'S (GGS) approach to the management of students' behaviour, ensuring disciplinary procedures are based on principles of procedural fairness. GGS discipline policy does not sanction corporal punishment in any way.

The policy contains four components. They are:

- the discipline code or school rules.
- strategies and practices to promote positive student behaviour, including specific strategies to maintain a climate of respect.
- strategies and practices to recognise and reinforce student achievement.
- strategies and practices to manage inappropriate student behaviour.

Scope

'Discipline in schools should respect children's dignity. For children to benefit from education, schools must be run in an orderly way – without the use of violence. Any form of school discipline should take into account the child's human dignity.'

(United Nations Convention on the Rights of the Child Article 28/Right to Education)

GGS Behaviour Management and Discipline Policy applies to all children who participate in GGS. Staff ensure that the policy is carried out and also act as role models for the expected behaviour. GGS fosters an environment of mutual respect and will not tolerate behaviour by students, parents, teachers or volunteers, which does not support a respectful learning environment. GGS adheres to the United Nations Convention on the Rights of the Child (Article 28) and promotes an atmosphere where all people are afforded the utmost respect.

The scope of this policy includes the management of students' behaviour, and related disciplinary activities. This policy does not address disciplinary matters involving staff or volunteers.

The GGS Discipline policy seeks to:

- be consistent with legislation and reflect government and departmental policy.
- incorporate the principles of procedural fairness.
- be developed within a strong student welfare context.
- reflect the identified needs of the community.
- grow from existing policies and practices.
- outline expected standards of behaviour.
- define the responsibilities of teachers, students and parents.

.. Relevant legislation ..	<i>Education Act (1990)</i> <i>The Children and Young Persons (Care and Protection) Act 1998 (NSW) (the Care and Protection act)</i>
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GGS will deal with student disciplinary matters quickly and effectively, while ensuring procedural fairness and the right to an unbiased decision, in order that a positive and productive learning environment is maintained for all students. GGS is committed to:

- establishing a high standard of expected behaviour throughout the community
- providing a supportive and safe environment for all children, employees, volunteers and families
- ensuring ethical and professional behaviour by all parties
- ensuring optimal student welfare
- developing an honest, inclusive and socially responsive community

- transparent communication with all parties and in all levels at all times
- maintaining confidentiality wherever possible

Definitions

Procedural fairness - a basic right of all when dealing with authorities; what is sometimes described as the 'hearing rule' or 'natural justice'. Procedural fairness includes the right of the person, against whom an allegation has been made, to:

- know the allegations related to a specific matter and any other information which will be taken into account in considering the matter;
- know the process by which the matter will be considered;
- have the opportunity to respond to the allegations;
- know how to seek a review of the decision made in response to the allegations.

Right to an unbiased decision - the right to impartiality in an investigation and decision making and an absence of bias by a decision-maker. The review mechanism adds to the fairness of the process.

Unacceptable Behaviours - The following behaviours are unacceptable regardless of whether they occur in the classroom, on the playground, on excursions, at sporting activities or during special events:

- intimidation and bullying of other students
- repeated deliberate words or actions which seek to hurt, threaten or exclude another student
- vandalism
- swearing
- deliberately not following teacher instruction
- stealing from others/classroom/School
- exclusion or mistreatment of a person with a disability

- verbal aggression, name calling, insults, put downs, shunning physical aggression, even of a minor nature
- ridiculing a person's appearance, race, or other personal characteristics repeated offences
- coercing another student to engage in unacceptable behaviours

The extent and repetition of the breach of School rules (particularly regarding unsafe or disrespectful behaviours) and the nature of the student determines the consequences.

Non-Negotiable Behaviours - The following behaviours are deemed as both non-negotiable and unacceptable:

- swearing at, open defiance or abuse towards any staff violent or threatening behaviour
- carrying or using a weapon
- possession of an illegal drug
- engaging in criminal behaviour relating to School property

Suspension - mandatory leave assigned to a student as a consequence of serious behaviour. Suspension can last anywhere from one day to several weeks, during which time the student is not allowed to attend regular School lessons.

