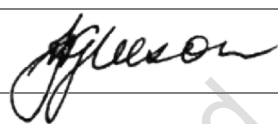




Student_Discipline Policy and Procedure

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Author:	M Gleeson	Next Review:	12 May 2025
Administered:	CEO	Signed:	

1 Purpose

The Student Discipline Policy seeks to promote a respectful, secure and healthy environment in which students grow to be responsible, self-disciplined and contributing members of society. This policy provides clarity and detail about the College Discipline system and procedures.

2 Scope

The Student Discipline Policy and its procedures apply to all staff and students of the Hunter Trade College.

The procedures apply to student behaviour at College and when travelling to and from College, work placement and any College-approved activities. They may also apply outside of College hours, where there is a connection between the student's behaviour and the College. Connections include using social networking sites, mobile phone and other technology to threaten, bully or harass another student or staff member for College related issues.

3 Definitions

BMC	Behaviour Monitoring Card
CEO	Chief Executive Officer
the College	Hunter Trade College
College Cornerstones	The four overarching student behavioural guidelines: <ul style="list-style-type: none"> • Respect for self and others, • Work completed on time, • Dressed correctly for College and the workplace, • Attendance and punctuality.
Corporal punishment	means the use of physical force toward a person to control or correct behaviour, with the intent of causing some degree of pain or discomfort. Corporal punishment includes smacking, belting, hitting and caning.
Parent	Also includes any person or persons having care of custody of a student (carer)
SchoolPro	Student Information Software

Student Code of Conduct	Student behaviour standards defined by the College Cornerstones
WHS	Work Health and Safety

4 Responsibilities

CEO	<ul style="list-style-type: none"> Oversees student discipline investigations and determines disciplinary actions relating to short or long suspensions and expulsion. The CEO may delegate responsibility for disciplinary actions to another appropriate person, except for expulsion. In this policy, a reference to an action for the CEO includes their delegate (except for expulsions). Ensures the policy and procedures are readily available to all employees and students and are publicly accessible through the College website.
Assistant Principal	<ul style="list-style-type: none"> Manages student behaviour according to the provisions of this policy. May act as a delegate of the CEO for behavioural matters, including recommendations for suspensions.
Teachers	<ul style="list-style-type: none"> Consistently apply student discipline policy and procedures.
Students	<ul style="list-style-type: none"> Take responsibility for complying with the student code of conduct. Follow through agreed corrective actions arising from a disciplinary process.
Parents	<ul style="list-style-type: none"> Support their young person to comply with the College cornerstones and code of conduct. Work cooperatively with the College to resolve behavioural problems.

5 Policy and Procedures

The College aims to deal with student disciplinary matters quickly and effectively, to maintain a positive and productive learning environment for all students

All student discipline guidelines and procedures must address and observe the principles of procedural fairness.

Students accept a place at the College after a successful application process. Each student choosing to enrol at the College commits to the four College cornerstones as part of the application process. The College cornerstones underpin the student discipline process and form the basis of behaviour expectations of students. Parents and students formalise this commitment by signing the agreement on enrolment.

5.1 Procedural Fairness

Procedural fairness is a fundamental right of all individuals dealing with authorities. Procedural fairness is sometimes known as the '*hearing rule*' and the '*right to an unbiased decision*'.

The '*hearing rule*' includes the right of the person who is the subject of an allegation to:

- know the allegations related to a specific matter and any other information which the decision-maker will take into account in considering the issue;
- know the process by which the decision-maker will consider the matter;
- respond to the allegations;
- know how to seek a review of the decision made in response to the allegations.

The right of a person to an impartial decision includes the right to:

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

The review mechanism adds to the fairness of the process.

The College community expects all College personnel to follow these principles in disciplinary matters, especially when dealing with consequences of a serious nature, such as suspensions and expulsions.

As part of these guidelines, the CEO should:

- arrange an interpreter for any parents requiring language support;
- consider any reasonable adjustment that a parent with a disability may require to participate in any meetings; and
- ensure that students and parents have access to relevant policies and procedures.

While it is preferable for investigating and decision-making to be carried out by different people, in the College setting this may not always be possible.

