

POLICY AND PROCEDURES

STUDENT DISCIPLINE POLICY EDU 4.9.8

Date Approved:	6/12/2024
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Policy Category:	Educational
Policy Owner:	Assistant Principal Education
Approving Body:	College Board

1. Context

To establish a process for the management of inappropriate behaviour, including the suspension or exclusion of students, that prohibits all forms of corporal punishment and promotes a consistent and fair approach that affords procedural fairness to students,

2. Definitions

A reference or term included in this policy is defined as follows;

"SEDA College" or "the College" refers to SEDA College (Victoria).

"Staff" or "staff member" or "employee" in this policy includes all employees of SEDA College (Victoria).

For the purpose of this policy, an employee is a person of or over the age of 18 years who is:

- (a) an employee of SEDA College, whether or not the person is employed in connection with any work or activities of SEDA College that relate to children; or
- (b) engaged by SEDA College to provide services, including volunteers and volunteers from external agencies, secondees, individual business owners who employ or engage staff, contractors, office holders and directors of companies where the director performs work for the organisation, whether or not the person provides services to children.

"Children and young people" as defined by the Commission for Children and Young People (CCYP) means a person under the age of 18 years, but for the purposes of this policy, includes all children and young people enrolled at SEDA College (Victoria), regardless of their age.

"Corporal punishment" in schools is the use of physical force, no matter how light, by an official in the educational system to cause deliberate pain or discomfort to a student as a response to some undesired behaviour or language.

"Procedural Fairness" includes making available to students and parents or caregivers the policies and procedures under which disciplinary action is taken. It also includes providing details of an allegation relating to a specific matter or incident.

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3. Application

This policy applies to all student behaviour.

A reference to the College Board Chair may include their nominee.

4. Statement of Policy

This policy ensures all students behave in a respectful and courteous manner and adhere to the procedures designed to promote and address child safety and effective management of the College.

Every student has the right to:

- An environment which they will engage in learning free from harassment
- Feel safe when attending school
- Be treated with fairness and dignity

All students have a right to feel safe. As a child safe organization, SEDA College takes deliberate steps to protect our students from physical, sexual, emotional, psychological and cultural abuse and neglect. All our policies are underpinned by our commitment to maintaining a child safe school and adhering to the Child Safe Standards.

Guidelines for managing student behaviour aim to enable students to:

- Take ownership and responsibility for their behaviour
- Respect the rights of others and acknowledge their responsibilities towards others
- Support positive relationships
- Support the teaching and learning process in a positive learning environment

5. Procedures

Each Teacher and Regional Manager is responsible for the management of student behaviour and as professionals they will make individual choices to best maintain a safe and effective learning environment.

A Teacher or Regional Manager will implement a strategy or consequence, specifically chosen to best improve the behaviour of each student.

SEDA College strongly encourages the adoption of Restorative Practices as a framework for building community and for responding to challenging behaviour through authentic dialogue and coming to a mutual understanding.

5.1 Procedural Fairness

Students have a right to procedural fairness when decisions are made about behaviour management and discipline. To ensure there is procedural fairness students should:

- Know and understand the behaviour expectations of the College
- Be clear about the breach of behavior expectations and have an opportunity to respond to allegations made against them
- Know that an unbiased investigation will be completed before a decision is made
- Have the right to request a review of the decision within a timely period.

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5.2 Prohibition of Corporal Punishment

The College does not permit any form of corporal punishment. The use of corporal punishment by any staff member would result in disciplinary proceedings. School policies and procedures do not sanction the administering of corporal punishment by non-school persons including parents / carers, to enforce discipline at school.

