

RESPONSE TO UNACCEPTABLE STUDENT BEHAVIOUR PROCEDURES

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1 PURPOSE

CET takes instances of unacceptable behaviour by students seriously. It has a duty of care to ensure the safety and well-being of not just the individual student involved, but also to all the other students and staff in its care.

In handling incidences of unacceptable student behaviour, the student should be treated fairly, with respect, dignity and appropriate pastoral care offered to the student and their family.

This procedure outlines how Catholic Schools in Tasmania and the Tasmanian Catholic Education Office (TCEO) are handle cases of unacceptable student behaviour, including the provision of support and assistance to a student so as to reduce the likelihood of action being taken including internal or external suspension, negotiated transfer or expulsion.

2 WHO DOES THIS PROCEDURE APPLY TO

This Procedure applies to all Catholic Schools operating in the Archdiocese of Hobart.

3 REQUIREMENT FOR A BEHAVIOUR PROTOCOL TO BE DEVELOPED IN EACH CATHOLIC SCHOOL

- 3.1 Schools must have a Behaviour Protocol (or equivalent document) which has a process for responding to and managing unacceptable behaviour of a Student at an operational level.
- 3.2 The Behaviour Protocol is to align with the Response to Unacceptable Student Behaviour Policy and the requirements of this procedure.
- 3.3 Because of the difference circumstances that Catholic Schools in Tasmania operate in, each school is to develop their Behaviour Protocol with reference to their circumstances. As such each Catholic School has discretion, within the bounds of the Response to Unacceptable Student Behaviour Policy and this procedure to develop a suitable Behaviour Protocol.

4 CONTENT OF BEHAVIOUR PROTOCOL

Preliminary

4.1 A Behaviour Protocol and its processes are to be written in accessible language. The use of diagrams and flowcharts is encouraged to improve accessibility for Staff, Students, parents and carers.

4.2 The Behaviour Protocol is to:

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- a) State the school's focus on developing an understanding of why the Student is displaying such behaviour and responding to the behaviour without formal action being taken (where possible), including in the particular context of the school. The focus will be different depending on whether the Student is primary or secondary, or enrolled at a flexible learning centre. Each school is to consider its own circumstances.
- b) Explain the consequences of unacceptable behaviour and detailing the positive behaviour support that can be provided to avoid formal action being taken.
- c) Set out the processes to be undertaken by the School in response to unacceptable Student behaviour and how outcomes of an internal suspension, external suspension, transfer or expulsion of the Student may be implemented. This needs to include a risk assessment.
- d) Include a process for immediate exclusion where there is an immediate threat to the health and safety of other students or staff.

5 PROCEDURE IN BEHAVIOUR PROTOCOL

- **5.1** A Behaviour Protocol is to set out procedures that account for the following:
 - **5.1.1** The overarching principle is that reasonable options are to be considered by the Catholic School in dealing with unacceptable behaviour of a Student before implementing a response under the Response to Unacceptable Student Behaviour Policy.
 - **5.1.2** Where unacceptable behaviour has occurred, the School is to contact Student's parents to inform them of the relevant behaviour and give information about the behaviour.
 - **5.1.3** There is to be a reasonable opportunity for the Student, or the Student's parents, or both, to respond to any allegations of unacceptable behaviour.
 - 5.1.4 If the Student's unacceptable behaviour continues to occur after the Catholic School has followed its Behaviour Protocol, the Principal is to contact the relevant Principal Lead (North, North West, South or Southern Secondary) regarding taking action under the CECT Response to Unacceptable Student Behaviour Policy to internally or externally suspend, negotiate a transfer, or expel a Student. If immediate action is required by the Principal to protect the health and safety of others in the school, Principals are to inform the Principal Lead of the action taken within 24 hours.
 - **5.1.5** Where an outcome under the Response to Unacceptable Student Behaviour Policy is to be implemented, the Principal (or their delegate) must:

(a) Write to the Student's parents stating the reasons for the actions taken regarding

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the Student.