If the CEO is both investigating and deciding the outcomes of an investigation, he or she must be reasonable and objective. Ultimately, the CEO must act justly and be seen to act justly. While it is challenging to combine the roles of investigator and decision-maker, it is acceptable given the nature of the CEO's responsibilities. Nevertheless, it is always preferable to have another appropriate person carry out the investigation.

6 Student Code of Conduct based on the Cornerstones

Respect for self and others	Work completed on time
R1 Follow reasonable instructions R2 Always follow WH&S policy and procedures R3 Only use mobile phones in classrooms with teacher permission. R4 No eating or drinking in class (other than water, or as specified in a health plan) R5 Listen and be involved in learning activities R6 Value and maintain College equipment R7 Always be honest R8 No offensive language R9 No fighting R10 No stealing R11 No bullying R12 No disrespectful behaviour R13 No drugs or alcohol	W1 Attempt all set work to the best of your ability W2 Complete all set work on time W3 Submit all homework and assessments by the due date W4 Seek assistance from staff when needed W5 Return all equipment to its correct place at the end of each lesson W6 Submit work placement timesheets to the Student Services Office each week W7 Report to Student Services, any health or medication changes that may impact on your ability to work safely
	Dress correctly for College and the workplace
	D1 Wear complete uniform to, during and from College D2 Tuck shirts in when in workshops D3 Wear steel-capped boots at all times D4 Wear Personal Protective Equipment (PPE) in workshops
	Attendance and punctuality
	A1 Be responsible for managing your time A2 Arrive at College and class on time A3 Bring all equipment required and be prepared to learn A5 Notify Student Services if you are late A6 Notify Student Services of early departure before leaving the College site A7 Notify your workplace employer and the College if you cannot attend a work placement

7 Behaviour Monitoring Card (BMC) System

Learning is most effective when students and teachers work together in an atmosphere of mutual respect. The College reasonably expects students to follow the Student Code of Conduct at all times. The Behaviour Monitoring Card (BMC) System is a coordinated intervention, based on the principles of procedural fairness, to assist and manage student behaviour at the College.

The BMC System supports interventions for behaviour that does not meet the College's Code of Conduct.



Note: The CEO may become involved during any of these phases.

Phase	Actions
Phase 1: Use in-class measures	<ul style="list-style-type: none">• Teacher empowerment through strategies which allow for student engagement.• The teacher mentors, models and reaffirms the Cornerstone values and College expectations for student behaviour.• The teacher uses their teaching and learning skills to manage their classroom.• Where a student does not respond to teacher intervention, the teacher:<ul style="list-style-type: none">○ continues with in-class measures;○ logs the behaviours of concern on SchoolPro;○ emails the Assistant Principal; and○ contacts the student's parent to seek initial support to help resolve the behavioural problems.
Phase 2: Issue BMC	<ul style="list-style-type: none">• If unacceptable behaviours continue and the student is making no effort to cooperate, the teacher may issue a BMC.• When a teacher places a student on a BMC, they must discuss with the student:<ul style="list-style-type: none">○ behaviours for restoring the areas that need to be improved, stopped or corrected immediately;

Phase	Actions
	<ul style="list-style-type: none"> ○ the consequences of not meeting the BMC goals; ○ review by teachers of the student's progress in meeting the targets; ○ self-review by the student of target achievement; ○ a clear end-point to the intervention; and ○ a return to behaviour that meets the College Cornerstones. • The BMC records student achievement of behavioural goals to resolve unacceptable conduct or WHS breaches. The teacher may issue a BMC in any one week for a maximum of three (3) days for a Year 11 student and two (2) days for a Year 12 student (whole days only). • The teacher: <ul style="list-style-type: none"> ○ logs details of the BMC on SchoolPro; ○ records the BMC on the BMC register; ○ emails the Assistant Principal; and ○ contacts the student's parent or carer to advise them that the student is on a BMC. • The Assistant Principal will maintain a daily BMC summary on the staff lunchroom whiteboard. • The student presents the BMC to each teacher on the nominated days, and each teacher provides feedback on goal achievement. Teachers must give honest feedback to the student. • The student returns the BMC to the Assistant Principal at the end of each day. • The Assistant Principal monitors the student's progress and determines the success, or otherwise, of the BMC. • At the end of the BMC (1 to 3 days) the Assistant Principal: <ul style="list-style-type: none"> ○ gives the BMC to Student Services, who sends a copy to the parent and places the original in the student's file. ○ gives a copy of the BMC to the issuing staff member with feedback on the outcome.
Phase 3: Facilitate family interview and improvement plan	<ul style="list-style-type: none"> • If the behaviours continue, the Assistant Principal or CEO: <ul style="list-style-type: none"> ○ meets with the parent/s and student to discuss the behavioural issues. ○ may involve other relevant College teaching or support staff. ○ negotiates an Improvement Plan for agreed actions. ○ logs the details onto SchoolPro. ○ informs relevant teachers/staff by email, providing access to the Improvement Plan. ○ may issue a suspension warning letter.

