

Policy No: POL-059  
NQS:  
NESA:3.7  
Reviewed: 29/Nov/2017  
Date of next review: Nov/2018  
Approved: Principal, Board



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### Student Discipline

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 Management policy and Behaviour Management Guidelines are provided to all members of the School community through the Parent Handbook, Staff Handbook and Policy Manual.

### Child safety school statement

Cameragal Montessori School seeks to provide a child safe environment. Our school actively promotes the safety and wellbeing of our students, and our school staff are committed to protecting students from abuse or harm in accordance with their legal and ethical obligations. CMS's child safe policies and procedures and our staff code of conduct form part of this commitment

### 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 procedural fairness and to learn and teach in an environment free from disruption, intimidation, harassment and discrimination.

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 rare situations.

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 ethnic, ethno-religious or national origin
- Sex
- Marital status
- Disability, including HIV/AIDS
- Homosexuality
- Transgender
- Or age

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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.

Suspension or expulsion are strategies within the School's student behaviour management 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.

#### Suspension procedure

The Principal may suspend immediately if a student:

- Is physically violent
- In possession of prohibited knife
- Uses, or is in possession of, a suspected illegal substance or supplies a restricted substance
- Use of an implement as weapon or threatening to use a weapon.
- Serious criminal behaviour related to the School
- Persistent 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) and is given the opportunity to consider and respond to the allegations(s).

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

#### Expulsion procedure

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 require that particular emphasis be given to procedural fairness issue.

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

- Ensure, except as a result of a serious incident, all appropriate student welfare and discipline strategies have been implemented.
- 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.

#### Appeal process

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

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- If the student or parent would to appeal expulsion, they may apply in writing to the Principal and the Chair of the Board within 7 days of expulsion.
- The Principal and Chair of the Board will reply to the letter within 7 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 grievances and include procedural fairness. The procedures make explicit reference to complaints procedure for dealing with staff issues and student issues.

*“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).”*