

## DISCIPLINE POLICY

<b>Effective from</b>	November 2017
<b>Approved by</b>	The Principal
<b>Policy Owner</b>	The Principal
<b>Policy Administrator</b>	Heads of School
<b>Application</b>	All Staff, Contractors, Volunteers, Students, and respective Parents/Carers
<b>Last review date</b>	August 2025
<b>Next review date</b>	March 2027
<b>Version</b>	2.0
<b>Published externally</b>	Yes
<b>Related Documents</b>	Discipline Protocol (Shortland School) Discipline Protocol (Tuncurry School) Registered and Accredited Non-Government Schools (NSW) Manual (RANGS) Australian Student Wellbeing Framework Bullying. NO WAY! <i>Anti-Discrimination Act 1977 (NSW)</i> <i>Disability Discrimination Act 1992 (Cth)</i> <i>Human Rights and Equal Opportunity Commission Act 1986 (Cth)</i> <i>Sex Discrimination Act 1984 (Cth)</i> <i>Education Act 1990 (NSW)</i> <i>Work Health and Safety Act 2011 (NSW)</i>
<b>File/Functional reference</b>	College Community
<b>NESA reference</b>	B8 Safe and Supportive Environment, B9 Discipline

*Margaret Jurd College provides an alternative education setting dedicated to supporting young people who find mainstream schooling challenging.*

*Our schools are each designed to meet the needs of students requiring tailored support:*

### ***Special Schools***

*Our Special Schools (Shortland and associated campuses) provide specialised support for students who:*

- *Live with diagnosed mental health conditions and associated challenging behaviours as defined by the Department of Education and Training;*
- *Have histories of complex trauma; or*
- *Have Autism Spectrum Disorder (ASD).*

### ***Special Assistance Schools***

*Our Special Assistance Schools (Tuncurry and associated campuses) provide targeted support for students who:*

- *Live with mental health conditions and associated challenging behaviours.*

### ***Our Commitment***

*The College is committed to delivering education that is trauma-informed, inclusive, and individually responsive, ensuring every student has the opportunity to complete their secondary schooling with dignity and support.*

## **1 Purpose**

This Discipline Policy of Margaret Jurd College (the College) and its associated Schools and Campus' aim to clearly define expectations for student behaviour, acknowledging the complexity and diversity of our student cohort. It provides a framework that aligns with the College's core values: Better Together, Think Different, and Seek First to Understand. The policy intends to formalise disciplinary approaches across all Schools and Campus' whilst individualising disciplinary responses to each student. This approach considers each student's unique circumstances, social context, disability, and other relevant factors, thereby promoting fair, consistent, and constructive disciplinary practices that operate through the principles of Due Process and Procedural Fairness.

Additionally, the policy incorporates the principles of Restorative Practice, focusing on relationship repair, accountability, empathy, and community engagement when responding to behavioural issues. These are principles used across every Margaret Jurd College School and Campus.

## **2 Scope**

This policy applies to all staff members, contractors, volunteers, students enrolled at all College Schools and Campus', and their parents or carers.

## **3 Policy Statement**

Margaret Jurd College will implement clear, equitable, and context-sensitive disciplinary procedures that promote safety, respect, accountability, and restorative justice. Each disciplinary decision considers:

- The nature and severity of the behaviour
- The frequency or pattern of the behaviour
- Impact on victims and the wider College, School or Campus community
- The student's individual circumstances, including diagnosed disabilities, social situations, and specific risk factors
- Restorative Practice principles
- Procedural Fairness and Due Process

Margaret Jurd College and its associated Schools and Campus' expressly prohibit corporal punishment as a disciplinary measure under any circumstance. The College does not explicitly or implicitly condone the use of corporal punishment by any individuals, including parents, volunteers, or other external parties, to enforce discipline within the College context.

## **4 Application of Policy**

### **Disciplinary Measures**

4.1 Where disciplinary action is necessary, The College and its associated Schools or Campus' may utilise measures including:

- In-School Resets
- Restorative Practice
- Suspension
- Student Case Review
- Expulsion

## **Decision-Making Process**

4.2 Each disciplinary decision will consider:

- The specific behaviour leading to disciplinary consideration
- Input from the student's planning team
- The student's personal circumstances, including diagnoses and risks.
- A student's ability to advocate for themselves.
- A victim impact statement if deemed appropriate.
- A Risk Assessment regarding the students current situation. This may include, but is not limited to consideration of the students domestic arrangements any relevant mental health concerns.

4.3 Decisions will follow Restorative Practice guidelines, ensuring fairness and consistency.

## **Principles of Due Process and Procedural Fairness**

4.4 The school is committed to upholding procedural fairness in all disciplinary matters, ensuring students are clearly informed of allegations, given a fair opportunity to respond, and subject to impartial decision-making based on evidence. In alignment with the Disability Standards for Education, disciplinary actions such as suspension or expulsion are non-discriminatory and consider reasonable adjustments for students with disabilities. All decisions are communicated transparently, and students have access to a formal grievance and appeals process to challenge outcomes.

## **Policy Review and Oversight**

4.5 This policy will be periodically reviewed to ensure compliance with relevant legislation, including the *Education Act 1990 (NSW)*, *Children and Young Persons (Care and Protection) Act 1998 (NSW)*, *Disability Discrimination Act 1992 (Cth)*, and any applicable regulations and standards relevant to student wellbeing and discipline.