Expulsion - Expulsion refers to the termination of a student's enrolment due to persistent violation of School rules, or for a single offence of appropriate severity in extreme cases. GGS does not practise exclusion.

Corporal punishment - the application of physical force to punish or correct the student, but not including the application of force to prevent personal injury to, or damage to or the destruction of property of, any person (including the student).

Procedures

Rules and student responsibilities

The School rules about safety, learning and respect (outlined above) cover a broad range of behaviours and expectations, and are applied to all learning environments. The rules are displayed in the School and children are regularly reminded of these rules and as needed. These rules are reflective of students' rights. At GGS:

- every child has the right to feel safe
- every child has the right to be respected
- every child has the right to learn

Behaviour management

Teachers may use, at their discretion, a range of strategies to encourage appropriate individual or collaborative behaviour and ensure the ongoing maintenance of a positive and productive learning environment. Such strategies should be appropriate to the age and needs of the students, in keeping with the ethos of the School, and evaluated regularly for their effectiveness.

Where possible, staff use positive language when discouraging inappropriate behaviour.

When necessary, staff will immediately stop a behaviour if there is a risk of harm to the student or others. The same rules also apply during offsite excursions, camps, and extra-curricular activities.

Positive behaviour management

Our aim is to know the child well and recognise good behaviour, effort and achievement at every possible opportunity. Our system involves the formal and public recognition of our students. Rewards are earned in many ways, including good behaviour or attitude, consistently high standard of effort, good attendance and punctuality, helpfulness and contribution to community service. We encourage staff to use positive behaviour management through positive language and regular verbal praise.

We aim to ensure that our system is effective. As such we:

- Encourage consistency among teachers in their use of sanctions and rewards
- Ensure regular monitoring of how the system is working looking at patterns of positive referrals, investigating variation amongst departments or stages and taking steps to ensure consistency
- Encourage staff to ensure that praise is genuine and deserved not routine and meaningless
- Keep the system fresh and meaningful-each year with the arrival of a new set of pupils it needs to be reintroduced
- Explain the system to parents at the appropriate time

- Present pastoral information as part of a formal induction for new staff.

The praise and reward system is part of the larger picture of how GGS values positive modelling and relationships.

The aim of the rewards system is to build self-esteem therefore all teachers are encouraged to:

- Target the pupil's strengths
- Give frequent positive verbal feedback
- Avoid giving negative feedback in front of the pupil's peer group. If reprimanding, the teacher must always use the sandwich model. Start with a positive comment and end with a positive comment
- View the pupil as successful. Provide several positive comments to every negative one
- Publicly celebrate the pupil's successes however small
- Use regular reinforcers when the pupil is on task and desirable work rate or effort is shown. This may be verbal praise or a mention in the pupil diary.
- Reinforcers should be given at the time when the positive behaviour or attitude or achievement is shown. If given at a later time they are less effective.
- Set rewards at an attainable level for the pupil
- Encourage students to have a positive, growth mindset: I can do this; I can achieve this; I will try; I will do my best; I can be successful; I embrace challenge.

Merits and process

Teachers are required to promote the GGS merit system and be proactive in awarding merits. All teachers will be briefed on the merits system upon induction. Merits include the awarding of certificates. Merits are awarded for a variety of reasons, including for academic progress and excellence, attendance, language progress and excellence, cultural development and excellence, connection to country merits and community - kinship merits and pastoral merits.

Communication with Parents

Parents are encouraged to take an active interest in the child's achievements in school. Students may take awarded certificates home.

Report Writing

Teachers will mention the merits achieved in updating parents about progress. They may also refer to achievements in report writing and references.

Discipline policy

GGs student discipline practices aim to facilitate the development and experience of responsible self-discipline amongst students and to promote the well-being, safety and effective management of the school community.