- (b) Clearly identify the relevant rules, policies, standards, protocols of behaviour breached.
- (c) Meet with or speak to the Student and the Student's parents and/or support person to explain the reasons for any action to be taken, and provide an opportunity for a response to be provided.
- (d) Explain to the parents that the situation has escalated to an unacceptable level and the Student's unacceptable behaviour warrants either internal or external suspension, negotiated transfer or expulsion.
- 5.1.6 In any meeting to respond to allegations or discuss outcomes under the Response to Unacceptable Student Behaviour Policy, the Student must have the support of an adult support person of their choosing and the School will ensure the Student's choice of an adult support person is accommodated before proceeding. An adult support person can be a school staff member, school counsellor, a family member such as parent/guardian, older sibling, aunt, or uncle etc. The school must arrange for an interpreter if one is required.
 - (a) The school is to ensure that the outcomes of all meetings/calls undertaken are recorded in writing with a copy to be placed on the Student's confidential file and provided to the parents, which can be by email.
 - (b) Responses to Unacceptable Student Behaviour should be in accordance with the principles of evidenced based practice and therefore at the earliest signs of problematic student behaviour, Principals should endeavour to ensure that Risk Assessments and Behaviour Management plans are completed and updated accordingly. This practice will aid schools in their interactions with parents/caregivers and to keep them abreast of what the school is attempting to do to improve the students' behaviour.
- 5.2 In developing a Behaviour Protocol and processes, the Principal may seek the assistance of the TCEO if necessary.

6 GENERAL MATTERS

Suspension generally

6.1 All instances of the internal suspension, external suspension, negotiated transfer or expulsion of

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a Student are to be overseen by the Principal at the school level, and must be approved by the appropriate level at the TCEO as outlined in the CECT Response to Unacceptable Student Behaviour Policy.

External suspension

- 6.2 If a decision is made to externally suspend a Student for unacceptable behaviour, the initial period of suspension will be for a maximum of 10 school days. Periods of suspension are not to be allocated consecutively.
- 6.3 Any final period of external suspension that will be longer than 10 school days is to be forwarded to the Principal Lead for approval.
- 6.4 In the case of any external suspension, the school is to provide a clearly documented education plan as to how the Student will continue with their education whilst suspended and nominate a staff member as a point of contact during the period of external suspension. This education plan is to consider the period of suspension, and all staff should support this process. A copy of the education plan is to be given to the Student and/or the Student's parents, and a copy placed on the Student's confidential file.
- 6.5 At the end of a period of an external suspension the Principal or delegate is to meet with the Student, Student's parents, and relevant staff to develop an education plan for re-entry in the school that is consistent with the CECT Response to Unacceptable Student Behaviour Policy. A copy of this education plan is to be provided to the Student and/or Student's parents, and relevant staff. A copy is to also be placed on the Student's confidential file.
- 6.6 If there is an immediate threat to the safety of the students and staff from the behaviour of another Student, the Principal can immediately externally suspend the Student and follow up with the Principal Lead regarding the situation.

Following suspension – reintegration meeting

- 6.7 At the end of a period of external suspension, the Student and/or the Student's parents are required to participate in a meeting with the school Principal or delegate and relevant staff members to:
 - a) develop and provide an education plan for re-entry in the school that is consistent with the CECT Response to Unacceptable Student Behaviour Policy; and
 - b) set a mutual understanding between the parties for the future direction of the Student's learning and expected behaviour, and develop strategies to implement this agreed understanding.

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The outcomes of this meeting will be recorded in writing and a copy provided to the Student and Student's parents.

A copy will be placed on the Student's confidential file.

Expulsion

- 6.8 The expulsion of a Student should only be used as a last resort when all other reasonable alternatives have been exhausted, or there is a serious risk to the safety of students and staff in the school's care.
- 6.9 Where a Principal is considering that expulsion is a potential outcome, they must refer the matter to the Executive Director or Deputy Executive Director/s of Catholic Education Tasmania for consideration. The Executive Director or Deputy Executive Director/s of Catholic Education Tasmania will advise the Principal Lead and Principal of the school of his/her decision.
- 6.10 If a decision to expel a Student is overturned by the Executive Director or Deputy Executive Director/s of Catholic Education Tasmania as result of a review process, the Student and the Students Parents must participate in a reintegration meeting prior to resumption of attendance. The meeting is to:
 - a) develop and provide an education plan for re-entry in the school that is consistent with the CECT Response to Unacceptable Student Behaviour Policy; and
 - b) set a mutual understanding between the parties for the future direction of the Student's learning and expected behaviour and develop strategies to implement this agreed understanding.