## **Variation**

4.6 The College reserves the right to vary, replace or terminate this policy from time to time.

## **5 Policy Administration**

5.1 Definitions, Acronyms & Abbreviations

<b>Affective Language</b>	Communication expressing feelings and impacts related to behaviours, central to Restorative Practices.
<b>Due Process &amp; Procedural Fairness</b>	Ensuring fair procedures, transparency, and equitable outcomes in disciplinary processes.
<b>Expulsion</b>	A permanent removal from the College including all associated Schools and Campus'. The decision to move to expulsion is done based on procedural fairness and a student is not expelled based on their disability as per the Disability Standards for Education. Whether the student can re-apply for enrolment in the future is to be determined by the Principal.
<b>In-School Reset</b>	A structured, short-term intervention where a student is temporarily removed from their regular classroom setting due to behaviour that disrupts learning or poses a concern. The reset provides the student with time and space to reflect on their behaviour, regulate their emotions, and engage in restorative practices. During this period, staff work with the student to identify triggers, reinforce expectations, and plan strategies for a successful return to class. The goal is to support behavioural growth while maintaining the student's connection to learning and the school community.

<b>Medication Review</b>	A period spent away from College to consult with health practitioners regarding medication effectiveness and dosage to facilitate educational engagement.
<b>Suspension</b>	Suspension is the temporary removal of a student from the School in response to behaviour that presents an unacceptable risk to others or significantly disrupts teaching and learning, this decision is made with procedural fairness. In accordance with the Disability Standards for Education, the School uses the suspension period proactively to review, plan, and implement appropriate adjustments. This ensures the student is supported in their return to school, with strategies in place to address their behavioural needs and promote a successful reintegration. Suspension is used interchangeably with “planning time” to align with the DSE.
<b>Restorative Practice</b>	Conflict resolution approach prioritising relationship restoration, problem-solving conversations, behaviour accountability, addressing root causes, and fostering positive community dynamics.

**[Attachments .... /over]**

*[This protocol is to be followed in accordance with the Discipline Policy]*

## Application of Protocol

All decisions regarding student discipline and consequences will operate within the College's ethical framework including its Values, Mission and Vision. It will operate within the context of Due Process and Procedural Fairness as outlined in the Discipline Policy.

## College Values

All behavioural expectations are based on Empowering Personal Growth through the College values of:

### 1. Better Together

We listen deeply, foster empathy, and build connections to create a safe and supportive learning environment.

### 2. Seek First to Understand

We believe in the power of relationships and collaboration, knowing that success is achieved through strong partnerships between students, families, and staff.

### 3. Think Different

We encourage creative problem-solving, adaptability, and resilience, supporting students to find new ways to overcome challenges.

## Procedural Fairness

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

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

## General Behaviour Expectations

### 1. Be Where you are meant to Be

Students are expected to be at School and in class at the expected times. There is also an expectation that students are to engage with Casework and other programs run by the School.

### 2. Be Respectful

At the very least show respect. This includes in the classroom and out of the classroom, to other students and to staff. Margaret Jurd Shortland Students are amazing, and we want the rest of the world to treat them with respect. This means we must act respectfully.

### 3. Have a Crack

We understand that Margaret Jurd Shortland Students have faced a lot of challenges in their life. We get that sometimes even the smallest things can represent the biggest challenges. Despite this we still want you to at least try. If you at least "have a crack" .... Give it your best shot then we will guarantee that you will never fail.

Who	What	When
All Staff	Understand the College values and why they are there.	At all times
All Students	Be respectful	At all times
All Students	Be where your meant to be	At all times
All Students	Have a crack!	At all times

## **Discipline Procedure**

NB: The following “procedure” is designed as a series of suggestions for Planning Teams as a response to behaviour. Each suggestion will be taken into consideration by the Planning Team with an increase in the severity and long term nature of the disciplinary action corresponding with the nature and severity of the students behaviour as well as a demonstrated pattern.

### **1 Daily “reset”**

1.1 If a student engages in behaviours of intrapersonal or interpersonal concern (e.g. Swearing, consistently touching others, Disrespecting the property, person, feelings and beliefs of yourself or others, disrespecting the learning environment, not going to class, not wearing uniform etc), then the staff member who observes the behaviour should apply a “reset”. Depending on the student this could be a short restorative chat or a lunchtime meeting. The lunchtime meeting or “reset” will be attended by the staff member that applied the consequence.

### **2 P3-P3-F3 Method**

2.1 If the behaviour is reported by or is observed to affect another student or group of students then, prior to engaging in a disciplinary outcome, the P3-P3-F3 method will be used in which information about the behaviour is obtained by those involved:

- P3 “past” - what happened (3 minutes)
- P3 “present” – who did it effect (3 minutes)
- F3 “future” – what are we going to do about it

This information will be used to decide on the nature of the consequence under restorative practice principles.

2.2 This should occur at the first opportunity with the staff member who observed or had the issue reported to them. School Leadership should be consulted for anything that is considered to be more than a minor or short-term issue.

### **3 Planning Time Team Meeting**

3.1 If a behaviour is considered to be of such a level that a risk assessment or planning session is required, then this will be reported to the student’s Caseworker who will convene a Planning Team Meeting at the first possible opportunity (prior to the end of the School Day).

3.2 In the meantime, the student will be given time away from the School. This will be communicated to the students’ parents and carers either through the School Leadership Team or Student Services (on-site Student Relations Officer).

3.3 Once the Students Planning Team meets and considers factors a decision will be made determining the consequence.

Factors considered will be:

- the student’s diagnosis
- the ultimate harm of the incident
- the effect on other students
- the ongoing nature of the behaviour.