The Primary School follows an assertive discipline approach in relation to classroom management. Each teacher ensures that students are made aware of the Classroom Standards. The Classroom Standards offer the teacher a support mechanism that ensures consistent standards across the school. As a general rule, teachers are responsible for the management of classes within the school behaviour management framework. Monitoring sheets are implemented for individuals and classes when necessary. Each teacher is required to account for all negative notes, points of concern and any issues noted for the child. They also complete detailed notes of meetings with parents.

Students who display recurrent challenging behaviours, particularly unsafe behaviours should be referred to the appropriate person in line with GGS' policy and procedures. Where a student's behaviour is unable to be managed by the implementation of GGS policies, an individual behaviour management plan is developed for that student. All staff are made aware of this individual management plan and act in accordance with the procedures documented in it. The plan is made in consultation with Learning Support.

There will be cases of unacceptable behaviour where it will be in the best interests of the school community and/or the student involved, for the student to be removed from the school for a period of time or completely. Suspension and expulsion are the options available to the principal in these situations.

In such cases of unacceptable behaviour, parents should not be asked to keep students at home without the formal imposition of a suspension unless this is for the remainder of a school day as part of an approved behaviour management program.

In implementing these procedures, the principal must ensure that no student is discriminated against on any of the following grounds:

- race, including colour, nationality, descent, and ethnic, ethno - religious or national origin
- sex
- marital status
- disability, including HIV/AIDS
- homosexuality
- transgender, or
- age.

The principal must also ensure that the implementation of these procedures takes into account factors such as the age, individual needs, any disability and developmental level of students.

Suspension is not intended as a punishment. It is only one strategy for managing inappropriate behaviour within a school's student wellbeing and discipline policies. It is most effective when it highlights the parents' responsibility for taking an active role, in partnership with the school, to modify the inappropriate behaviour of their child. The school and the government school system will work with parents with a view to assisting a suspended student to rejoin the school community as quickly as possible.

Suspension also allows time for school personnel to plan appropriate support for the student to assist with successful re-entry. This may include access to appropriate support staff such as an Aboriginal community liaison officer or learning and support teacher. In some cases suspension from school allows the school and government school system time to put measures in place to ensure the safety of students and staff. For the majority of students, suspension allows time for the student to reflect on their behaviour, to acknowledge and accept responsibility for the behaviours which led to the suspension, and to accept responsibility for changing their behaviour to meet the school's expectations in the future.

The principles of procedural fairness are fundamental to the implementation of these procedures. Procedural fairness is generally recognised as having two essential elements. These are the right:

- to be heard, and
- of a person to a fair and impartial decision.

These procedures apply to the behaviour of students at school, on the way to and from school and while away from the school site on school endorsed activities. They can also apply outside of school hours and off school premises where there is a clear and close connection between the school and the conduct of students. This includes the use by a student of social networking sites, mobile phones and/or other technology to threaten, bully or harass another student or a departmental staff member for school related issues.

Suspension

General principles

- In determining whether a student's misbehaviour is serious enough to warrant suspension, the principal will consider the safety, care and wellbeing of the student, staff and other students.
- Before a suspension is imposed, with the exception of the cases outlined in dot point 4 below or other serious instances of misbehaviour that impact on the safety or welfare of students or staff, the principal will ensure that appropriate school student welfare

strategies and discipline options have been applied and documented

- In some circumstances the principal may determine that a student should be suspended immediately. This will usually be due, but not limited to, reasons such as the safety of students or staff.
- When consideration has been given to factors such as age, disability and developmental level of students (amongst others), principals must suspend immediately and consistently with these procedures, any student who:
 - is physically violent: Any student who is physically violent, resulting in injury, or whose violent behaviour seriously interferes with the safety and wellbeing of others is to be suspended immediately
 - is in possession of a firearm, prohibited weapon, (as defined by Schedule One of the Weapons Prohibition Act), or knife (without reasonable cause)
 - uses, supplies, or is in possession of, a suspected illegal substance (not including alcohol or tobacco) or supplies a restricted substance
 - engages in serious criminal behaviour related to the school.
- Schools should ensure that in meetings with school personnel, in cases where communication difficulties arise due to a lack of understanding of English, parents have access to the use of an on-site or telephone interpreter and receive translated letters notifying of suspension or expulsion. Consideration may also need to be given to cultural issues and the intellectual capacity of the parent to understand what is occurring and what is being said. Contact the school if you require an on-site or telephone interpreter.