Phase	Actions
Phase 4: Review suitability for continued enrolment	<ul style="list-style-type: none"> • If the student fails to respond to Phases 1 – 3 and the behaviour problem continues, the College will use additional disciplinary/support strategies, which may include internal and external suspension options. • If a student is on a BMC three (3) times in any one Term, the student will have an interview involving their parent and the CEO. The interview may include other relevant staff. The interview may also include reviewing continued enrolment at the College.

8 WHS Breach Procedures

The College views breaches of WHS policy or procedures as having the potential to create a serious risk of injury to students and staff.

- A staff member witnessing a WHS policy or procedure will identify the breach to the student, identify the risk created and issue a formal WHS breach notice to the student.
- The student must negotiate corrective actions and agree to implement the corrective action.
- The staff member gives a copy of the WHS breach notice to College administrative staff, who log the breach notice in SchoolPro and email a WHS breach letter to the parent.
- Engagement in frequent WHS breaches (three or more in a term) or participation in a breach that causes serious injury or damage to equipment may result in a suspension. The suspension may include College workshops, the work placement program or, depending upon the seriousness of the matter, a suspension from all College programs.
- See also College Alcohol and Other Drugs Policy.

9 Suspension

Suspension means the temporary withdrawal of a student's right to participate in and attend regular College activities, which may also include work placement. Suspension also allows time for the College to plan appropriate support for the student's re-entry or to provide for the safety of students and staff.

Suspension is a serious disciplinary measure and should only be used when other disciplinary actions have not produced a satisfactory outcome. The suspension length will vary depending on the nature of the incident and the purpose of the suspension.

The CEO is the only person with the authority to suspend a student.

Before considering a suspension for behavioural issues, the College must have:

- applied and documented appropriate welfare strategies and discipline options.
- considered the safety, care and welfare of the student, staff and other students.
- involved appropriate support personnel.

- discussed specific unacceptable behaviour with the student and parent.
- established communication processes that include the student and the student's parent.

9.1 Immediate Suspension

The CEO may determine that the student's behaviour poses a serious risk to safety within the College and suspend the student immediately to allow College staff to investigate an incident. Reasons for immediate suspension include:

- i) serious risk to the safety of students or staff resulting from unacceptable behaviour, harassment, violence, or threats of violence,
- ii) the presence of a firearm, prohibited weapon (as defined by Schedule One of the Weapons Prohibition Act) or a knife,
- iii) the use, supply or possession of suspected illegal drugs or drug paraphernalia, or
- iv) engages in serious criminal behaviour related to the College.

9.2 Short Suspension

Short suspensions are suited to minor instances of matters such as refusing to follow staff instructions, defiance, disrupting other students, use of alcohol, smoking, property damage, offensive language, bullying, cyberbullying, verbal abuse and the transmission of verbal abuse by email, text messages and social media. Short suspension are also suitable for issues occurring outside of College hours with a clear and identifiable link to the College.

The CEO may impose a short suspension of up to and including four (4) College days. The suspension may be internal or external.

For a short internal suspension, the student must attend College, but will not participate in regular classes and other usual daily activities. College teaching staff will supervise a student in a separate room during the internal suspension.

For a short external suspension:

- The CEO may suspend a student in accordance with the Student Discipline Policy.
- If the unacceptable behaviour persists after two short suspensions, the CEO will consider a longer suspension.

9.3 Long Suspension

If short suspensions have not resolved the problem, or the misbehaviour is so severe as to warrant a lengthy suspension, the CEO may impose a long suspension of up to and including twenty (20) school days. Given the seriousness of long suspension, the College must give particular emphasis to procedural fairness.