The Consequence will be one of the following:

- Planning Time
- Medication Review
- Student Exit
- Student Expulsion

#### **4 Planning Time:**

- 4.1 This gives the School the opportunity to update the relevant plan needed to successfully re-engage the student whilst the student is not in attendance. The plans could include but are not limited to: Safety Plans (self-harm etc), Behaviour Plans (violence and aggression, damage to property, smoking, vaping, verbal abuse etc). The process will require an update of the students Risk Assessment and behaviour escalation chart. A student's parents and carers should be engaged (as possible) throughout the planning process. It is understood that a student will not be attending the Shortland School during planning time.
- 4.2 It is expected that a student will still be engaging with Casework and classroom activities during this time.
- 4.3 A student should only be re-engaged with the School once they have had the chance to review their new plan.
- 4.4 Return from Planning Time – When the student returns to the School, it is expected that the parent/carer accompanies them (the student) to a return from planning time meeting. It is a formal meeting to discuss expectations through restorative practices.

#### **5 Medication Review:**

- 5.1 A medication review should be embarked on once the planning team has identified that a change in medication, or perhaps the need for medication has not been considered. This may be because a student has not engaged with their medical provider or has grown since their last meeting. This option should be done in full consultation with parents and carers as well as relevant health care professionals. The length of the review should coincide with advice from a registered medical professional and consider the type of medication, length of "normalisation" time, age, and other such physiological aspects of the students. It may be considered necessary that the student does not attend the School during a medication review. It is expected that a student will still be engaging with Casework and classroom activities during this time.
- 5.2 The behaviours inherent in a Planning Time Scenario, which prove themselves to be sustained, will fall under a potential Medication Review.
- 5.3 A student will be re-engaged with the School through a collaborative process with all relevant stakeholders.

#### **6 Student Exit:**

- 6.1 If a student's behaviour, in accordance with a risk assessment that considers all staff and students, is deemed to be to frequent or too extreme to be sustained within the School, then that student will be the subject of an "Exit" from the School. This consequence will be recommended to the College Principal or their delegate once the student Planning Team have met and have considered the students diagnosis, the ultimate harm of the incident, the effect on other students, the ongoing nature of the behaviour etc.
- 6.2 A School Exit means a student will be unenrolled from that Margaret Jurd School but will be able to re-apply should there be evidence of engagement with external supports that have addressed the issue that saw the initial Exit.
- 6.3 A decision regarding re-engagement will be made by the College's Enrolment Team.

#### **7 Student Expulsion:**

- 7.1 A student who engages in continual risky behaviour, extreme aggression, on-site drug use or distribution, continual online or in-school bullying or who generally and consistently refuses to engage in the School program will be referred onto their Planning Team. Using the process of Procedural Fairness and Due Diligence (below), as well as operating from the base of a Risk Assessment, the Planning Team will recommend to the Principal or their Delegate if a student should be expelled from the Margaret Jurd College and its associated Schools and Campus'. The decision will be communicated

to the students' parents and carers in line with the updated risk-assessment and prior to the student being given the "Right-to Reply."

It is inherent within the requirements of this process that the student receives the Right to Reply in accordance with the risk mitigating factors listed in the students Risk Assessment. This may be done through the student or the student's parent/ carer and should be done prior to a formal decision being made.

The Student retains the right to appeal the decision. All appeals will be considered in light of the pre-existing information and any further information that may have been made available.

- 7.2 On Expulsion, a student will be un-enrolled from all Margaret Jurd College associated Schools and Campus' and will not have the opportunity to re-apply.
- 7.3 Details of alternative educational environments or crisis intervention agencies will be provided to the student and their parents/ carers as well as ongoing contact (for a minimum of 3 weeks) from their Caseworker will ensure the student is engaged in other community services.
- 7.4 If a student cannot be reached, then a "Destination Whereabout Unknown" Report will be made to NESA.

What	Who	When
Restorative Practice engaged with (P3-P3-F3/ Affective Language)	All staff and students	When a behavioural concern has been undertaken or observed.
Reset given and attended	The staff who have given the reset, the student who has engaged in the behaviour. If the behaviour is of a repetitive concern, then a member of the School Leadership Team can be requested to attend.	When a behavioural concern has been undertaken or observed, and a reset has been given.
Identify a consequence that fits the requirements of Due Process and Procedural Fairness. Update Risk Assessments and identified Student Plans. Communicate findings to Parents and Carers. This could include a Medication Review, Student Exit or Student Expulsion	The Students Identified Planning Team	If a behaviour has been identified to have been overly risky, aggressive, or unable to be dealt with through the reset process. Ideally prior to the end of the school day or as close as possible to.
Engage in a return to School Meeting	Head of School or their Delegate	Once the Students appropriate plans have been updated and are ready to communicate the student/ parent / carer.
<b>Medical Review:</b> Liaise/consult with the student's medical professionals/ parents and carers as appropriate	Student's Caseworker	Once the Students Planning Team has decided on a medication review.
Submit a Destination Whereabouts Unknown Form	Head of School or their delegate	Once a student has unenrolled from the School and has failed to assure the School that they are engaged in other educational activities as prescribed in the Education Act (1990).