The outcomes of this meeting will be recorded in writing and a copy provided to the Student and Student's parents. A copy is to be placed on the Student's confidential file.

Criminal matters

6.11 If the action of the Student is considered to potentially be a breach of the criminal law, the matter will be referred to Tasmania Police. Example of such conduct would include (but is not limited to) cases of serious violence or assault against teachers or other students; theft of valuable items from the school, staff, other students or generally while in school uniform; and use/sale of illegal drugs.

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7 RESPONSIBILITIES

ROLE	RESPONSIBILITY
Principals of Catholic Schools	a) Familiarise themselves with and comply with this Policy and Procedure
	b) Ensure that the School has a School Wide Positive Behaviour Protocol or equivalent document and relevant processes, endorsed by the School Board and the Principal Lead.
	c) Ensure a copy of the Behaviour Protocol or equivalent document is published on the school website. The school website must also have a link to the CECT Response to Unacceptable Student Behaviour Policy on the CET Website.
	d) Ensure that all school staff are aware of and familiar with the school's Behaviour Protocol or equivalent document and processes and the CECT Response to Unacceptable Student Behaviour Policy and Procedures.
	e) Ensure communication with all parties involved throughout any action taken under the Response to Unacceptable Student Behaviour Policy is occurring.
	f) Record all action taken in response to a Student's behaviour in the Student's confidential file to ensure the school has a complete record of issues and actions. Action taken to externally suspend or expel a Student must also be recorded using the relevant CETKP form.
	g) Ensure that any documentation is stored in a secure manner and within the parameters of the <i>Privacy Act</i> , especially in relation to sensitive information and health information.

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	h)	Ensure that any child safety notifications and mandatory reporting has been completed.
Principal Lead	a)	Familiarise themselves with and comply with this Policy and Procedure
	b)	Can organise an audit by the TCEO of a Catholic School's Behaviour Protocol or equivalent document and its processes at any time for compliance, to ensure alignment with the CECT Response to Unacceptable Student Behaviour Policy and Procedures.
	c)	Consider external suspension matters in accordance with this Procedure and associated Policy.
	d)	Assist, where required, with facilitating the negotiated transfer of a Student to a new school as outlined in this Procedure.
	e)	Provide advice to the Executive Director of Catholic Education or Deputy Executive Director/s regarding a possible Student Expulsion in accordance with this Procedure and associated Policy.
	f)	Ensure that any documentation is stored in a secure manner and within the parameters of the <i>Privacy Act</i> , especially in relation to sensitive information and health information.
Executive Director of Catholic Education Tasmania or Deputy	a)	Familiarise themselves with and comply with this Policy and Procedure.
Executive Director/s	b)	Consider a recommendation regarding the expulsion of a Student and advise the Principal Lead and School Principal of his/her decision.
	c)	Ensure that any documentation is stored in a secure manner and within the parameters of the <i>Privacy Act</i> , especially in relation to sensitive information and

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		health information.
Teachers and other school staff	a)	Familiarise themselves with and comply with this
		Policy and Procedure
	b)	Are expected to abide by the procedures of a
		Catholic School and the Catholic Education system.
Students and Parents/Guardians	a)	Familiarise themselves with and comply with this
of Students		Policy and Procedure.
	b)	Are expected to abide by the procedures of a Catholic
		School and the Catholic education system as part of
		their enrolment in a Catholic School.

8 RECORD KEEPING

8.1 Refer to Clause 5 in the Response to Unacceptable Behaviour Policy for information.

9 COMPLIANCE (LEGISLATION AND OTHER DOCUMENTS)

9.1 This Procedure relates to the following legislation and guidelines:

Commonwealth legislation

- a) Disability Discrimination Act 1992 (Cth)
- b) Disability Standards for Education 2005 (Cth)
- c) Privacy Act 1988 (Cth)

Tasmanian legislation

- a) Anti-Discrimination Act 1998 (Tas)
- b) Children, Young Persons and Their Families Act 1997 (Tas)
- c) Child and Youth Safe Organisations Act 2023
- d) Education Act 2016 (Tas)

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e) Education Act Regulations 2017 (Tas)

Other

- a) CECT Response to Unacceptable Student Behaviour Policy
- b) School Positive Wide Positive Behaviour Protocol or equivalent and processes
- c) United Nations Convention on the Rights of the Child

10 DEFINED TERMS

7.1 For the purposes of this policy and related policy documents, the following definitions apply:

External Suspension means when a School asks the Student to leave for a short period of time, up to a maximum of ten school days.

