

FMS Student discipline Policy

Policy Number	3.7.3 (includes 3.7.1)
Policy Name	Student discipline
Compliance Standard NESI	Section 47 of the Education Act 1990 No 8 (NSW)
Compliance Standard ACECQA	Education and Care Services National Regulations including 155, 156, 170(1), (2) and 171(1), (2).
Date Reviewed	12.03.2024
Revision Date	12.03.2025
Endorsed By	Principal
Related Policies	Anti-bullying Discipline
Related Procedures	Behaviour Management Procedure
Audience	FMS whole school community

RATIONALE

Forestville Montessori School (the School) recognises the unique value of each child and the importance of ensuring the healthy and emotional development of each child. The School ensures that students are appropriately supported to develop the self-management required to successfully participate in the Montessori curriculum offered by the School.

“...inner discipline is something to come and not something already present. Our task is to show the way to discipline. Discipline is born when the child concentrates his attention on some object that attracts him/her not only with a useful exercise but with a control of error.” Maria Montessori

The School does not permit corporal punishment. The school does not sanction corporal punishment by non-school persons, including parents to enforce discipline at school.

POLICY STATEMENT

Discipline is reinforced using positive initiatives and incentives with particular regard to the student/students concerned. This policy is consistent with the Education Reform Amendment (Corporal Punishment) Act 1995.

Underlying our practices are fundamental principles of human respect and dignity, and fair treatment. It is every person’s right to expect to be treated according to these principles. We are

also conscious of a need to attend to gender equity and anti-harassment. A right can only be enjoyed when everyone acts responsibly.

The United Nations Convention on the Rights of the Child is founded on respect for the dignity and worth of each individual, regardless of race, colour, gender, language, religion, opinions, wealth, birth status or ability. Developing responsive, warm, trusting and respectful relationships with children promotes their wellbeing, self-esteem and sense of security. Positive interactions between educators/adults and children can empower children to feel valued, competent and capable. Actively engaging in children's learning and decision-making during play, daily routines and ongoing activities can stimulate children's thinking, enrich their learning and encourage them to explore and manage their feelings and behaviour. "Having supportive relationships with the nominated supervisor, educators, co-ordinators and staff members enables children to develop confidence in their ability to express themselves, work through differences, learn new things and take calculated risks" (Guide to the National Quality Standard).

Interactions with children revolve around supervision and educators supporting behaviour guidance with children's Behaviour Plans being developed through observations, discussions, consultations leading to development, monitoring and reviewing. We aim to foster a sense of belonging in children through interactions with warm, responsive & available educators. We involve families in all aspects of their child's educational experience and reflect on pedagogical decisions which leads to empowering children.

We aim to teach students that mutual rights are essential if we are to cooperate with one another at school in such a way as to enable good learning in the classroom and to construct a social environment around the school. In order to guide responsible behaviour, we have rules. Student behaviour should reflect our School philosophy.

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

The School's approach to discipline and behaviour management is outlined in the Behaviour Management procedure. This document is located in the policy folder. These are available to all members of the school community online via the school website and staff have access to this in the staff handbook.

It is publicly recognised that a strength of independent schools is the ability to maintain discipline and deal with disciplinary matters quickly and effectively to ensure that a positive and productive learning environment is maintained for all students.

To be a registered school, it is a requirement of a non-government school to have disciplinary procedures that are based on principles of procedural fairness.

Procedural fairness is a basic right of all when dealing with authorities. Procedural fairness refers to what is sometimes described as the 'hearing rule' and the 'right to an unbiased decision'.

The 'hearing rule' includes the right of the person against whom an allegation has been made to:

- 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' include the right to:

- impartiality in an investigation and decision making;
- an absence of bias by a decision-maker, and

The review mechanism adds to the fairness of the process.

The AIS holds the view that the right of review or appeal depends on the circumstances of each individual case and it is not a necessary component of providing procedural fairness. For the purposes of helping you to meet the requirements of registration we suggest that you may wish to limit this to situations where suspension or expulsion could be the outcome or disciplinary proceeding. This is a decision to be made by each school. In addition, where there is to be a review mechanism, it is important to carefully consider how this should be afforded. For example, if a school decides that the school council or chair of the council should review a decision there is a risk that the authority of the Principal could be undermined, however it would not be a proper review if the Principal made a '*final*' decision and then heard an appeal. These processes need careful consideration.