## **8 Confiscation:**

- 8.1 Margaret Jurd Shortland allows certain items to be confiscated. This is reflected in the general enrolment contract. Each contract holder is expected to support such processes in-line with the College Community Code of Conduct Policy.
- 8.2 Mobile Phones are not allowed at the Shortland School. If a mobile phone is to be brought to the School it can be stored in a way that is included in the Students Phone plan. This plan is collaborative and can include the storage of phones at the Schools from office or in a Yondr Pouch. Access to Student phones can be allowed under certain circumstances but this information will need to be clearly communicated to School staff.
- 8.3 No cigarettes, lighters, vapes, or sharp implements; they will be confiscated. Sharp items will be disposed of after a member of the Executive Team has been alerted. Continued breaches of this rule may result in an automatic bag search each morning. This decision will be made in consultation with the Head of School or their delegate.
- 8.4 Material that contains inappropriate content e.g. drug references, violence, explicit language, nudity, or sexual content will be confiscated. If a student refuses to do this, they may be sent home for the day. The Head of School or their delegate will make that decision.
- 8.5 If an item has been confiscated, such as a lighter or cigarettes, that cannot be legally supplied to a person under a certain age then parents/carers will be informed and asked to collect the item. If parents have not collected the item within two weeks the item will be disposed of.

<b>What</b>	<b>Who</b>	<b>When</b>
Do not access mobile phone unless expressly allowed by classroom staff.	Students.	Whilst in class.
Return any confiscated mobile phones to student at the end of the day or other such appropriate time.	The staff member who confiscated the phone.	As required.
Cigarettes, lighters, vapes and sharp implements will be confiscated.	Head of School or Delegate.	As required.
Material that contains inappropriate content will be confiscated.	Head of School or Delegate.	As required.
Energy drinks will be confiscated and returned to students at the end of the day.	Staff.	As required.
Inform parents that an item that cannot by law, be returned to a person under a certain age.	Executive Staff.	As required.
Dispose of any items that cannot be returned to a person under a certain age if they have not been collected by a parent/carer after two weeks.	Head of School	As required.

## **9 Bag Searches:**

- 9.1 The School reserves the right to search a student's personal belongings as agreed upon via enrolment contract. This decision is made by the School if there is relevant evidence to suggest a student may be

carrying items that would endanger themselves, staff, or the rest of the student cohort.

- 9.2 Any such plan to search a student's belongings will be made by the students Planning Team and communicated to both the student and their parents and carers.
- 9.3 It is expected that the students' parents/ carers will support the School's decision to search a student's personal belongings if such a decision is made under the collective consideration of the Planning team using relevant evidence to suggest that such an action is warranted.

## **10 Personal Searches:**

- 10.1 The School will never individually undertake a personal search of a student.
- 10.2 Any supervision of a Personal Search, by College staff, will only occur with the express permission of the College Principal or their delegate after exploring due cause.
- 10.3 If a personal Search is required, this will be undertaken by the student's immediate parent/ carer in accordance with the Parental Responsibility (PR) listed in the student's contract.
- 10.4 If the School is not satisfied as to the legitimacy of a personal search, then the Head of School reserves the right to suspend any such activities with the student while they remain on School property.
- 10.5 If, under the preceding stipulations, a Personal Search is unable to occur, the Head of School or their delegate reserves the right to remove the student from School property.

## Actions and Response framework - Decision Making Guide

NB This is a guide only and will be more fully informed by Due Process and Procedural Fairness guidelines.

What	Detention - (Planning Room)	Short Planning Time	Long Planning Time	Exit	Expulsion
	A detention is completed at lunchtime and requires the student to be set an achievable task to complete within a specific amount of time	A temporary exclusion from the School for not more than 5 days.	A temporary exclusion from the School for more than 5 days but not more than 20 days	Exclusion from the School with the chance of future enrolment if certain requirements are met	The permanent exclusion of a student from the College and its associated Schools and Campus' with no possible chance of re-enrolment
General minor disobedience	All Staff				
Refusal to attend the classroom	All Staff				
Refusal to engage in the work	All Staff				
Refusal to attempt multiple detentions (no longer than 2 days of exclusion)		Leadership Team / Planning Team			
Smoking at School		Leadership Team / Planning Team			
Repeated/ obvious disobedience on School grounds		Leadership Team / Planning Team			
Damage to School Property		Leadership Team / Planning Team			
Taking illicit substances or presenting at the School under the influence of illicit substances		Leadership Team / Planning Team			
A short suspension that has been increased to a long suspension as the student has previously been suspended for the same behaviour several times			Head of School or delegate/ Planning Team		
Engaging in violence on School grounds			Head of School or delegate/ Critical Incident Response Team		
A temporary exclusion from the School for more than 5 days that falls under the proviso of a medication review and happens in consultation with other medical stakeholders			Head of School or Delegate in consultation with Student Caseworker and Planning Team		
Selling drugs/ drug paraphernalia on School grounds				Head of School or delegate	
Engaging in extreme violence on School grounds				Head of School or delegate	
Knowingly bringing weapons onto School property				Head of School or delegate	

What	Detention - (Planning Room)	Short Planning Time	Long Planning Time	Exit	Expulsion
Continual refusal to engage in the program					College Principal and Head of School
A break-down in trust between the College and the contract holder					College Principal and Head of School

### **Due Process and Procedural Process Guidelines**

These guidelines outline the clear and consistent steps followed by Margaret Jurd College Shortland when responding to serious or ongoing behavioural concerns.

The process reflects our College values, **Seek First to Understand, Better Together**, and **Think Different** and ensures all decisions are made fairly, transparently, and with student wellbeing at the centre.

#### **What is Due Process and Procedural Process?**

At Margaret Jurd College, we follow a process that ensures:

- Every student is informed of any concerns raised about their behaviour.
- Every student has the opportunity to explain their side.
- Every decision is made fairly, based on facts and in consultation with key staff and families.
- Students and families are supported and included at each step.
- We always start with the least serious response and only move to more serious steps if necessary.

#### **Our Step-by-Step Response Process**

##### **Step 1: Behaviour is Observed**

- A staff member notices or is told about a behaviour of concern.
- A restorative check-in or quick conversation takes place to help the student reflect and reset.
- If resolved, no further action is taken.