Expulsion means when a School removed a Student permanently from the School and terminates the Student's enrolment. Expulsion, depending upon the circumstances, may mean that the Student is also prohibited from enrolling in any other CET School.

Internal Suspension means when a School removes a Student from class and the Student remains on campus under supervision.

Student means any child or young person enrolled in a Catholic School from Kindergarten to Year 12.

Student Transfer means when a School transfers a Student to another School.

7.2 Refer to CECT Terms and Definitions document available on the CET Website for other terms and definitions.

11 FURTHER INFORMATION AND ASSISTANCE

11.1 For further information and assistance in relation to this Policy please contact Advisor: Governance Policy and Research policy@catholic.tas.edu.au

12 REVIEW OF THIS PROCEDURE

- **12.1** This Procedure will be reviewed every four years or earlier if required.
- **12.2** Updated versions of this Procedure will be available on the CET website and on request.

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13 REFERENCES

- 13.1 Department of Education, Secretary's Instruction No. 3 For Unacceptable Behaviour of Students and Volunteers at, and Visitors to, State Schools or School Activities, February 2023, Secretary's Instruction (education.tas.gov.au)
- **13.2** Department of Education, Secretary's Instruction No. 4 For Suspension, Exclusion, Expulsion or Prohibition of State School Students, February 2023, Secretary's Instruction (education.tas.gov.au)

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APPENDIX ONE

EXAMPLE STUDENT BEHAVIOUR PROTOCOL (TO BE CONTEXTUALISED BY INDIVIDUAL SCHOOL)

RATIONAL

At (*Name of School/College*), we value and respect the dignity and uniqueness of each member of the school community. We actively promote positive relationships between students, parents/guardians/carers and staff, which are just, honest and caring, in order to develop a climate of compassionate acceptance and understanding. All strategies, actions and consequences used in behaviour management are in place to encourage positive relationships and, if needed, restore the relationship of students within the school.

In respecting the dignity of all students, it is acknowledged that all students have gifts and strengths that they should be encouraged to display. At the same time, self-discipline, self-reliance and self-respect need to be encouraged and promoted amongst students, thus allowing them to maximise their potential. Mutual respect must be fostered, and students should develop an understanding of the needs for appropriate behaviour and the need for consequences when inappropriate behaviour is displayed.

PURPOSE:

The purpose of this protocol is to create a positive, respectful and safe school environment in which:

- The right of every student and staff to a safe and respectful school environment is protected.
- The right of every student and staff to learn and teach in a mutually supportive environment is protected.
- Each student's agency, right to be heard, and to have a voice in all decisions affecting them is recognised.
- Students, staff, and parents/guardians/carers are able to interact in harmony.
- Positive student behaviours which respect the dignity of each individual are promoted and encouraged.
- Empathy, understanding, responsibility and accountability within the student body are promoted through encouraging students to reflect on choices and the impact of those choices on others.
- Staff and students work restoratively to promote justice for each individual.
- Student behaviour is managed in a just and fair manner according to individual needs, where a clear set of expectations regarding student behaviour is developed and consistently implemented.
- Parents/guardians/carers are kept informed of their student's behaviour, both positive and negative.

KEY PRINCIPLES

- 1. All staff members are expected to encourage students to behave appropriately and to show respect for others.
- 2. Staff are encouraged to use positive and proactive strategies, rather than reactive strategies, when undertaking student behaviour management.
- 3. Acknowledging that a well-planned curriculum, effective teaching and competent management of the classroom are necessary as the foundation for good classroom behaviour management, class teachers will:

- a. Develop the skills, strategies, and attitudes to develop an effective working relationship with students.
- b. Plan interesting and demanding lessons that will engage the students and encourage good behaviour
- c. Assume overall responsibility for gaining and maintaining control over student behaviour in the classroom.
- 4. School leaders will assist teachers who require support/advice in a timely manner.
- 5. Students and staff will be provided with clear, concise instructions and procedures on expected standards of student behaviour.
- 6. Rewards and sanctions need to be applied fairly and consistently, taking into account the age level, individual learning needs and maturity of the students involved.

