

# DSM Policy

## Positive Behaviour



Deutsche Schule Melbourne Inc, ABN 52 936 931 854

### Statement

Deutsche Schule Melbourne is committed to valuing the dignity of every member of our School community.

### Rationale

The Deutsche Schule Melbourne affirms that a culture of positive behaviour and high levels of student engagement are essential as prerequisites for student learning. The purpose of this policy is to provide students, staff and parents with clarity as to the behaviour expected of students at DSM and the consequences when those expectations are breached. The positive Behaviour Policy sets out the principles and framework governing the school's approach to the development of positive student behaviour and engagement. ]

### Legal and regulatory basis for compliance

- Duty of Care
- Education and Training Reform Act 2006 (Vic.)
- Education and Training Reform Regulations (2017)
- Victorian Registration and Qualifications Authority (VRQA) Minimum Standards
- Equal Opportunity Act 2010 (Vic)<sup>1</sup>
- Disability Standards for Education 2005 (Cth)<sup>2</sup>

### Definitions

#### Duty of Care

Schools have a duty of care to ensure the safety and wellbeing of students. In discharging this duty, the Principal, teachers and other staff are held to high standard of care in relations to students. The duty requires principals and teachers to take all reasonable steps to reduce the risk of harm to students, including the implementation of strategies to prevent bullying. The duty is non-delegable, meaning that it cannot be assigned to another party.<sup>3</sup>

#### Suspension

Suspension is the process of excluding a student from the standard instruction or educational opportunities being provided to other students at the school for part of a day, a full day, or multiple days.

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<sup>1</sup>[http://www.legislation.vic.gov.au/Domino/Web\\_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e92000e23be/7CAFB78A7EE91429CA25771200123812/\\$FILE/10-016a.pdf](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e92000e23be/7CAFB78A7EE91429CA25771200123812/$FILE/10-016a.pdf) (Accessed 30 August 2019)

<sup>2</sup> <https://www.legislation.gov.au/Details/C2016C00763> (Accessed 30 August 2019)

<sup>3</sup>Victorian Department of Education and Training. Duty of Care (31. January 2019) Victorian Department of Education and Training <https://www.education.vic.gov.au/school/principals/spag/safety/Pages/dutyofcare.aspx> (Accessed 30 August 2019)

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The maximum continuous period of time a student can be suspended at any given time is 5 school days. Suspension of a student for 15 days in any one school year will be referred to the board.

### Expulsion

Expulsion refers to a student being permanently excluded from attending a school.

### Principles

The school believes that it has a responsibility, in partnership with parents, to create a culture of positive behaviour with high levels of student engagement. The school is committed to ensuring its positive behaviour policy and procedures are fair and reasonable. Behavioural expectations, standards and sanctions are stated clearly in the School's Code of Conducts for the benefit of students, parents and staff. The Positive Behaviour Policy and its implementation are age appropriate. The school prohibits corporal punishment. The school has zero tolerance towards physical violence. The school will ensure that the application of its Positive Behaviour Policy is fair, consistent and non-discriminatory. The school views behaviour management through our school values.

### Roles and responsibilities

#### Board

The board is responsible for reviewing the Positive Behaviour Policy in terms of it being fair and reasonable and that corporal punishment is prohibited. The board is responsible for approving the expulsion procedures. The board has delegated the authority to expel to the Principal.

The board is responsible for the appeals procedures and for acting as the appeal body.

#### Principal

The Principal is responsible for ensuring the school has its Positive Behaviour Policy and procedures in compliance with VRQA minimum standards<sup>4</sup>.

The Principal is responsible for:

- a school culture in which positive behaviour and respectful relationships are given priority.
- developing and implementing strategies and procedures that ensure students, staff and parents are clear as to what constitutes unacceptable behaviour and the consequences of a breach of the Code<sup>5</sup>

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<sup>4</sup><https://www.vrqa.vic.gov.au/schools/Pages/standards-guidelines-requirements-for-schools.aspx> (Accessed 03. September 2019)

<sup>5</sup><https://www.dsm.org.au/en/bilingual-school-concept/school-policies> (Accessed 03. September 2019)

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The Principal is responsible for ensuring procedures are in place for the monitoring and reporting of behaviour and to ensure staff have access to regular training in the development of positive behaviour.

### Staff

All staff at the school are responsible for working together in collaboration with students and parents to encourage positive behaviour in the classroom, outside the classroom, when travelling to and from school, when engaging activity programs and online.

Teachers will discuss the Student Code of Conduct with students in an age appropriate way at the start of the school year. Teachers will reflect with students upon the Code throughout the course of the school year.