##### **Step 2: Restorative Conversation or Reset**

- If the behaviour is repeated or more serious, the staff member holds a more formal 'reset' discussion with the student.
- This may occur during class time or at lunch and focuses on reflection and accountability.

##### **Step 3: Restorative Meeting or Conference**

- If the behaviour continues or impacts others, a formal restorative meeting is held.
- The student, relevant staff, and sometimes parents/carers attend.
- The group discusses what happened, who was affected, and what should happen next (P3-P3-F3 approach).

##### **Step 4: Planning Team Meeting**

- If the behaviour is high risk or cannot be resolved with earlier steps, the student's Planning Team meets.
- This team includes the Head of School, Senior Caseworker, teacher, Educational Caseworker, SLSO and other key staff.
- The student stays home while the team updates plans, reviews risks, and decides on next steps.

##### **Step 5: Determining the Consequence**

- The Planning Team considers all factors (diagnosis, risk, impact on others, previous efforts).

The following outcomes may be considered:

- Suspension (worded as Planning Time): *temporary time away to update support plans*.
- Medication Review: *consultation with health professionals*
- Student Expulsion: *unenrollment with possibility to reapply, the student is referred to their previous school or other educational facility*.

Expulsion and Exclusion: *permanent removal from all campuses*

Note: If a student is not enrolled in another school the Head of School will complete a **Destination Unknown form** and email it to [attendance@det.nsw.edu.au](mailto:attendance@det.nsw.edu.au)

##### **Step 6: Due Process**

Before making any final decision:

- The student and/or family are given the right to respond.
- Any additional information provided is considered.
- No decision is made without this step.

#### Step 7: Communication of Decision

- The decision is explained to the student and parent/carer.
- Written communication is provided outlining the outcome and reasons.

#### Step 8: Right to Appeal

- Families may appeal an Expulsion, Expulsion and Exclusion decision in writing to the College Principal.
- The appeal will be reviewed independently from the original decision by the College Board.

#### Step 9: Follow-Up and Support

- Referrals are provided to outside services or alternate education settings.
- The student's Caseworker maintains contact for 3 weeks after Expulsion.
- If a student is unreachable, a report is made to [attendance@det.nsw.edu.au](mailto:attendance@det.nsw.edu.au) 'Destination Whereabouts Unknown'.

*[This protocol is to be followed in accordance with the Discipline Policy.]*

## Application of Protocol

All decisions regarding student discipline and consequences will operate within the College ethical framework including its Values, Mission and Vision. It will operate within the context of Due Process and Procedural Fairness as outlined in the Discipline Policy.

## College Values

All behavioural expectations are based on Empowering Personal Growth through the College values of:

### 1. Better Together

We listen deeply, foster empathy, and build connections to create a safe and supportive learning environment.

### 2. Seek First to Understand

We believe in the power of relationships and collaboration, knowing that success is achieved through strong partnerships between students, families, and staff.

### 3. Think Different

We encourage creative problem-solving, adaptability, and resilience, supporting students to find new ways to overcome challenges.

## Procedural Fairness

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

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

## General Behaviour Expectations

### 1. Respect for Self and Others:

We treat all members of our school community with kindness and respect, valuing each person's voice, experiences, and space.

### 2. Taking Responsibility:

We own our actions and choices, understanding that mistakes are part of learning. When things go wrong, we work together to repair harm and restore relationships.

### 3. Engagement in Learning:

We participate actively in our education, setting goals, trying new strategies, and taking steps towards personal growth.

### 4. Safe and Supportive Environment:

We contribute to a culture of safety and wellbeing by following expectations, making positive choices, and seeking help when needed.

### 5. Restorative Approach:

When conflicts arise, we engage in honest conversations, listen to different perspectives, and find ways to move forward in a fair and respectful way.

What	Who	When
Understand the College values and why they are there.	All Staff	At all times
Respect for self and others	All students and Staff	At all times
Taking responsibility	All students and Staff	At all times

Engagement in learning	All students and Staff	At all times
Safe and supportive environment	All students and Staff	At all times
Restorative approach	All students and Staff	At all times

## Discipline Procedure

We understand that students make mistakes, and part of our role as a School is to guide them in learning new behaviours. Rather than focusing on punishment, we use a restorative model to help students reflect, take responsibility, and repair relationships.

We follow a Four Level Procedure, which includes:

### 1. Restorative Check-Ins:

A quick conversation to help students regulate emotions and return to learning.

### 2. Restorative Conversations (reset):

A guided discussion between a student and a staff member to reflect on actions and make positive changes.

### 3. Restorative Meetings:

A structured approach involving multiple stakeholders, including staff, and students to address repeated concerns.

### 4. Restorative Conferences:

A formal meeting that includes parents/carers when an incident reaches a certain threshold where there is a risk of harm to self or others.

For group conflict we apply -

### 5. Restorative Circles:

A small group process to help resolve conflicts and strengthen relationships.

## 1 Restorative Check-ins

1.1 These are every day, quick, in-the-moment interactions between staff and students that help address minor issues before they escalate. They typically last five minutes or less and occur naturally throughout the school day.

*Examples:*

- “....., I have noticed you have been a bit distracted in class lately. Everything okay?”
- “You seemed frustrated during group work and left the classroom; is there a way I can support you?”
- “I have noticed you swearing today, it disappoints me to hear this, we need to chat about this and the impact on the class”

## 2 Restorative Conversation “reset”

2.1 When an informal chat doesn't resolve an issue, staff may initiate a more structured conversation. These discussions allow students to reflect on their actions and plan a way forward. This can take place inside or outside the classroom, depending on the context or may occur during lunch time.