In all cases of suspension:

- a formal disciplinary interview must be held with the student prior to making the decision to impose a short suspension. Principals must ensure that the student is given explicit information about the nature of the allegation(s) and is given the opportunity to consider and respond to the allegation(s). The key features of the interview must be taken down in writing
- a suspension resolution meeting must be convened by the principal at the earliest opportunity. The principal, in conjunction with the parents, should utilise the school and other available resources including local Department of Education and Communities office staff in seeking a means of assisting the student to modify his or her behaviour.
- Should parents require a support person in order to participate fully in the suspension resolution or expulsion meeting, a person acceptable to both the parents and the principal may be involved, e.g. a member of the local Aboriginal Education Consultative Group (AECG) or an interagency support worker. The responsibility for organising a support person rests with the student or parents.

Short suspension

In cases where a range of appropriate learning and support strategies have been implemented and been unsuccessful in resolving the inappropriate behaviour, or the principal determines the behaviour of the student is of a type that warrants immediate suspension, the principal may choose to impose a short suspension of up to and including four school days. Short suspensions may be imposed for the following reasons and will be reported in the following categories:

1. Continued Disobedience. This includes, but is not limited to, breaches of the school discipline code such as: refusal to obey staff instructions; defiance; disrupting other students; use of alcohol or repeated use of tobacco.
2. Aggressive Behaviour. This includes, but is not limited to hostile behaviour directed towards students, members of staff or other persons, including: damaging the property of the school or students; bullying (including cyberbullying); verbal abuse, and abuse transmitted electronically such as by email, SMS text messages or by other electronic means.

Long suspension

If short suspensions have not resolved the issue of inappropriate behaviour, or the misbehaviour is so serious as to warrant a long suspension, the 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 principal must consider:

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

Subject to factors outlined in the dot point above, principals will impose a long suspension for:

- Physical violence: Which results in injury, or which seriously interferes with the safety or wellbeing of other students and staff (including sexual or indecent assault).
- Use or possession of a prohibited weapon, firearm or knife. When the student: uses or possesses a weapon which is listed in Schedule One of the Weapons Prohibition Act. Prohibited weapons include laser pointers, or similar articles with a power output of more than one milliwatt. Prohibited Weapons do not include harmless children's toys such as plastic imitation guns that are clearly intended to be toys;

- uses a knife or possesses a knife (without reasonable excuse as defined by the Summary Offences Act*);
- uses or possesses a firearm of any type (including live ammunition, and replica firearms).
- Possession, supply or use of a suspected illegal substance. This does not include alcohol or tobacco, but does include supplying other students with illegal drugs or restricted substances such as prescription drugs.
- Serious criminal behaviour related to the school. This includes malicious damage to property (school or community), or against the property of a fellow student or staff member on, or outside of the school premises.
- Subject to factors outlined in the first dot point in this section (section c), principals may also impose a long suspension for:
 - Use of an implement as a weapon. When a student uses an implement as a weapon to assault or injure another person (including use of an offensive implement, which is any implement made, or adapted, to cause injury to another person).
 - Persistent or serious misbehaviour. This includes, but is not limited to:
 - repeated refusal to follow the school discipline code;
 - threatening to use a weapon in a way that might seriously interfere with the safety and wellbeing of another person;
 - making credible threats against students or staff;
 - behaviour that deliberately and persistently interferes with the rights of other students to learn or teachers to teach including bullying, harassment and victimisation.
- In the formal disciplinary interview, the student must be able to have an appropriate observer of their choosing present at the interview.
- The principal will not impose any more than two long suspensions on an individual student in any twelve month period without the approval of the Director, Public Schools NSW.
- If, after two long suspensions, the matter has not been resolved other strategies must be considered including alternative educational placements, expulsion from the school or expulsion from the school with a recommendation to the Minister that the student not be

re-admitted to all or any government schools.

