

DISCIPLINE, SUSPENSION AND EXPULSION POLICY



GENERAL APPROACH

Discipline is necessary to create a quality learning environment free from bullying, harassment and intimidation, where students feel safe and secure.

This policy sets the framework through which Northside Montessori School manages student discipline.

The School aims to develop a culture of positive discipline by setting clear expectations about student behaviour and encouraging positive behaviour. At Northside Montessori School the disciplinary procedures are based on principles of procedural fairness, which include:

- clearly setting behaviour expectations;
- establishing specific teaching and learning programs;
- communicating expectations with the wider School community;
- acknowledging positive behaviours in a range of different ways;
- managing behaviour that does not meet the School's expectations; and
- maintaining records with respect to student behavior.

NATIONAL QUALITY STANDARD (NQS)

Quality Area 5: Relationships with Children		
5.1	Relationships between educators and children	Respectful and equitable relationships are maintained with each child
5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
5.1.2	Dignity and rights of the child	The dignity and rights of every child are maintained
5.2	Relationships between children	Each child is supported to build and maintain sensitive and responsive relationships
5.2.1	Collaborative learning	Children are supported to collaborate, learn from and help each other

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS

Children (Education and Care Services) National Law NSW	
155	Interactions with children
156	Relationships in groups

PROHIBITION OF CORPORAL PUNISHMENT

The School prohibits the use of corporal punishment in disciplining students attending the school. Such punishment has no place in the consequences for negative behaviours or breaches of the School's behaviour expectations of children.

The school does not explicitly or implicitly sanction the administering of corporal punishment by non-school persons, including parents, to enforce discipline at the school.

The use of any corporal punishment by a staff member is strictly prohibited.

Any staff member who breaches this rule will be subject to disciplinary proceedings which may include dismissal.

PROCEDURAL FAIRNESS

“Procedural fairness is a basic right of all when dealing with authorities. Procedural fairness refers to what is sometimes described as the ‘hearing rule’ and the ‘right to an unbiased decision’.

The ‘hearing rule’ includes the right of the person against whom an allegation has been made to:

- *know the allegations relate 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;*
- *respond to the allegations;*
- *know how to seek a review of the decision made in response to the allegations.*

The ‘right to an unbiased decision’ includes the right to:

- *impartiality in an investigation and decision making;*
- *an absence of bias by a decision-maker.”*

“The review mechanism adds to the fairness of the process and will be applied to cases of suspension and expulsion.”

EXPECTED STANDARDS OF BEHAVIOUR AND CONSEQUENCES

Northside Montessori School supports the development of self-discipline as the true form of discipline that fosters self-control and self-knowledge.

Students at Northside Montessori School are expected to abide by the School's behaviour expectations and to follow the directions of teachers and other people with authority delegated by the school.

Where a student disregards rules, disobeys instructions or otherwise engages in conduct which causes or may cause harm, inconvenience or embarrassment to the School, staff members or other students, the student may be subject to disciplinary action. Full cooperation in seeking solutions with the parents, student and the School working together is a basic precept of the supportive triangle which is an integral part of the School's Montessori philosophy.

DISCIPLINARY PROCEDURES

The disciplinary procedures undertaken by Northside Montessori School varies according to the seriousness of the alleged offence.

When advised of the allegation the student and parents will be informed of the procedural steps to be followed in dealing with the matter. In relation to all matters to be investigated, students will be informed of the nature of the allegations and given an opportunity to respond to the allegations. Processes of procedural fairness will be followed.

The consequences imposed vary according to the nature of the breach, the behaviour and the prior behaviour of the student. At the lower end of the scale, a warning or counselling may be appropriate. At the upper end of the scale, the behaviour could result in suspension, exclusion or expulsion. The seriousness of the offence may have a consequence commensurate with its level.

The school places the highest possible emphasis on the full co-operation of the parents during a breach of appropriate behaviour. Full co-operation in seeking solution with the parents, student and school working together is a basic precept of the supportive triangle, an integral part of the school's Montessori philosophy.

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

SUSPENSION AND EXPULSION

The School Principal or Deputy Principal may suspend a Student while a matter is being investigated, suspend a student as a disciplinary measure, or expel a student from the School for serious inappropriate behaviour.

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

Expulsion is the permanent removal of a student from the school.

The School may use suspension to allow the School a proper opportunity to investigate and consider a situation and manage any risks arising.