2.2 If a student engages in behaviours of intrapersonal or interpersonal concern. For example, not following *General Behavioural Expectations of Respect for Self and Others* the student may have sworn at a staff member or student. Then the staff member who observes the behaviour should apply a “reset”. Depending on the student this could be a short restorative chat or a lunchtime meeting. The lunchtime meeting or “reset” will be attended by the staff member that applied the consequence.

*Examples:*

- A student continues to refuse to engage in classwork, despite a prior informal chat.

- A student speaks disrespectfully to a peer, and the teacher takes them aside for a conversation.
- A student walks out of class multiple times in a week, requiring a sit-down conversation.

### **3 Restorative Meeting**

3.1 If a pattern of behaviour emerges and previous interventions have not been effective, a structured restorative meeting is held. This is not punitive, but rather an opportunity to reflect and re-engage. The student, teacher, and possibly the senior caseworker participates in the conversation.

*Examples:*

- A student repeatedly disrupts the learning environment, making it difficult for others to focus.
- A peer conflict continues despite previous conversations.
- A student misses multiple classes, requiring a support plan for re-engagement.

### **4 Formal Restorative Conference**

4.1 This level is used when the risk of harm (emotional, social, or physical) is significant to students, staff, or the overall school culture. Or a student refuses to engage in the previous restorative processes. A formal conference is held with the Head of School, student, and parent. This is not a punitive action, but rather an opportunity to restore relationships.

*Examples:*

- A student engages in verbal aggression or significant disruptive behaviour.
- A student causes distress to peers or staff, affecting the school environment.
- Repeated incidents of non-compliance or disengagement have escalated.

### **5 Restorative Circles**

5.1 If the behaviour is reported by or is observed to affect another student or group of students then, prior to engaging in a disciplinary outcome, the P3-P3-F3 method will be used in which information about the behaviour is obtained by those involved:

- P3 “past” - what happened (3 minutes)
- P3 “present” – who did its effect (3 minutes)
- F3 “future” – what are we going to do about it

This information will be used to decide on the nature of the consequence under restorative practice principles.

5.2 This should occur at the first opportunity with the staff member who observed or had the issue reported to them. School Leadership should be consulted for anything that is considered to be more than a minor or short-term issue.

### **6 Planning Time Team Meeting (Pause and reset)**

6.1 In some cases, when an incident poses a high level of risk or has significantly impacted learning or wellbeing, a student may receive Planning Time. This is a ‘pause’ to allow the student to reflect and work with staff to create a support plan for moving forward. Planning Time is designed to help students reset and re-engage positively with their learning and the School.

6.2 The Senior Caseworker who will convene a Planning Team Meeting at the first possible opportunity (prior to the end of the School Day).

6.3 In the meantime, the student will be given time away from the School. This will be communicated to the students’ parents and carers either through the School Leadership Team or Student Services.

6.4 Once the Students Planning Team meets and considers factors a decision will be made determining the consequence.

Factors considered will be:

- a) the student's diagnosis
- b) the ultimate harm of the incident
- c) the effect on other students
- d) the ongoing nature of the behaviour.

The Consequence will be one of the following:

- a) Planning Time
- b) Medication Review
- c) Student Exit
- d) Student Expulsion

## **7 Suspension/Planning Time**

- 7.1 This gives the School the opportunity to update the relevant plan needed to successfully re-engage the student whilst the student is not in attendance. The plans could include but are not limited to: Safety Plans (self-harm etc), Behaviour Plans (violence and aggression, damage to property, smoking, vaping etc). The process will require an update of the students Risk Assessment and behaviour escalation chart. A student's parents and carers should be engaged (as possible) throughout the planning process. It is understood that a student will not be attending the School during planning time.
- 7.2 It is expected that a student will still be engaging with Casework and classroom activities during this time.
- 7.3 A student should only be re-engaged with the School once they have had the chance to review their new plan.

## **8 Medication Review**

- 8.1 A medication review should be embarked on once the planning team has identified that a change in medication, or perhaps the need for medication has not been considered. This may be because a student has not engaged with their medical provider or has grown since their last meeting. This option should be done in full consultation with parents and carers as well as relevant health care professionals. The length of the review should coincide with advice from a registered medical professional and consider the type of medication, length of "normalisation" time, age and other such physiological aspects of the students. It may be considered necessary that the student does not attend the School during a medication review. It is expected that a student will still be engaging with Casework and classroom activities during this time.
- 8.2 The behaviours inherent in a Planning Time Scenario, that prove themselves to be sustained, will fall under a potential Medication Review.
- 8.3 A student will be re-engaged with the School through a collaborative process with all relevant stakeholders.

## **9 Expulsion**

- 9.1 If a student's behaviour, in accordance with a risk assessment that considers all staff and students, is deemed unsustainable within the School, then that student will be the subject of an "Exit". This consequence will be recommended to the College Principal or their delegate once the student Planning Team have met and have considered the students diagnosis, the ultimate harm of the incident, the effect on other students, the ongoing nature of the behaviour etc.
- 9.2 An Exit means a student will be unenrolled from the School but will be able to re-apply should there be evidence of engagement with external supports that have addressed the issue that saw the initial Exit.
- 9.3 A decision regarding re-engagement will be made by the College's Enrolment Team.