Deciding on, notifying and resolving a suspension

- The decision to suspend must be taken by the principal, or in the principal's absence, the person performing the principal's role (relieving principal).
- A student will not be sent out of the school before the end of the school day without notification being made to their parents and, if necessary, agreement reached about arrangements for the collection of the child from school.
- Notification of suspension must be made to the parents in writing within 24 hours following immediate verbal notification.
- The principal must convene a suspension resolution meeting of personnel involved in the welfare and guidance of the student, including the parents, to discuss the basis on which the suspension will be resolved.
- If parents are unable or unwilling to attend a suspension resolution meeting, the principal should consider the individual merits of the case and attempt to ensure that the student is back at school on or before the concluding date of the suspension period.
- Where a student is returning from suspension following an incident that involved violence or weapons, the principal must undertake a risk assessment in order to assess whether the return of the student will pose a risk to staff, students or other persons. This should be completed before the final day for resolution of the suspension.

Expulsion

General principles

In serious circumstances of misbehaviour the principal may expel a student of any age from their school. The principal may also expel a student who is over 17 years of age for unsatisfactory participation in learning.

- In all cases where expulsion is being considered the principal must:
- notify the student and the parents, in writing, that expulsion from the school is being considered, giving reasons for the possible action

- organise an interpreter or cultural assistance and/or translated documents, or other assistance for disability issues as appropriate, in order to allow parents to participate fully in the process
- obtain and consider a report from the learning support team or school counsellor, as appropriate, that includes recommendations for further action
- provide the parents with a copy of all documentation on which the consideration of expulsion is based
- allow seven school days for students and parents to respond
- consider any response from the student and parents before proceeding further
- discuss with the student and the parents the implications of expulsion and provide information relating to the right to, and process for, an appeal.

Expulsion from a particular school for misbehaviour

When considering expelling a student for misbehaviour, the principal must:

- ensure, except as a result of a most serious incident, that all appropriate student welfare and discipline strategies have been implemented and documented
- convene a formal disciplinary interview with the student. Principals must ensure that the student is given explicit information about the nature of the allegation(s) and is given the opportunity to consider and respond to the allegation(s). The student must also be able to have an appropriate observer of their choosing present at the interview. For very young students or students with certain disabilities it may be advisable to have a parent present at the meeting
- place the student on a long suspension pending the outcome of the decision making.
- Having reached a decision to expel a student from the school, the principal will inform the student and the parents in writing. This formal advice should also restate the right to appeal the decision. The principal will also:
- arrange, within 10 school days, and with support from local Department of Education and Communities office staff, an alternative educational placement appropriate to the needs of the student.

Staff Guidelines for Procedural Fairness

Establish the issue and responsibility for unacceptable behaviour

- Listen to the student and/or other people present to ascertain the offence.
- Allow all people involved, the opportunity to present their own version of events.
- Demonstrate, by giving feedback to the student, your understanding of the offence (who, what, how, when, why).

Establish an understanding of the effect of the unacceptable behaviour

- Explain to the student the reason that this behaviour is unacceptable and which School rule has been breached.
- Inform the student of the School's position about the behaviour.

Establish a course of action to deal with the unacceptable behaviour

Encourage restoration with those offended (through apology or other means). Determine a suitable consequence, in line with the unacceptable behaviour wherever possible. Children may participate in setting their own consequences where appropriate.

Depending upon the nature of the unacceptable behaviour, discuss with the student a procedure for managing themselves so that the offence is not repeated.

Depending on the nature and severity of the behaviour the student's parent/s may be involved in some or all of the actions. Advice should be sought from the Principal.

Establish a course of action for students with a disability or additional needs

Teachers should consult with the Head Teacher in dealing with a student who has a disability or additional needs, where such needs impact their behaviour. Also see the GGS Disability Inclusion Policy.

Review of a decision made on course of action

Any further concerns in relation to the decision should be raised in accordance with GGS Grievance Resolution Policy.