Students are required to abide by the School's rules and to follow the directions of teachers and other people with authority delegated by the School. Positive behaviour is a developmental process and setting limits helps children to feel secure in their world. Positive behaviour is instructive when it:

- supports self-esteem;
- is friendly with error and creates opportunities for self-correction;
- takes into account age, ability and understanding;
- is caring and expressed positively;
- guides, gives simple explanations and offers alternative, appropriate choices;
- is consistent; and
- is based on self-discipline and self-control.

The School has in place various programs that support the student to develop positive discipline. These include:

- Grace & Courtesy lessons are designed to answer the child's need for order and social structures in their environment. They give the child the vocabulary, actions and steps required for them to build awareness and responsiveness of those around them.
- Montessori Peace educational program which contains the children's study of Peoples of the World through to learning about the Fundamental Needs of Humans. Emphasis is placed on the family of humankind and the interrelationship of all life. Montessori children begin to realize that they are not separate from the rest of the world but are an integral part of creating a harmonious world.
- Grow Your Mind (GYM) program which is included in the curriculum to enhance an overall positive wellbeing culture within the whole school. It positions the school culture within the whole school, throughout all ages integrating different values that align with the Montessori philosophy.
- complements Montessori studies by supporting children through the process of recognising their feelings as they relate to friendships. Learning about body language, non-verbal communication and developing the ability to hold respectful conversations.
- Practical Life curriculum develops the children's care of the person and their immediate environment.

General consequences examples for inappropriate behaviour, with actions taken should be logical, unemotional, compassionate, reflective and empowering:

- redirection
- apology
- observing positive behaviour in others
- separation in class
- separation in another class or office
- referral to Principal
- loss of privileges
- contact with parents

Overarching Guidelines for Behaviour

- respect of self, others and the environment.
- freedom carries responsibilities.
- there are consequences to behaviour.
- consequences take into account the age and ability of the child.
- consequences are stepped: -
 - Step 1: behaviour is dealt with by the Class Director
 - Step 2: interventions are put in place and evaluated
 - Step 3: parents are notified of behaviour and work together with the school to address the current issues
 - Step 4: behaviour is referred to the Principal.
 - Step 5: Depending on the behaviour a Risk Management Plan can be developed to support the student overcome anti-social and unacceptable behaviour involving possible harm of others in school

Where a student disregards rules, disobeys instructions or otherwise engages in conduct which causes or may cause harm, inconvenience or embarrassment to the School, staff members or other students, the student may be subject to behaviour management.

The disciplinary procedures undertaken by the School vary according to the seriousness of the alleged offence. Where the allegation, if proved, may result in suspension or expulsion, the student and parents will be informed of the allegations and procedural steps to be followed in dealing with the matter. 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 penalties imposed vary according to the behaviour and the prior record of the student. At the lower end of the scale, an admonition or detention may be appropriate. At the upper end of the scale, the behaviour could result in suspension or expulsion.

Suspension or expulsion

The following are suggested options only to assist in determining when and how to apply processes that might result in the suspension or expulsion of a student, and what review and appeal rights, if any, are afforded to students in such situations.

Where the offending behaviour is of such a nature that it may result in suspension or expulsion, the student will be:

- (a) informed of the alleged infringement;
- (b) informed as to who will make the decision on the penalty;
- (c) informed of the procedures to be followed which will include an opportunity to have a parent or guardian present when responding to allegations; and
- (d) afforded a right of review of appeal.

A range of review options are in place to satisfy the legislative requirements. These include one of, or a variation of, the following:

Option 1

The Assistant Principal will reach a decision in relation to the allegation having consulted with the relevant parties and recommend the penalty to be imposed to the Principal. The parents will be informed of the finding and recommendation and may make representations to the Principal in respect of the finding and recommendation. The Principal then makes a final decision;
or

Option 2

The Principal will reach a preliminary decision in relation to the allegation having consulted with the relevant parties and any proposed penalty and advise the student (and parent/s) of the view. The student (and parent/s) would be advised that if they wish this preliminary decision to be reviewed they may make application for a review to the Principal and submit any information they want to be considered during the review process. The Principal will then either confirm the preliminary decision as final decision or amend the preliminary decision based on the additional information provided;

or

Option 3

The School Board is the body that makes the final determination in relation to disciplinary matters that may result in suspension or expulsion. The procedures followed are those set out in Option 1 and 2, but the finding and recommendations are made by the Principal.