## 10 Student Expulsion

- 10.1 A student who engages in continual risky behaviour, Extreme Aggression, On-Site drug Use or distribution, Continual online or in-School bullying or who generally and consistently refuses to engage in the program will be referred onto their Planning Team. Using the process of Procedural Fairness and Due Diligence (below), as well as operating from the base of a Risk Assessment, the Planning Team will recommend to the Principal or their Delegate if a student should be expelled from the College and its associated Schools and Campus'.
- 10.2 The decision will be communicated to the students' parents and carers in line with the updated risk-assessment and prior to the student being given the "Right-to Reply".
- 10.3 It is inherent within the requirements of this process that the student receives the Right to Reply in accordance with the risk mitigating factors listed in the students Risk Assessment. This may be done through the student or the students' parent/ carer and should be done prior to a formal decision being made.
- 10.4 On Expulsion a student will be un-enrolled from the School and will not have the opportunity to re-apply.
- 10.5 Details of alternative educational environments or crisis intervention agencies will be provided to the student and their parents/ carers as well as ongoing contact (for a minimum of 3 weeks) from their Caseworker will ensure the student is engages in other community services.
- 10.6 If a student cannot be reached, then a "Destination Whereabout Unknown" Report will be made to NESA.

What	Who	When
<b>Restorative Check-Ins:</b> A quick conversation to help students regulate emotions and return to learning.	All Staff and students	When a behavioural concern has been undertaken or observed
<b>Restorative Conversations (reset):</b> A guided discussion between a student and a staff member to reflect on actions and make positive changes.	The staff member who observed the behaviour and the student involved	When a behavioural concern has been undertaken or observed
<b>Restorative Meetings:</b> A structured approach involving multiple stakeholders, including staff, and students to address repeated concerns.	The staff who has observed the behaviour, the student who has engaged in the behaviour. As it is a repetitive concern a member of the School's Leadership Team will be requested to attend.	When a behavioural concern has been undertaken or observed
<b>Restorative Conferences:</b> A formal meeting that includes parents/carers when an incident reaches a certain threshold where there is a risk of harm to self or others.	Head of School, Senior Caseworker, student, teacher, parent or caregiver	As soon as possible
Restorative circle (P3-P3-F3/ Affective Language)	All Staff and students	When a behavioural concern has been undertaken or observed at the most appropriate time.

Identify a consequence that fits the requirements of Due Process and Procedural fairness. Update Risk Assessments and identified Student Plans. Communicate findings to Parents and Carers. This could include a <b>Medication Review, Student Exit or Student Expulsion</b>	The Students Identified Planning Team	If a behaviour has been identified to have been overly risky, aggressive or unable to be dealt with through the reset process. Ideally prior to the end of the school day or as close as possible to.
Engage in a return to School Meeting	Head of School or their Delegate	Once the Students appropriate plans have been updated and are ready to communicate the student/ parent/ Carer
<b>Medical Review:</b> Liaise with the Students Medical Professionals/ parents and carers as Appropriate	Senior Caseworker	Once the Student's Planning Team has decided on a Medication review
Submit a Destination Whereabouts Unknown Form	Head of School or their delegate	Once a student has unenrolled from the School and has failed to assure the School that they are engaged in other educational activities as prescribed in the Education Act (1990).

## 11 Confiscation:

- 11.1 The School allows certain items to be confiscated. This is reflected in the general enrolment contract. Each contract holder is expected to support such processes in-line with the College Community Code of Conduct Policy
- 11.2 Mobile phones are to be handed in at the front office at the commencement of each day. If a student refuses to hand their phone in, they will be offered a Yonda pouch. If they refuse to hand in their phone, they may be sent home. Mobile phones may be allowed to be taken off site for excursions, however this will be at the discretion of the teacher or staff member supervising the excursion.
- 11.3 No cigarettes, lighters, vapes, or sharp implements, they will be confiscated. Sharp items will be disposed of after the Head of School has been alerted. Continued breaches of this rule may result in an automatic bag search each morning. This decision will be made in consultation with the Senior Caseworker.
- 11.4 Material that contains inappropriate content e.g. drug references, violence, explicit language, nudity or sexual content will be confiscated or asked to be removed/placed out of sight. If a student refuses to do this, they may be sent home for the day. A member of the School's Leadership Team will make that decision.
- 11.5 Energy drinks e.g. V, Mother, Red Bull etc can prove to be a disruption in class and can cause the student to disrupt the class. If one of the previously mentioned products is brought onto School grounds it will be stored in the fridge and returned to the student at the end of the day.
- 11.6 If an item has been confiscated, such as a lighter, cigarettes, or vapes, that cannot be legally supplied to a person under a certain age then parents will be informed and asked to collect the item. If parents have not collected the item within two weeks the item will be disposed of.

What	Who	When
Do not access mobile phone while on School grounds.	Students.	At all times, unless in consultation with the School's Leadership Team
Cigarettes, lighters, vapes and sharp implements will be confiscated.	Head of School	As required.
Material that contains inappropriate content will be confiscated.	Head of School	As required.
Energy drinks will be confiscated and returned to students at the end of the day.	Staff.	As required.
Inform parents that an item that cannot by law, be returned to a person under a certain age.	Head of School	As required.
Dispose of any items that cannot be returned to a person under a certain age if they have not been collected by a parent/carer after two weeks.	Head of School	As required.

## 12 Bag Searches:

- 12.1 The School reserves the right to search a student's personal belongings. This decision is made by the School if there is relevant evidence to suggest a student may be carrying items that would endanger themselves, staff or the rest of the student cohort.
- 12.2 Any such plan to search a student's belongings will be made by the students Planning Team and communicated to both the student and their parents and carers.
- 12.3 It is expected that the students' parents/ carers will support the School's decision to search a student's personal belongings if such a decision is made under the collective consideration of the Planning team using relevant evidence to suggest that such an action is warranted.