5.3 Managing behaviour

Strategies to improve student behaviour may include;

- drawing attention to the behaviour referencing the Student Code of Conduct
- relocating the student in the learning environment
- discussion of the behaviour with the student at break time and reminder of the Student Code of Conduct

Broader support strategies may include:

- convening a Student Support Group to assist with behaviour management strategies
- involving relevant staff such as those in Student Connect, Pathways and/or Education
- further careers counseling
- tutoring/peer tutoring
- developing individual flexible learning, behaviour or attendance support plans
- involving community support agencies
- communicating with parents/carers
- Restorative Practices

5.4 Immediate referral of inappropriate behaviour

At any stage, a Regional Manager may refer inappropriate behaviour of a student to the Assistant Principal for further action. Inappropriate behaviour includes but is not limited to behaviour that:

- poses a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person
- causes significant damage to or destruction of property
- commits or attempts to commit or is knowingly involved in the theft of property
- possesses, uses or sells or deliberately assists another person to possess, use or sell illicit substances or weapons
- fails to comply with any clear and reasonable instruction of a staff member so as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person
- consistently vilifies, defames, degrades or humiliates another person based on age; breastfeeding; gender identity; disability; impairment; industrial activity; lawful sexual activity; marital status; parent/carer status or status as a carer; physical features; political belief or activity; pregnancy; race; religious belief or activity; sex; sexual orientation; personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes
- consistently is in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student
- breaches the Student Code of Conduct

5.5 Student Review Group

Upon the referral of a student's inappropriate behaviour, the Regional Manager will establish a Student Review Group.

The Student Review Group may consist of:

- the student
- the student's parent/carer
- the Teacher
- the Regional Manager
- the Assistant Principal
- any professional support person that may be assisting the student

The parent/carer and/or the student may bring along a support person (not acting for fee or reward) to the Student Review Group.

Prior to the Student Review Group meeting the student and parent/carer will be advised in writing of the following:

- date, time and location of the meeting
- members of the Student Review Group
- alleged inappropriate behaviour
- steps taken to improve the behaviour (if appropriate)
- possible action that may be taken

The Student Review Group will meet as soon as possible and provide the student and parent/carer with an opportunity to be heard and explain the behaviour in question.

On completion of the Student Review Group meeting the parent/carer and student will be informed in writing of the outcome of the meeting and the actions to be taken which may include:

- implementation of one or more of the Managing Behaviour strategies as listed in 5.1 of the Student Discipline Policy
- a Behavioural Contract
- suspension
- taking such further action as the Regional Manager and/or Assistant Principal considers appropriate

5.6 Behavioural Contract

The Regional Manager in consultation with the Teacher, student and parent/carer will create a Behavioural Contract to support the student in improving their behaviour.

The contract will list a clear set of expectations that will be based on the type of behavior to be improved for the student to follow and complete over an agreed period of time.

All Behavioral Contracts are to be signed by the student, parent/carer and Regional Manager and stored in the College's Learning Management System.

5.7 Suspension

Any suspension of a student requires the approval of the Assistant Principal.

A student may be suspended if it is deemed appropriate after the Student Review Group meeting or with immediate effect by the Assistant Principal if the student's behaviour is putting the health, safety and/or wellbeing of any person (including themselves) at risk.

If a student is suspended a Student Learning Plan will be developed and provided to the student and parent/carer in writing outlining the work to be completed by the student during the period of suspension.

5.6 Expulsion

In the case of significant or repeated inappropriate behaviour as listed in 5.4 the College may consider an expulsion. Any student expulsion requires the approval of the Principal.

The Principal along with relevant staff will conduct a Pre-Expulsion meeting with the student and parent/carer.

Prior to the Pre-Expulsion meeting the student and parent/carer will be advised in writing of the following:

- date, time and location of the meeting
- attendees of the Pre-Expulsion meeting
- alleged inappropriate behaviour
- steps taken to improve the behaviour (if appropriate)
- possible action that may be taken, including expulsion

If, after attending the Pre-Expulsion meeting, the Principal is of the belief that the student has **not engaged** in inappropriate behaviour, the Principal will take no further action.

If, after attending the Pre-Expulsion meeting, the Principal is of the belief that the student has **engaged** in inappropriate behaviour, the Principal may:

- permanently expel the student from the SEDA College program
- suspend the student from all or part of the program for a stated period of time
- take such further action as the Principal considers appropriate

The Principal will provide the student and parent/carer with a written record of his or her decision. The record will detail:

- the decision
- the reasons for the decision
- any previous steps taken to improve the behaviour (if appropriate)
- any future support available to the student

If the student is suspended, a Student Learning Plan will be developed and provided to the student and parent/carer in writing outlining the work to be completed by the student during the period of suspension.