The CEO should consider a long suspension for all matters listed under 5.5.1 Immediate suspension and for persistent or serious misbehaviour

For a long suspension, the CEO:

- must hold a formal disciplinary interview with the student before deciding to suspend the student.

- must ensure that the student knows what the suspension is for and that the student has an appropriate support person present at the interview.
- must keep a record of the main points of the discussion.
- must convene a meeting to resolve the suspension with the student and parent, at the earliest opportunity.

9.4 Deciding, Notifying and Resolving a Suspension

i) Pre Decision

- In some cases, the College may impose an internal suspension to provide College staff with time to adequately investigate a reported and serious breach of the code of conduct. The College will invite the parent and student to attend a meeting at the College to discuss the investigation and to finalise the disciplinary decision.
- Some allegations, if proven, are likely to lead to an external suspension. In this case, the College will offer a student(s) alleged to be responsible for the breach a support person during investigation meetings. If the support person is a staff member, they must be one who is not involved in the incident.
- The support person's role is to monitor the student and request a short break in the meeting if the student becomes distraught. The support person does not act as an advocate for the student or the College.

ii) Decision

- The CEO is the only person with authority to suspend a student.
- The CEO must inform the student of the precise grounds on which he or she is considering the suspension.
- The student must have an opportunity to respond.
- The CEO must consider the student's response before finalising a suspension decision.

iii) Notification

- The College must not send a student home before the end of the College day without informing the parent, and if necessary, reaching agreement about arrangements for the parent to pick the student up from the College. The CEO must ensure that the student has adequate supervision until the College makes those arrangements.
- The CEO must provide a suspension notification to parents in writing as soon as practicable after verbal notification. The notification must include:
 - notice of the suspension.
 - the date and probable duration of the suspension.
 - the reasons for the suspension.
 - an expectation that the student will continue their studies while on a suspension.

- a program of work, provided by the College, for the student to continue their studies while on long suspension.
- the importance of parental assistance and cooperation in resolving the matter.
- The CEO must inform relevant/appropriate staff, including the College Executive.
- If the CEO is considering proceeding to expulsion from the College, the suspension notification should include this intention.

iv) Resolution

- Once a suspension commences, the CEO must convene a meeting with the student and parent to resolve the suspension and facilitate the student's return to College, at a mutually agreed time.
- During the suspension resolution meeting, the CEO and parent will discuss appropriate pastoral care strategies to assist the student. Strategies may include developing an improvement plan indicating expectations regarding the student's behaviour and monitoring of student behaviour. They may also include referral to appropriate youth counselling services.
- The meeting should discuss recommendations from any counsellors involved with the student and those of the College's learning support team.
- The CEO must explain to the student and parent the consequences of continued unacceptable behaviour.
- Parents have the right to a support person acceptable to both CEO and parent at the resolution meeting (e.g. a member of the local Aboriginal Education Consultative Group or an interagency support worker). The responsibility for organising a support person rests with the student or parents.
- The role of the support person is to monitor the situation and request a short break in the meeting if the parent becomes very upset. The support person does not act as an advocate for the parent or the College.
- Where possible, the CEO should also have a support person present during the meeting.
- Where a parent is unable to attend a suspension resolution meeting due to unavoidable circumstances, the CEO will consider the individual merits of the case and enable the student to return to College on or before the concluding date of the suspension period
- The CEO will complete a risk assessment to determine whether a student returning from a suspension related to violence or weapons poses a risk to staff, students or other persons.

10 Expulsion procedures

Expulsion means the total and permanent exclusion of a student from attendance at College.

Expulsion is an extreme disciplinary step reserved for cases of gross misconduct, extremely serious breaches of school rules and behaviour that is persistently disruptive or dangerous.

Expulsion is a sanction of last resort when other disciplinary measures, including suspension, have not produced a satisfactory outcome. In deciding to expel a student, the CEO must give careful consideration to the welfare of the student and the overall impact of the student's continued presence on the welfare and safety of students and staff.

The CEO must ensure, except as a result of a most serious incident, that the College has implemented and documented all appropriate welfare strategies and discipline options, before expelling a student. The student must receive at least one formal written warning that the CEO is considering such action.

The College will work with the student and their parent to assist the student's transition to other education/ training or employment opportunities.