RESPONSE TO UNACCEPTABLE STUDENT BEHAVIOUR

In order to support (*Name of School/College*)'s focus on developing an understanding of why students engage in unacceptable behaviour and responding to such behaviour without formal action being taken, where possible students, and parents and carers will be supported by staff to:

- Explain the circumstances when unacceptable behaviour has occurred.
- Understand school expectations and know why the behaviour is unacceptable.
- Provide detailed information on the positive change in behaviour expected.
- Obtain any support available to assist with changing the behaviour.
- Be informed of the consequences of continuing or escalating the unacceptable behaviour.
- Inform parents/guardians/carers of the unacceptable behaviour and provide an opportunity for all parties to meet and provide an opportunity to respond.

When addressing student behaviour, staff will endeavor to:

- Do so in a trauma informed and culturally sensitive manner, particularly when talking to the student/s involved;
- Take into account:
 - The age of the student/s involved;
 - Any diagnosis, or suspected diagnosis, of a student with a disability or additional needs of the student/s involved;
 - Any known physical or mental health issues of the student/s involved;
 - Any underlying issue or situation, both know or yet unknown, for the student which may have contributed to the unacceptable behaviour of the student/s.

CONSEQUENCES TO UNACCEPTABLE STUDENT BEHAVIOUR

Where a student engages in unacceptable behaviour, staff will take reasonable and proportionate action in accordance with this Protocol to address the unacceptable behaviour.

Where action available to staff under this Protocol have been exhausted or is insufficient to address the unacceptable behaviour (i.e. the student's behaviour warrants either internal or external suspension or further escalation) and it is proposed that action will be taken in accordance with Catholic Education Tasmania's *Unacceptable Student Behaviour Policy*, the Principal must take steps in accordance with Catholic Education Tasmania's *Unacceptable Student Behaviour Procedure*.

IMMEDIATE THREAT TO HEALTH AND SAFETY

Where a student's behaviour poses or is believed to pose an immediate threat to the health and safety of the student, other students, staff and/or any other person at (*Name of School/College*), staff are to

immediately notify the Principal who will consider, in accordance with CET Unacceptable Student Behaviour Policy, whether to immediately suspend or exclude the relevant student and will refer to the current Risk Assessment and Risk Management Plan for guidance in what responses are required.

EXAMPLE POSITIVE STUDENT BEHAVIOUR MATRIX

	EXAMPLES OF BEHAVIOURS	
I will always	 Allow others to learn Be respectful in both my language and actions Be sensitive to others of different cultural, racial and ethnic backgrounds Respect other people's person space and property 	
In class, I will	 Be on time Bring equipment required to for the class Keep my learning area tidy Allow everyone to have a voice Actively participate in the learning 	
In common areas (stairways, corridors, walkways),	 Leave space for people to access their lockers Move quietly during class time Use an inside voice 	
With ICT, I will	 Use computers for the purposes of learning Report any damage to equipment Follow my ICT Code of Conduct 	
On school grounds, I will	 Respect and care for the environment Use and respect school equipment and property Put rubbish in bins Include others 	
In the community, I will	 Wear my school uniform when representing the school Use respectful language and manners Uphold the values of my school and Catholic Education Tasmania Speak about my school community positively 	