If the student is expelled from SEDA College, the student's place in the SEDA College program will be terminated.

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5.7 Option to Appeal

If the student or parent/carer is dissatisfied with the decision, the student or parent/carer may appeal to the College Board Chair. An appeal must be made in writing and within 7 days of the student and parent/carer receiving the written record of the decision.

A decision can be appealed on the following grounds:

- The appropriate process was not followed.
- The grounds on which the decision was made are considered unfair (i.e. was the decision too harsh, unjust or unreasonable in relation to the circumstances?).
- There have not been sufficient prior interventions and strategies utilised prior to the decision being made where the student has a history of behavioural issues.
- There are other extenuating circumstances.

Steps for a student or parent/carer appeal

- Student or parent/carer submits request for appeal in writing
- Documentation supporting the decision is provided to the College Board Chair
- College Board Chair considers appeal
- College Board Chair notifies the student and parent/carer of the outcome of the appeal.

The College Board Chair may:

- uphold the decision made
- vary the decision made
- change the original decision with their own decision

The College Board Chair will provide the student, parent/carer and relevant staff member with a written record of his or her decision. The record will detail:

- the decision
- the reasons for the decision
- any previous steps taken to improve the behaviour (if appropriate)
- any future support available to the student

Suspensions and Expulsions Register

Any suspension and expulsion imposed by the College is documented using the College Suspensions and Expulsions Register.

The Register is managed by the College Risk and Compliance Coordinator and is securely stored in a password-protected file. The Assistant Principal or Principal is responsible for notifying the Risk and Compliance Coordinator to update the register as necessary.

6. Referenced & Related Documents

This policy should be read in conjunction with the following SEDA College (Vic) policies:

- Student Code of Conduct
- Staff Code of Conduct
- Safe use of ICT Policy
- Cheating & Plagiarism policy
- Enrolment Agreement
- Anti-Discrimination, Harassment and Bullying policy
- Complaints Policy

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7. Implementation and Communication of Policy

This policy will be implemented and communicated by:

- Providing professional development on behaviour management to staff
- Continuously monitoring the effectiveness of this policy through feedback and observations
- Reviewing this policy at minimum every two years, or following an expulsion or suspension to ensure it remains current and effective.
- Including this policy as part of staff and student induction to ensure awareness and understanding Making this policy available to all staff and students on MySEDA for easy access and reference.
- Notifying students, staff and parents of any changes to this policy via a MySEDA bulletin notification.
- Making this policy publicly available on the College website

7. Policy History

Version	Policy Owner	Approval Date	Effective Date	Summary of Changes
V1	Assistant Principal Student Programs	11/11/2016	11/11/2016	New policy
V2	Assistant Principal Student Programs	12/1/2018	12/1/2018	Update Program Coordinator to Program Manager
V3	Assistant Principal Education	19/2/2019	19/2/2019	Update staff position titles Clarification of what inappropriate behavior includes, and certain procedures extended to parent/carers, with reference to Ministerial Order No. 1125
V4	Assistant Principal Education	3/7/2019	3/7/2019	Update of roles and responsibilities Clarification of Suspension and Expulsion process Inclusion of College Suspensions and Expulsions Register
V5	Assistant Principal Education	18/11/2020	18/11/2020	Minor typographical and formatting changes made
V6	Assistant Principal Education	18/11/2022	18/11/2022	Updated to new template, reviewed for new year.
V7	Assistant Principal Education	11/05/2023	11/05/2023	Added to definitions Corporal punishment & procedural fairness. Added explicit statement prohibiting all forms of corporal punishment as per VRQA guidelines. Added procedural fairness procedures.

				<p>Added student rights to Statement of Policy and included references of our commitment to Child Safety.</p> <p>Added references to other relevant College Policies.</p> <p>Added implementation of policy details.</p>
V8	Assistant Principal Education	6/12/2024	6/12/2024	<p>Added the College Board as the Approving Body</p> <p>Updated letterhead to reflect current address.</p> <p>Updated definitions for children and staff.</p> <p>Updated procedure for maintaining suspension and expulsion register</p> <p>Updated section 7 – added communication process</p>