## 13 Personal Searches:

- 13.1 The School will never personally undertake a personal search of a student.
- 13.2 Any supervision of a Personal Search, by staff, will only occur with the express permission of the College Principal or their delegate after exploring due cause.
- 13.3 If a personal Search is required, this will be undertaken by the student's immediate parent/ carer in accordance with the Parental Responsibility (PR) listed in the student's contract.
- 13.4 If the School is not satisfied as to the legitimacy of a personal search, then the Head of School reserves the right to suspend any such activities with the student while they remain on School property.
- 13.5 If, under the preceding stipulations, a Personal Search is unable to occur, the Head of School or their delegate reserves the right to remove the student from the School.

## Actions and Response framework - Decision Making Guide

NB This is a guide only and will be more fully informed by Due Process and Procedural Fairness guidelines.

What	Restorative Conversations	Restorative Meeting	Restorative Conferences	Short Planning Time (Suspension)	Long Planning Time (Long Suspension)	Expulsion	Expulsion and Exclusion
				A temporary exclusion from the School for not more than 5 days	A temporary exclusion from the School for more than 5 days but not more than 20 days	Exclusion from the School with the chance of future enrolment if certain requirements are met	The permanent exclusion of a student from the College with no possible chance of re-enrolment
General minor disobedience	All Staff	All Staff					
Refusal to attend the classroom	All Staff	All Staff					
Refusal to engage in the work	All Staff	All Staff					
Smoking or vaping on School grounds				Head of School or delegate			
Repeated/ obvious disobedience on School grounds			Head of School or delegate				
Damage to School Property			Head of School or delegate				
Taking illicit substances or presenting at the School under the influence of illicit substances				Head of School or delegate			
A short suspension that has been increased to a long suspension as the student has previously been suspended for the same behaviour several times					Head of School or delegate		
Engaging in violence on School grounds					Head of School or delegate		
A temporary exclusion from the School for more than 5 days that falls under the proviso of a medication review and happens in consultation with other medical stakeholders					Senior Caseworker		
Selling drug/ drug paraphernalia on School grounds						Head of School or delegate	

Engaging in extreme violence on School grounds						Head of School or delegate	
Knowingly bringing weapons onto School property						Head of School or delegate	
Continual refusal to engage in the program						College Principal and Head of School	
A break-down in trust between the School and the contract holder						College Principal and Head of School	

## **Due Process and Procedural Process Guidelines**

These guidelines outline the clear and consistent steps followed by Margaret Jurd College Tuncurry when responding to serious or ongoing behavioural concerns.

The process reflects our College values, **Seek First to Understand, Better Together, and Think Different** and ensures all decisions are made fairly, transparently, and with student wellbeing at the centre.

### **What is Due Process and Procedural Process?**

At Margaret Jurd College, we follow a process that ensures:

- Every student is informed of any concerns raised about their behaviour.
- Every student has the opportunity to explain their side.
- Every decision is made fairly, based on facts and in consultation with key staff and families.
- Students and families are supported and included at each step.
- We always start with the least serious response and only move to more serious steps if necessary.

### **Our Step-by-Step Response Process**

#### **Step 1: Behaviour is Observed**

A staff member notices or is told about a behaviour of concern.

A restorative check-in or quick conversation takes place to help the student reflect and reset.

If resolved, no further action is taken.

#### **Step 2: Restorative Conversation or Reset**

If the behaviour is repeated or more serious, the staff member holds a more formal 'reset' discussion with the student.

This may occur during class time or at lunch and focuses on reflection and accountability.

#### **Step 3: Restorative Meeting or Conference**

If the behaviour continues or impacts others, a formal restorative meeting is held.

The student, relevant staff, and sometimes parents/carers attend.

The group discusses what happened, who was affected, and what should happen next (P3-P3-F3 approach).

#### **Step 4: Planning Team Meeting**

If the behaviour is high risk or cannot be resolved with earlier steps, the student's Planning Team meets.

This team includes the Head of School, Senior Caseworker, teacher, Educational Caseworker, SLSO and other key staff.

The student stays home while the team updates plans, reviews risks, and decides on next steps.

#### **Step 5: Determining the Consequence**

The Planning Team considers all factors (diagnosis, risk, impact on others, previous efforts).

The following outcomes may be considered:

- Suspension (worded as Planning Time): *temporary time away to update support plans*.
- Medication Review: *consultation with health professionals*
- Student Expulsion: *unenrollment with possibility to reapply, the student is referred to their previous school or other educational facility*.

Expulsion and Exclusion: *permanent removal from all campuses*

Note: If a student is not enrolled in another school the Head of School will complete a **Destination Unknown form** and email it to [attendance@det.nsw.edu.au](mailto:attendance@det.nsw.edu.au)

#### **Step 6: Due Process**

Before any final decision:

- The student and/or family are given the right to respond.
- Any additional information provided is considered.
- No decision is made without this step.

**Step 7: Communication of Decision**

The decision is explained to the student and parent/carer.

Written communication is provided outlining the outcome and reasons.

**Step 8: Right to Appeal**

Families may appeal an Expulsion, Expulsion and Exclusion decision in writing to the College Principal.

The appeal will be reviewed independently from the original decision by the College Board.

**Step 9: Follow-Up and Support**

Referrals are provided to outside services or alternate education settings.

The student's Caseworker maintains contact for 3 weeks after Expulsion.

If a student is unreachable, a report is made to [attendance@det.nsw.edu.au](mailto:attendance@det.nsw.edu.au) 'Destination Whereabouts Unknown'.