Implementation of Disciplinary Consequences: Course of Action

Outlined below are the four levels of response to unacceptable behaviours. Documentation of incidents is to be recorded in the student's file in the online student management system.

The following provides further procedural detail at each level:

Level 1 - Teacher Action Plan for Unacceptable Behaviour

- Teacher refer to School rules and clarify expected behaviour.
- Removal from class to work in another supervised setting if appropriate.
- Seek means for restoration of relationships through restorative practices.

Level 2 - Teacher Action Plan for Unacceptable Behaviour

- Interview children involved and record the nature and extent of the unacceptable behaviour/s.
- Implement appropriate consequences for unacceptable behaviour/s.
- Seek means for restoration of relationships through restorative practices.
- Record details in the online student management software.
- Notify parents/carers via email or phone call.
- Consider implementing an Individual Behaviour Plan if necessary.
- Consider other support such as a Social Skills program either on an individual / group/ class basis.

Level 3 - Principal Action Plan for Unacceptable Behaviour

- Interview child to clarify circumstances.
- Record details in the online student management software.
- Where the offence has resulted in an injury, an Incident/Accident/Near Miss form must be completed.

- Interview with parents.
- Seek means for restoration of relationships through restorative practices. Implement appropriate consequences.
- Implement an Individual Behaviour Plan.
- Provide access to, and use of, counselling services within the local community as per the GGS Student Welfare Policy.

Level 4 - Action Plan for Consequences Leading to Suspension

- Suspension occurs either in School or out of School, for one (1) or more days, dependent upon the circumstances as decided by the Head Teacher.
- May require completion of Incident, Accident or Near Miss form by the Head Teacher.
- Must be recorded in the online student management software.
- Requires that a formal parent interview is convened, with the Head Teacher and class teacher (if appropriate) present.
- May require the provision of class work to be completed during the suspension, if appropriate.
- When more than two (2) suspensions occur, the Head Teacher will discuss with the student and their parents/carers whether the student's enrolment at the School is in the best interests of the student's education and the School community's welfare.

In the event of serious breaches of the School rules involving non-negotiable behaviours, the matter will be investigated, and the management of consequences in response to non-negotiable behaviours is left to the discretion of the Head Teacher.

Should the Head Teacher be absent for any reason, the Principal assumes responsibility for handling Level 2 and Level 3 disciplinary issues. The acting teacher must debrief with the Head Teacher regarding all disciplinary issues and responses on their return. If a Level 4 incident occurs while the Teacher is absent, they must make every reasonable attempt to contact the Principal. If the Head Teacher is non-contactable, the acting teacher must immediately notify the Board Chair by direct phone call. The Board Chair assumes responsibility for immediate response to the situation unless or until the Head Teacher can be contacted.

Prohibited Consequences

Corporal punishment is expressly prohibited. The administering of corporal punishment by non-School persons, including parents, to enforce discipline at the School is not condoned. Where the use of corporal punishment is brought to the attention of the School and constitutes risk of significant harm to the child, notification will be made to the appropriate agencies under Child Protection legislation.

Investigation of Serious Matters

If GGS determines that it is warranted, investigations may be undertaken into more serious behavioural or disciplinary matters or allegations. Investigations will be carried out by appropriately skilled individuals. The investigation process will be determined on commencement of the investigation, and any parties to the investigation will be advised of the investigation process.

During investigations of behavioural issues, witnesses may be required to make verbal or written statements where appropriate. Witnesses may include students, teachers, volunteers, or other members of the School community. Witnesses and those whose actions are under investigation, will be reminded of the importance of maintaining confidentiality. Reference should be made to the GGS Anti-bullying policy for behavioural matters involving discrimination, bullying, or harassment allegations.

Corporal punishment

At no point in the GGS discipline or behaviour policy is there a place for corporal punishment of any kind. No staff member is permitted to use or encourage any form of corporal punishment under any circumstances.

This prohibition extends to forbid the administering of corporal punishment by non-school persons, including parents, to enforce discipline at the school.

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