The School may also use suspension as a disciplinary measure to allow a student time to reflect on their behaviour, to acknowledge and accept responsibility for that behaviour, and to change their behaviour in the future. Suspension also allows time for the School to plan appropriate support for the student to assist with successful re-entry.

Where the School considers that this is not possible or appropriate, or the conduct in question is sufficiently serious, the School may expel the student.

Where the offending behaviour is of such a nature that it may result in suspension or expulsion:

1. The student will be provided with information about the nature of the allegations and be given an opportunity to respond.

2. The Principal or his/her delegate i.e., Deputy Principal (the School), may direct the student not to attend school while the investigation takes place.
3. If after the investigation is completed and hearing representations from the student, the School forms the view that the student should be expelled, the School will advise the student and parents/carer that this preliminary decision.
4. The parents/carer or student may appeal against the preliminary decision to the Principal, setting out the reasons why the Principal should not act on the recommendation and submit any information they want to have considered during the review process. Any appeal must be provided to the Principal no later than by the nominated days after the parents/carer have been advised of the preliminary decision.
5. If the student or parents/carer have lodged an appeal, the Principal will consider the information and the reasons provided by the student and/or parents/carer for not following the preliminary decision and will decide whether to accept or amend the preliminary decision.
6. The Principal will then advise the student and parents/carer of the final decision.
7. The decision made by the Principal will be final.

A Police investigation of a student's alleged behaviour does not remove the Principal's discretion to deal with the behaviour as a school disciplinary matter.

During any period of suspension, the School will arrange for work to be provided to the student.

At all times the interviews and discussions are conducted with courtesy and diplomacy. Raised voices and abusive language have no place at interviews and in the unlikely event of this happening, the meeting will cease immediately and reconvene at a later date when everyone is calm.

The Northside Montessori School Board will be consulted on all decisions when a student is considered to have breached Codes of Behaviour that warrant expulsion.

SERIOUS INAPPROPRIATE BEHAVIOUR

Serious inappropriate behaviour includes, but is not limited to, behaviour where a student:

- a. breaches the school rules;
- b. is persistently disobedient or persistently insolent;
- c. engages in harassment and abuse of other students or staff;
- d. persistently disrupts and prevents the learning and teaching of others;
- e. is in possession of a prohibited weapon/firearm or drugs at school;
- f. engages in criminal behaviour; or
- g. causes a risk to the physical or psychological health, safety or wellbeing of other students, staff or visitors to the School or a school site or event;
- h. engages in violent behaviour — including physical or verbal aggression or abuse or abusive language, physical damage to property or the learning environment, or threats to commit violence or other conduct that causes those present to fear harm; and
- i. engages in inappropriate sexual behaviour, including that could cause physical or psychological harm.

Some examples of incidents of serious inappropriate behaviour that may lead to suspension and/or expulsion include:

- a. physical attacks on another person (for example, punching, hitting, kicking, biting, pinching, hair pulling, scratching or spitting);
- b. carrying a prohibited weapon, firearm or knife;
- c. carrying prohibited drugs at school;
- d. grabbing someone's genitals, breast or buttock without consent;
- e. attacks using an implement such as scissors or pens;
- f. throwing projectiles in a way that deliberately or recklessly causes physical;
- g. physical aggression or violence towards animals and the physical surroundings such as the school's plant life and infrastructure;
- h. verbal bullying including repeated use of statements intended to humiliate and/or provoke another to an act of violence;
- i. damage to information technology systems;
- j. sexual harassment or use of racist, sexist or homophobic language or language mocking the disability of a student, member of staff or visitor to the School;
- k. written abuse including writing threatening or abusive letters, graffiti targeting individuals or particular groups, bullying or harassment using text messages or email, posting on internet sites, making inappropriate videos, photographs or sound recordings and/or sharing or texting them and posting them on websites;
- l. threats and intimidation;
- m. physical and technological stalking; and
- n. self-harming behaviours.
- o. Self-harming behaviour poses a potential risk to the individual student and to those who might witness self-harming behaviour, and can pose a risk of psychological injury to other students, particularly if they are young and vulnerable, or to staff.

REVIEW

Effective Date	Modifications	Next Policy Review Date
October 2018	General and minor modifications as part of annual review	September 2019
September 2019	General and minor modifications as part of annual review	September 2020
September 2020	General review	September 2021
September 2021	General review	January 2023
January 2023	General review and editing	January 2025
April 2024	Consolidation of Discipline and the Suspension and Expulsion policies as well as update to clarify procedure and inappropriate behaviours	January 2025

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