

Students

GUIDELINE TITLE	Disciplinary Procedure
DOCUMENT ID	3.02
APPLICABLE TO	College Principal College Staff College Students Parents and caregivers of students
DOCUMENT OWNER	College Principal
APPROVAL DATE	
APPROVED BY	College Board
LAST REVIEW DATE	November 2017
NEXT REVIEW DATE	November 2020
RELATED DOCUMENTS	

Purpose

Margaret Jurd College (the College) is a Ministry of the Uniting Church in Australia. A registered non-government secondary special school established to support disadvantaged young people who have complex needs due to the following:

- Mental health/behavioural disorder at a level that is recognised as a disability in accordance with the Department of Education and Training criteria.
- Complex trauma history
- Autism

Margaret Jurd College is dedicated to providing students with a supportive alternative to mainstream schooling. We embrace young people who want to complete secondary schooling that live with mental health conditions that can be seen as challenging behaviours.

Policy

All students and staff at Margaret Jurd College have the right to be treated fairly and with dignity in an environment free from disruption, intimidation, harassment and discrimination in accordance with the Anti-Discrimination Act 1977. This is achieved through the implementation of disciplinary procedures within the school that uphold the rights of individuals to be provided with a safe supportive learning and working environment.

All disciplinary procedures in place at Margaret Jurd College are in line with principles of procedural fairness as outlined in the *Department of Education and Trainings Suspension and Expulsion of School Students Procedures*.

“Procedural fairness is generally recognized as having two essential elements, these are:

- *The right to be heard, and*
- *The right of a person to a fair and impartial decision.”*

Margaret Jurd College expressly prohibits the use of corporal punishment as a means of discipline in any situation for any reason. Margaret Jurd College do not explicitly or implicitly sanction the administering of corporal punishment by non-school persons, including parents/caregivers, to enforce discipline at school.

Margaret Jurd College does not have a policy or practice of preventing a student from enrolling in another school after leaving Margaret Jurd College. Students are supported as much as practicable in their application to a new school.

General Behavioural Expectations

- Follow staff direction
- Use Manners
- Attempt all work
- Be committed to your own educational and personal growth
- Be supportive of other student’s learning
- Be understanding of the needs of others

College Rules

- Respect the property, person, thoughts, feelings and beliefs of yourself and others - this includes students, staff and visitors to school.
- No violence, verbal abuse or aggressive behaviours.
- No spitting (spitting at a person is classed as a violent act and treated as such).
- No bullying, harassment, discrimination or vilification (name calling, leaving people out, threatening, intimidation, setting people up, making others pick on someone).

- No deliberate damage to property – this includes graffiti.
- No stealing or stolen property.
- No sexual harassment (physical or verbal).
- No sex, sexting, sexual contact or pornography.
- No cyber bullying (bullying using mobile phones, MSN, Facebook etc).
- No drugs, drug taking paraphernalia or alcohol and no coming to the College under the influence of drugs or alcohol (this includes prescription and non-prescription medication).
- No smoking.
- No weapons.
- No swearing.
- No leaving the premises without permission.
- Margaret Jurd College maintains a “hands off” rule. Students and staff are to respect each other’s personal space and refrain from physical contact.
- Refusal to complete detention will receive one warning only. If refusal continues the student will be suspended.
- Continual refusal to follow College rules will result in exit or expulsion.
- Continual refusal to participate in the College program will result in the student being exited.

Assisted School Travel Program (ASTP)

All students accessing assisted school travel must comply with the rules and regulations of this program when arriving or leaving school.

- When leaving the vehicle students must enter the school gates immediately. No students are permitted to leave the school grounds inclusive of the school car park before entering the school gates.
- Once students have arrived they are transferred from the care of the Department of Education and Communities into the care of Margaret Jurd College. **All College rules apply from the time of arrival.**
- At the end of the school day students are to leave the school grounds and alight the ASTP vehicle immediately. Students are transferred from the care of Margaret Jurd College to the care of the Department of Education and Communities. Students are not permitted to loiter in the car park area or the neighboring property before alighting the vehicle. **All College rules continue to apply until students leave the area in the vehicle.**
- In the event that a student does not use ASTP in either direction on any given day, the parent/caregiver must contact the assisted school travel operator and notify them.
- The school must be notified by parents or caregivers on occasions when a student is not accessing ASTP to travel home.
- Students loitering in the car park or surrounding areas prior to alighting the vehicle will be subject to the College disciplinary procedures.

- In the event that the school has not been notified that a student is not using ASTP to travel home and the student refuses to alight the vehicle and leave the school by alternative means, the school will treat this as a student abscondment, and the student will be subject to College disciplinary procedures.

