Cameragal Montessori School

Student Discipline Policy POL-059

Cameragal Montessori School seeks to provide a child safe environment where the safety, welfare and wellbeing of children are paramount and take precedence over other considerations. Our School actively promotes the safety and wellbeing of our students, and our School staff are committed to preventing and protecting students from abuse or harm in accordance with their legal and ethical obligations. Our School prioritises children's safety, rights and best interests in all decisions and fosters an environment where children thrive, feel valued, and are protected, and their wellbeing and developmental needs are consistently supported. CMS's child safe policies and procedures and our staff code of conduct form part of this commitment.

Student Discipline Policy

Cameragal Montessori School recognises the unique value of each child and the importance of ensuring the healthy and emotional development of each child.

Cameragal Montessori school **does not use or condone the use** of any form of corporal punishment.

Discipline is reinforced using positive initiatives and incentives with particular regard to the student/students concerned. This policy is consistent with the Education Reform Amendment (Corporal Punishment) Act 1995.

Underlying our practices are fundamental principles of human respect and dignity, and fair treatment. It is every person's right to expect to be treated according to these principles. We are also conscious of a need to attend to gender equity and anti-harassment. A right can only be enjoyed when everyone acts responsibly.

We aim to teach students that mutual rights are essential if we are to cooperate with one another at School in such a way as to enable good learning in the classroom and to construct a social environment around the school. In order to guide responsible behaviour, we have rules. Student behaviour should reflect our school philosophy (needs to be clearly communicated).

All disciplinary action that may result in any sanction against the student including suspension, expulsion or exclusion provides processes based on procedural fairness.

The School's Behaviour Guidance Policy is provided to all members of the school community through at enrolment to families, staff induction and available in the CMS Policy Manual.

Child safety school statement

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Student suspension & expulsion policy & procedure

Despite the unlikely need to apply a policy pertaining to behaviours that may lead to a child being suspended or expelled from Cameragal Montessori School, the School considers that having clearly stated procedures is good practice and necessary for the community.

All students and staff have the right to be treated fairly and with dignity in an environment free from disruption, intimidation, harassment and discrimination. To achieve this Cameragal will maintain high standards of student behaviour.

There may 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 program for personalised learning and support.

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

- Race, including colour, nationality, descent and ethic, ethno-religious or national origin;

- Sex;
- Marital status;
- Disability, including HIV/AIDS;
- Homosexuality;
- Transgender;
- Age.

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

When dealing with a student with a disability consideration must be given to the requirements of the Commonwealth Disability Discrimination Act 1992, the Disability Standards for Education 2005 and the NSW Anti-Discrimination Act 1977. These require, among other things, that reasonable adjustments are provided to support students with a disability to access and participate in education on the same basis as other students.

Suspension or expulsion are strategies within the School's student Behaviour Guidance Policy. It highlights the parents' or carers' responsibility for taking an active role, in partnership with the School, to modify the inappropriate behaviour of their child. The School will work with parent(s) or carer(s) with a view to assisting a suspended student to re-join the School community as quickly as possible.

The principles of procedural fairness are fundamental to the implantation of these procedures. Procedural fairness is generally recognised as having two essential elements, which are:

- The right to be heard, and
- The right to a person to fair and impartial decisions.

In determining whether a student's misbehaviour is serious enough to warrant suspension or expulsion, the Principal will consider the safety, care and welfare of the student, staff and other students in the class.

The Principal ensures that records are made and retained of any action taken in relation to the implementation of these procedures.

Suspension definition & procedure

Suspension is a temporary removal of a student from all of the classes that a student would normally attend at school for a set period of time.

Suspension is not intended as a punishment. It is a strategy to manage inappropriate behaviour within the School's student welfare and discipline policies. It is most effective when the parents take an active role, and work in partnership with the school, to modify the inappropriate behaviour of their child. The School will work with the parents with a view to assisting a suspended student to re-join the school community as soon as possible.

Suspension allows the School time to plan appropriate support for the student to assist with successful re-entry. For the majority of students, suspension allows time for the student to reflect on their behaviours which led to the suspension, and to accept responsibility for changing their behaviour to meet the School's expectations in the future.