### School Members

All members of the School community should have a shared understanding of the DSM Codes of Conduct.

### Families

Families will talk about the Student Code of Conduct with their children to support the school in addressing behaviour expectations of their children.

### Students

Students should understand the Code of Conduct which clearly states the school's required behaviours.

The **Student Code of Conduct** provides a set of general principles and guidelines to guide students in their interactions with staff, other students, parents and the wider School community.

Students are actively encouraged to help build a safe and harmonious environment of learning and community by:

- playing and working cooperatively
- treating others with respect
- resolving problems and disagreements calmly, sensibly and fairly
- moving and playing safely inside and outside the school grounds
- complying with all school policies
- taking care of the school environment
- taking care of property belonging to the school and other students
- following school rules & code of conduct

Deutsche Schule Melbourne recognises that working in partnership with parents, carers and families is key to creating an environment in which positive behaviour can flourish. Through weekly newsletters, parent information nights, the parent association, parent–teacher interviews and school events, parents, carers and families are given opportunities to connect with the school, understand its Positive Behaviour Policy philosophy and help shape the school culture.

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### Goals

Our aims is to encourage in our students:

- our values of respect, trust, kindness, honesty and patience;
- consideration for others;
- a responsible attitude to personal safety;
- tolerance and respect;
- the ability to act independently when appropriate rather than succumb to peer pressure;
- accountability for their own words and actions;
- conduct that brings credit to the School;
- pride in their appearance and that of the School; and
- diligence and punctuality in their attendance at classes and in completion of set tasks.

The School aims always to be fair and consistent in the implementation of the Positive Behaviour Policy, whilst appreciating that every situation also needs to be judged on its merit.

### Strategies

To ensure that student and staff rights and responsibilities are respected, the school has set out the following strategies to drive positive behaviour:

- facilitating the development of positive social behaviours and problem-solving skills
- promoting a happy and safe learning environment that meets the needs of all students
- helping students to develop a positive self-concept
- maximising opportunities for all students to succeed
- nurturing self-discipline and a respect for the rights of others
- promoting a cooperative atmosphere at the school
- providing students with a secure environment to allow them to take risks, meet challenges and develop confidence
- employing restorative practices to repair the harm that is being done and strengthen positive relationships.

### Consequences

While Deutsche Schule Melbourne is committed to a positive, responsive approach to behaviour management, the school recognises that sometimes there needs to be sanctions applied to incidents of unacceptable behaviour. The seriousness of the behaviour should be matched with the purpose of the sanction to ensure the consequences of unacceptable behaviour are plainly apparent.

Below is a list of consequences that will be invoked proportionally depending on the seriousness of the unacceptable behaviour to manage student behaviour.

- Teacher warnings
- Behaviour reflection worksheet

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- Reparations for negative behaviour negotiated between teacher, student and possibly other affected parties
- Smiley plan, diary communication with parents
- Meeting or telephone call with parents
- Classroom teacher meeting with parents/guardians
- Discussion with Deputy Principal and/or School Principal
- Parent–teacher meetings with presence of the Deputy Principal and/or School Principal
- Suspension at school – separation from class group
- Suspension at home – not able to attend school
- Expulsion

Please note that this list does not represent the order of consequences. It is at the teachers' and/or Principals discretion which consequence is given for a behaviour. The severity of the incident will be taken into account as well as age-appropriateness and individual needs that a student might have.

## Suspensions and Expulsions

The school recognises that serious and repeated behaviour infractions may need to be managed by suspending or expelling students.

### Authority to suspend and expel

- Where any teacher or staff member decides that an act or the behaviour of a student may warrant suspension or expulsion, the teacher or staff member must refer the matter to the Principal.
- In serious circumstances, a student may be summarily suspended, pending a final decision on a possible expulsion under this Policy. In this case, a meeting with the student and the student's parents/guardians to review the suspension must be convened as soon as is practicable.
- Expulsion is considered only as a last resort, and requires the endorsement of the Principal.

### Grounds for Suspension and Expulsion

The student's behaviour must have occurred:

- whilst attending school
- or travelling to or from school
- or while engaged in any school activity away from the school
- or travelling to or from any school activity
- or digitally in relation to another member of school

### Suspension

A breach of the School's Rules, Procedures and Policies, including but not limited to the Student Code of Conduct, or the engagement of a student in behaviour detrimental the School, its staff or students, may result in a suspension. Such breaches may include where a student:

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- behaves in such a way as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person
- causes significant damage to or destruction of property
- commits or attempts to commit or is knowingly involved in the theft of property
- possesses, uses or sells or deliberately assists another person to possess, use or sell illicit substances or weapons
- fails to comply with any clear and reasonable instruction of a staff member so as to pose a danger, whether actual, perceived or threatened, to the health, safety or wellbeing of any person
- consistently engages in behaviour that vilifies, defames, degrades or humiliates another person based on age; breastfeeding; gender; identity; impairment; industrial activity; lawful sexual activity; marital status; parent/carer status or status as a carer; physical features; political belief or activity; pregnancy; race; religious belief or activity; sex; sexual orientation; personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes
- consistently behaves in an unproductive manner that interferes with the wellbeing, safety or educational opportunities of any other student<sup>6</sup>

### Expulsion

The student does anything mentioned as a grounds for suspension, and this behaviour is of such magnitude that, having regard to the need of the student to receive an education compared to the need to maintain the health, safety and wellbeing of other students and staff at the school and the need to maintain the effectiveness of the school's educational programs, expulsion is the only available mechanism.

### Procedures – ensuring procedural fairness

Where grounds for suspension or expulsion have been established, a Support Group, involving key staff will be set up. The Support Group will work with and support the student and ensure that procedural fairness is maintained. The Support Group will further:

- consider issues relevant to the behaviour of the student and implications for others in the school community
- identify critical factors leading to the offence
- identify educational and social needs of the student
- identify and explore strategies to re-establish the student in the life of the school
- consider support and resources that may be available both within and outside the school
- develop an action plan for responding to the student's behaviour
- ensure that decisions are implemented
- maintain confidentiality at all times
- consider legal ramifications of both the student's behaviour and strategies implemented to deal with the student's behaviour
- aim for consensus of the group. Where this is not achievable the Principal takes responsibility for the final decision.

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<sup>6</sup><https://education.vic.gov.au/school/teachers/behaviour/suspension-expulsion/Pages/suspensionconsiderations.aspx>

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Where processes undertaken by the Support Group lead to a decision to suspend or expel a student, the Principal will:

- notify the student, and the student's parents/guardians, stating:
  - the reasons for the suspension or expulsion
  - the relevant rules, policies, and standards of behaviour alleged to have been breached
  - the relevant allegations said to warrant suspension or expulsion
- allow the student and/or the student's parents/guardians to give a response, either in writing or verbally
- allow the student to have a support person of the student's choosing
- arrange a meeting with the student, and the student's parents/guardians
- arrange for an interpreter, if one is required
- meet with the student and the student's parents/guardians and/or support person
- ensure that such a meeting is recorded in writing.

### Decision and Notification

- The Principal, after following the procedures set out in this policy, will make a decision about the facts of the allegations against the student.
- Any information or documentation provided by the student or their parents/guardians must be taken into account in making the decision.
- The Principal will then decide whether to suspend or expel a student based on the following considerations:
  - the safety of all students, staff and visitors
  - the seriousness of the student's acts
  - any disability of the student
  - the age of the student
  - the response or remorse of the student, if applicable
  - the pastoral care, educational needs and welfare of the student
  - the student's prospects for rehabilitation.
- The decision made under this Policy will be communicated in writing to the student and the student's parents/guardians. The Principal or her delegate will also attempt to communicate this decision verbally.
- In the case of a suspension, the school days on which the suspension shall occur and where the suspension will occur must be communicated.
- The student, and the student's parents/guardians must abide by the terms and conditions of this decision.

### Serving a suspension

- For an in-school suspension, the student attends the school during school hours, but is excluded from normal classes.
- For an out-of-school suspension, the student serves the period of the suspension at home. Parents/guardians are required to ensure the student has appropriate supervision at home for the period of the suspension.
- Where a student is suspended for 3 school days or less, the school is required to provide the student with meaningful work to be undertaken during the suspension.

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- Where a student is suspended for more than 3 school days, the school is required to develop a *Student Absence Learning Plan* and *Return to School Support Plan*.

### Appeals

- A student may seek a review of a decision made under this Policy. All appeals must be made in writing, to the Principal, setting out the grounds of appeal. In the case of an expulsion, the appeal must be submitted to the school within 10 days of the expulsion taking effect.

In the case of expulsions, the decision by the Principal to expel the student will be either upheld or overturned by the board.

### Register of suspensions and expulsions

- The suspension or expulsion of a student is recorded on that student's individual file.
- Confidentiality must be maintained at all times with regards to the suspension and expulsion of students. Access to the register of suspensions and expulsions is appropriately restricted to authorised users.

### Policy communication

The Positive Behaviour Policy is available on the school's website. The school will communicate any policy changes to its members and make regular public statements to demonstrate its commitment.

### Policy review

The Positive Behaviour Policy will be reviewed every two years.

Reviewed, 4.12.2019