Please note: The assisted school travel program is a privilege. Continual non-compliance with the regulations regarding notification or usage will place the students transport in jeopardy.

Confiscation

- Mobile phones are permitted be kept by students however are not to be accessed during class time without the explicit permission of the classroom teacher in each class. Students who refuse to put their phone away or are continuously breaching this rule will have their phone confiscated.
- Cigarettes, lighters or sharp implements are not permitted and will be confiscated. Sharp items will be disposed of.
- Material that contains inappropriate content e.g. drug references, violence, explicit language, nudity or sexual content will be confiscated.
- Energy drinks e.g. V, Mother, Red Bull etc are not allowed at the school and will be confiscated.
- Items that are confiscated will be held in the office until collected by the students' parents/caregivers. Any items not collected after two weeks will be disposed of.
- Mobile phones which are confiscated will be handed back to the student at the end of the day.

College rules are subject to change from time to time. Parents/caregivers will be notified in writing of any upcoming rule change with an explanation of why the College has made the change and how the change benefits your child.

Student Discipline

When a student is in breach of College rules they will fall subject the College's disciplinary procedure. The procedure is based on the principles of procedural fairness and provides for all parties involved the opportunity to be heard. Parents/caregivers will support the College in the implementation of the College's disciplinary procedures inclusive of collecting or organising the collection of their child from College when requested.

NB: All breaches of school rules will be investigated in line with principles of procedural fairness. There may be instances where the school investigates a breach of school roles however, mitigating circumstances and/or the students' disability has impacted on their ability to fully understand the consequences for their actions or their ability to comply with the school rules. In these instances, the school will refer to the Disability Standards for Education in line with maintaining the Colleges duty of care responsibility to all parties involved when deciding the disciplinary outcome.

Disciplinary Procedure

Staff will enforce the consequences up to the point of detention. Only the Principal or delegate maintains the right to make the decision to suspend, exit or expel a student.

All major breaches of Margaret Jurd College rules are investigated by staff and reported to the Principal.

The Principal meets with the student/s to determine the disciplinary outcome necessary.

In the event that breaches are found to be valid the following disciplinary procedures are enforced. The severity of the breach will determine which level of discipline the student commences at. For example, **weapons, physical violence or deliberate malicious damage to property will automatically start at suspension and can even result in exit or expulsion.**

The Principal or delegate will examine these breaches based on provocation, student history, the presence of verbal threats and all other mitigating circumstances surrounding the offence before reaching a final decision. This decision is made by the Principal or delegates after examining all of the surrounding circumstances to ensure that the decision is fair and just. For serious matters that may result in students losing their placement, **students may be sent home during the decision-making process to allow time for procedural fairness to be enforced.**

Breaches surrounding classroom or playground behaviour that are at the lower end of the spectrum and have not been continual and ongoing are dealt with by teaching and/or support staff on duty. These breaches may result in detention, loss of lunch time activities, loss of excursion etc. All breaches of a serious nature that need intervention from steps 3 through 6 must be investigated and addressed in consultation with the Principal.

Consequences initiated for breaches of College rules:

1. Loss of lunchtime activities
2. Detention
3. Loss of excursions
4. Short suspension 2 days – 4 days
5. Long suspension 1 week – 2 weeks
6. Placement review
7. Exit or expulsion.

Other disciplinary actions taken by Margaret Jurd College may be community service hours. Community service hours take the form of picking up papers, tidying up the classroom, tidying or cleaning an area of the College, washing the bus, weeding the garden, brushing down webs from the veranda areas etc.

Parents/caregivers will be contacted at differing points of the disciplinary process to maintain open communication through the behavioural intervention process.

If students continually breach rules and show no desire to change their behaviour they will be exited from the College.

If students continually refuse to participate in the education program through extremely low attendance, continual disruption to other students learning and/or refusal to complete their College work they will be exited from the College.

If the breach of rules is an alleged illegal act the police will be contacted, and formal charges may be laid. Parents/caregivers are required to come to the College in the event of Police involvement.

Exclusions from the College

If the Principal, or any person deputising for the Principal, considers that a student is guilty of a serious breach of the rules or has otherwise engaged in conduct which is prejudicial to the College or its students or staff, the Principal or delegate may exclude the student permanently or temporarily at their absolute discretion.

If the College Board or the Principal believes that a mutually beneficial relationship of trust and cooperation between a parent/caregiver and the College has broken down to the extent that it adversely impacts on that relationship, then the College, the College Board or the Principal may require the parent/caregiver to remove the child from the College.

The College will only exercise its powers under this clause to exclude a student permanently if it has provided the student and the parents/caregivers or guardians of the student with details of the conduct which may result in a decision to exclude the student and provided them with a reasonable opportunity to respond.

No remission of fees will apply in relation to any of the above cases.