EXAMPLE NEGATIVE STUDENT BEHAVIOUR MATRIX

LEVEL	EXAMPLES OF BEHAVIOURS	SUGGESTED RESPONSES/STRATEGIES
Initial	 Off task behaviour in class Uniform infringement Littering Disrupting the learning environment Non completion of class work and homework Conflict between students Offensive language Failure to follow teacher direction Using a mobile phone in class Sustained failure to complete set tasks Sustained failure to comply with reasonable 	 Verbal correction/confirm expected behaviour Relocation of student to another part of the room or yard Lunchtime detention Discussion with student at recess/lunch Mediation Phone with follow up note to parents/guardians Report on student file (parents/guardians optional) Learning Area Leader (LAL), Year Level Coordinator (YLC), Head of House (HoH), Tutor.
Low	 directions Inappropriate lateness to class/Pastoral Care Group on a number of occasions Continued disruption of the learning environment Failure to attend a lunchtime detention 	 Interview with parents/guardians After school or extra lunch time detentions Apology Interview with LAL, YLC, HoH, Tutor Daily reports for students Counselling Mediation Report on student file and to parents/guardians
Medium	 Smoking/vaping in uniform Possession of offensive material Possession of school-banned items Inappropriate challenging of a teacher's authority Conduct in the public domain that brings the College into disrepute Sustained failure to comply with directions/consequences Vandalism Absent from school or class without permission Bullying/harassment (including cyberbullying) Continued and sustained disruption of the learning environment Racist or otherwise hurtful language/behaviour directed at a person 	Deputy Principal, Year Level Coordinator, Head of House Interview with parents/guardians/carers Apology Suspension – Internal or External Community Service Counselling Mediation Loss of Study Line(s) Report on student file and to parents/guardians
High	 Possession of illicit substances/material Possession of dangerous and prohibited items Serious threats of physical violence Physical violence and/or intimidation Theft or destruction of property Sustained failure to comply with directions Ongoing bullying/harassment (including cyberbullying) and physical behavior with another student 	 Principal Interview with parents/guardians/carers Suspension – Internal/External Immediate removal from class(es) Counselling Referral to police Report on student file and to parents/guardians
Extreme	 Criminal offence Supply and/or distribute illicit substances Sustained failure to comply with School/College expectations Major theft or willful destruction of property Distribution of explicit images Serious physical violence 	Principal - Refer to CECT - Unacceptable Student Behaviour Policy and Procedure

	Immediate	
	Exclusion	
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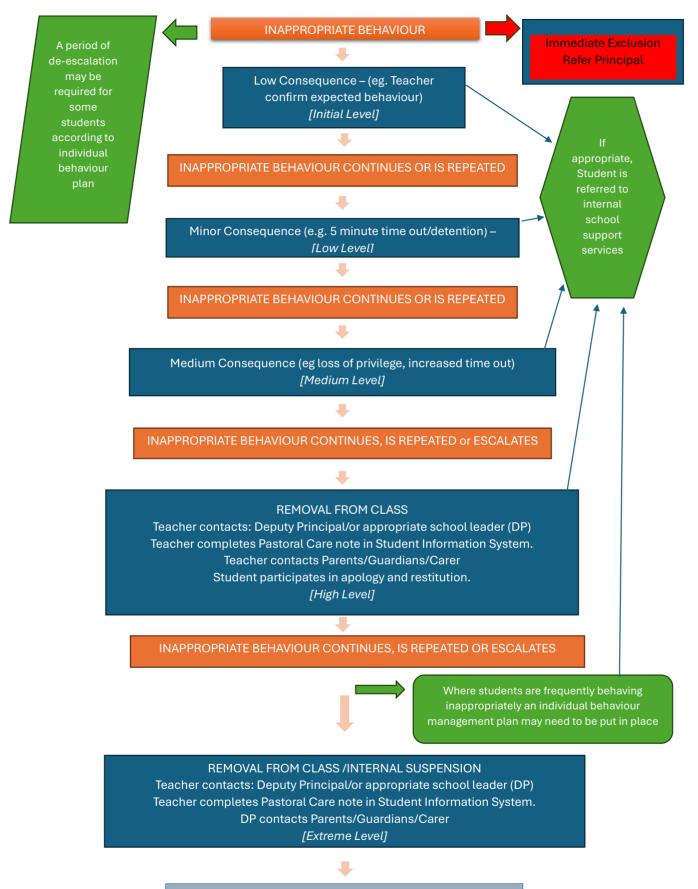
- <u>Serious Criminal offence</u>
- Major theft or willful destruction of property
- Serious physical violence

A Principal will immediately suspend/exclude a Student only where the Principal determines that:

- The student has engaged or is engaging in unacceptable behaviour **and**
- The behaviour posed or poses a risk to the health and safety of the student themselves, another student, staff or any other person at the school; and
- That the risk may be removed only by the immediate removal of the student from the school

Principal - Refer to CECT - Unacceptable Student Behaviour Policy and Procedure

EXAMPLE FLOWCHART FOR THE MANAGEMENT OF STUDENT BEHAVIOUR



ESCALATION FROM THIS PROCESS – REFER TO UNACCEPTABLE STUDENT BEHAVIOUR POLICY