10.1 Deciding on and Notifying an Expulsion

i) Decision

- The CEO is the only person with the authority to expel a student.
- Before deciding to expel a student, the CEO must inform the student and the parent of the precise grounds on which he or she is considering expulsion.
- The student must have the opportunity to respond.
- The CEO must consider the student's response before deciding to expel the student.

ii) Notification

The CEO must take the following steps after deciding to expel a student:

- Ensure the College does not permit the student to leave the College before agreeing with the parent on transport arrangements.
- Provide notification of expulsion to parents in writing as soon as practicable after verbal notification. The notification must include:
 - notice of the expulsion, stating the student's/parents' right to appeal the decision and the appropriate procedures for submitting an appeal.
 - the reason/s for the expulsion.
- Inform relevant/appropriate staff.
- Assist the student to find suitable alternative placement in training or employment or another school.
- Document all steps and record any interview in writing, retaining the records and correspondence on file at the College.

11 Independent Students

All steps applying to students for managing behaviour, also apply to independent students, except that the interviews would not include a parent. An independent student has the right to a support person under the same conditions as a dependant student or parent. The College will provide written notifications to the independent student.

12 Use of Corporal Punishment

The College prohibits the use of corporal punishment. College employees must not promote or condone the use of corporal punishment by parents or any other person, to enforce discipline at the College.

13 Notification to Police

Where the NSW Police Force is investigating a serious incident and the CEO is considering suspending or expelling a student, he or she should liaise with the Police. Liaison helps to ensure that any potential police investigation is not compromised.

Parents retain the right to report a serious incident involving their young person to the Police. Police will determine their involvement, and the College will cooperate with Police.

14 Right of Appeal

Students and parents who consider that the College has not followed correct procedures or that the College has made an unfair decision may appeal the decision.

The appeal must be made to the CEO in writing, within five working days of receiving notification of the student discipline decision, stating the grounds for the appeal.

The CEO should, where possible, involve an independent person in reviewing decisions, such as a senior member of staff not involved in the original investigation or decision, or a College Board member. The person or persons considering the appeal will:

- consider the matter promptly;
- keep the person making the appeal aware of the progress and discuss relevant issues with them
- review all relevant material
- discuss relevant issues with other parties, where appropriate
- advise all parties of the appeal decision and the reasons for reaching the decision
- determine what further action is to be taken, such as improvements to procedures
- keep a record of the appeal.

A suspension stands while an appeal is being considered. Lodging an appeal does not put on hold, the CEO's decision to suspend or suspend before expulsion from the College.

15 Variation

The College reserves the right to review, vary or revoke this policy and procedure.

16 Record keeping

The College will record details of the suspension in SchoolPro and the College Suspension Register and it will retain all relevant documentation on file.

Record keeping and access will be consistent with the Privacy and Record Retention policies.

17 Reference Documents

- Alcohol and Other Drugs Policy
- Pastoral Care Policy
- Procedural Fairness Policy
- Registered and Accredited Individual Non-Government Schools (NSW) Manual

Uncontrolled Document when printed

18 Document History and Version Control (not for publication)

Version	Date	Authorised Officer	Amendments
1.0	13.05.2008	K Day	Original
1.1	03.06.2009	A Holcombe	Minor Amendments
1.2	03.06.2009	S Kriz	Change College name, Logo, Change of Approval from Board to CEO and minor amendments
1.3	12.01.2011	C Swanson	Addition of WHS breach system
1.4	03.2012	A Holcombe	Converted to current document templates. Amendments to clarify format and content.
1.5	25.08.2014	A Holcombe	Minor amendments to the SIM card parent notification process and periodic review. Amended to current policy format.
1.6	30.11.2016	A Holcombe	SIM changed to BMC. Process added for feedback to teachers. Role of support person added. Detail added about suspension and pre-suspension processes.
1.7	17.04.2020	L McCann	Updated formatting. Changed SMCC to AP
2.0	14.07.2020	M Gleeson	Extensive review and consultation. Scope extended to incidents outside College. Added Police liaison. Updated CEO and AP responsibilities. Included additional guidance notes. Added appeals process. Added arrangements for independent students.
2.1	12.05.2022	M Gleeson	Minor change Behaviour "Management" Card to Behaviour "Monitoring" Card. Remove mobiles not to be used in workshop as used to photograph work under instruction of teacher.