The Principal may suspend immediately if a student:

- **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.
- **Use of an implement as weapon or threatening to use a weapon**.
- **Serious criminal behaviour related to the School**. The matter is to be reported to the NSW Police immediately 131 444.

- **Persistent misbehaviour**. See Behaviour Management Guidelines for Cameragal's definitions of misbehaviour.

A formal disciplinary interview must be held with the student prior to making the decision to suspend. The Principal will ensure that the student is given explicit information about the nature of the allegation(s). The student will be given the opportunity to consider and respond to this information. The student's response must be considered before a decision is made to suspend.

The length of the suspension will vary according to the nature and severity of the student's behaviour.

Notification of the suspension will be made to the parents in writing within 24 hours following immediate verbal notification.

Before a suspension is imposed, with the exception of the above list, or other serious instances of misbehaviour that impact on the safety and welfare of students or staff, the Principal will:

- Ensure that appropriate personalised learning and support strategies and discipline options have been applied and documented.
- Ensure that appropriate support staff are available within the school and external providers are involved.
- Ensure that discussion has occurred with the student and parents regarding specific misbehaviour which the School considers unacceptable and which may lead to suspension.
- Develop specific personalised learning and support to assist the student to manage inappropriate behaviour.
- Provide a formal written caution detailing inappropriate behaviours as well as clear expectations of what is required of the student in future; and
- Record all action taken.

Expulsion definition & procedure

Expulsion is the permanent removal of a student from school.

In serious circumstances of misbehaviour, the Principal may expel a student of any age from the School. In all cases where consideration is being given to expelling a student, the gravity of the circumstances requires that particular emphasis be given to procedural fairness issue. Students expelled from one campus of Cameragal Montessori School may not transfer to another campus within the School.

When considering the expulsion of a student for misbehaviour, the Principal will:

- Ensure, except as a result of a serious incident, all appropriate learning and support strategies have been implemented and documented.
- Arrange a formal disciplinary interview with the student and parent and will ensure that the student and parents is given explicit information about the nature of the allegation(s) and is given the opportunity to consider and respond to the allegation(s).
- Ensure that the key features of the interview are documented in writing.
- In writing, notify the student and parents that expulsion is being considered giving reasons for possible action.

Having reached a decision to expel a student from the School, the Principal will:

- Inform the student and the parent(s) or carer(s) in writing. This formal advice should also restate the right to appeal the decision.

Exclusion

Exclusion is the act of preventing a student's admission to a number of schools. In extreme circumstances, the Principal may make a submission to an appropriate authority, or to other schools, recommending the permanent exclusion of a student from the registration system of which the school is a member or from other schools.

Appeal process

In the interest of procedural fairness Cameragal Montessori School employs an appeals process, involving an external body to make the final ruling.

- If the student or parent would like to appeal expulsion, they may apply in writing to the Principal and the Chair of the Board within seven days of expulsion.
- The Principal and Chair of the Board will reply to the letter within seven working days, with an appointment for an appeal hearing.
- The Chair of the Board will hear from all parties present and make a final ruling.

Review option

The Principal will reach a preliminary decision in relation to the allegation and any proposed penalty and advise the student (and parent/s) of the view. The student (and parent/s) would be advised that if they wish this preliminary decision to be reviewed, they may make application for a review to the Principal and submit any information they want to be considered during the review process. The Principal will then either confirm the preliminary decision as final decision or amend the preliminary decision based on the additional information provided.

Policies for Complaints and Grievances Resolution

Procedures are in place for the resolution of complaints and grievances and include procedural fairness. The procedures make explicit reference to complaints procedure for dealing with staff issues and student issues.

Relevant Policies

- Complaints Policy
- Enrolment & Orientation Policy
- Codes of conduct – students
- Attendance Policy

"The School's policies which are made from time to time are made pursuant to the requirements set out in section 47 of the Education Act, the NSW Education Standards Authority for Registration of the School and the Australian Children's Education and Care Quality Authority (ACECQA)."