

Student Discipline Policy

Introduction

Barrenjoey Montessori School values each child's unique worth and prioritises their healthy emotional development. Central to the Montessori Philosophy is mutual respect between child and adult, fostering responsible, respectful, and resourceful community members.

Barrenjoey 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(s) 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 positive learning in the classroom and to construct a social environment around the school. In order to guide responsible behaviour rules exist. There is an understanding that student behaviour should reflect our School philosophy.

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

Where a student disregards rules, disobeys instructions or otherwise engages in conduct which causes or may cause harm to other students or staff members the student(s) may be subject to disciplinary action.

The penalties imposed vary according to the behaviour and the prior record of the student. At the lower end of the scale, a firm warning may be appropriate. At the upper end of the scale, the behaviour could result in suspension or expulsion.

The school explicitly prohibits the use of corporal punishment in disciplining students attending the School. The administering of corporal punishment by non-school persons, including parents/carers, is not explicitly or implicitly sanctioned to enforce discipline at the school.

The school does not condone or support the use of physical punishment by anyone outside the school, such as parents or caregivers, as a means of enforcing discipline within the school environment. The

school explicitly prohibits parents/carers or other individuals to physically discipline students as a form of maintaining order or enforcing rules within the school.

The disciplinary procedures undertaken by the School vary according to the seriousness of the alleged offence. Where the allegation, when proved to be true, may result in suspension or expulsion, the student and parents/carers will be informed of the allegations and procedural steps to be followed in dealing with the matter will occur. In relation to all matters to be investigated, students will be informed of the nature of the allegation and given an opportunity to respond to the allegations.

The School's approach to discipline and behaviour management is outlined in the Behaviour Management Procedure. The Anti Bullying Policy, Enrolment and Placement Policy and the Complaints and Grievance Policy and Procedure should be read alongside this policy.

School Procedures

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

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 Barrenjoey Montessori aims to maintain a high standard of student behaviour.

There may be cases of unacceptable behaviour where it will be in the best interest of the school community and 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 parents or caregivers will not be asked to keep students at home as a form of punishment unless a formal suspension has been imposed. However, this may occur if the suspension is for the remainder of a school day and is part of an approved program for personalised learning and support.

Formal disciplinary actions such as suspension and expulsion are available to address misconduct, but informal measures like asking parents/carers to keep students at home will only be used in certain circumstances and with proper authorisation.

In implementing these procedures, the Principal will ensure:

- That the principles of equality, inclusion, and respect are upheld as they are essential in fostering a supportive and nurturing environment for all children to thrive and reach their full potential. A student will not be discriminated against on any grounds, including:
 - Age
 - Race/Ethnicity
 - Gender

- Religion
 - Disability
 - Socioeconomic Status
 - Sexual Orientation
 - Nationality/Immigration Status
 - Language
 - Appearance
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- 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.
 - All records and actions made relating to the process are retained in relation to the implementation of these procedures.

Procedural Fairness

Procedural fairness includes making available to students and parents or caregivers this policy under which disciplinary action is taken. It also includes providing details of an allegation relating to a specific matter or incident. This will usually involve providing an outline of the allegations made in witness statements and consideration of witness protection.

Parents/carers will be involved in the processes of procedural fairness for suspension and expulsion. Procedural Fairness includes the right of the person against whom an allegation has been made, including the following:

- 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
- 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

Review options include:

Option 1

- The Principal (or delegate) will be reasonable and objective. To be procedurally fair, they will act justly and be seen to act justly. They will reach a preliminary decision in relation to the allegation and any proposed penalty and advise the student (and parent/carers) of the view.
- The student (and family/carers) would be advised that if they wish this preliminary decision to be reviewed, they may make an application for a review to the School Board and submit any information they want to be considered during the review process.
- The Board Chairperson will then either confirm the preliminary decision as final decision or amend the preliminary decision based on the additional information provided.

Option 2

- The School Board will reach a decision in relation to the allegation and recommend the penalty to be imposed to the Principal (or delegate)
- The family/carer will be informed of the finding and recommendation and may make representations to the Principal (or delegate) in respect of the finding and recommendation.
- The Principal (or delegate) then makes a final decision on the proposed penalty.

In matters where a long suspension or expulsion is contemplated, the gravity of the circumstances require particular emphasis to be given to procedural fairness. This includes the offer of having a support person attend formal interviews. The key points of the discussion are to be recorded in writing.

Definitions

Suspension: The temporary removal of a student from all of the classes that a student would normally attend for a set period of time.

Expulsion: The permanent removal of a student from the Barrenjoey Montessori School.

Exclusion: The act of preventing a student's admission to a number of schools. In extreme circumstances, the Principal (or delegate) 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.

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Review Due: 2025

Creation / Revision Date	Comment	Created / Revised by	NESA	NQF	Education and Care Services National Regulations / Children (Education and Care Services) National Law NSW
Jun 2011	Policy created.	Principal		QA1,QA2,QA6,QA6	Sec 166,167
Jan 2014	Policy updated.	Principal		QA1,QA2,QA6,QA6	Sec 166,167
Jan 2016	Policy updated.	Principal		QA1,QA2,QA6,QA6	Sec 166,167
Jan 2017	Policy updated.	Principal		QA1,QA2,QA6,QA6	Sec 166,167
Aug 2022	Policy updated.	Principal		QA1,QA2,QA6,QA6	Sec 166,167
Mar 2024	Policy updated.	Principal	B9.1, Sec 47 (1), (h)	QA2,QA5	Sec 155, 156, 170 - (1), (2), 171 - (1), (2)
Resources: <ul style="list-style-type: none"> ● Education Reform Amendment (Corporal Punishment) Act 1995 ● Children (Education and Care Services National Law Application) Act 210 Sections ● National Quality Framework ● AIS NSW 					