



CROSSWAYS  
LUTHERAN SCHOOL

## Student Behaviour Management Policy Framework

***“Teach children how they should live and they will remember it all their lives.”***

### ***Proverbs 22:6***

Crossways Lutheran School takes seriously the stated aim of “We must love one another as He loves us” (John 15:12). The behaviour management policy of the School serves as one example of how the love of Jesus can be taught in action. That is to say the School’s response to behaviour that is deemed to be in need of correction is ‘grace-filled’, reflecting the grace of God that is shown to all people.

The School understands that the life and death of Jesus Christ reveals that God cares so much for each and every human being that he would go to any lengths to express that love. It was Jesus who said, “Just as I have loved you, you also should love one another” (John 14:34) and “you shall love your neighbour as yourself” (Matthew 22:39). The School strives to encourage and develop acceptable student behaviours in keeping with these urgent requests of Jesus.

It is intended that students of the School are given opportunities to develop self-control and self-discipline. For some students the pathway to achieving this will be difficult and marked by setbacks. When corrective actions are required in addressing poor student behaviour all such actions will be carried out against the backdrop of understanding that no human is without fault. Foremost in our dealing with others is a reminder that we are all sinners before God and no-one is righteous before God because of their own efforts. “for all have sinned and fall short of the glory of God” (Romans 3:23). Confession, forgiveness and reconciliation is the path that we as Christians are called to follow. As we have been reconciled through Christ, we are also called to the ministry of reconciliation which is evidenced in our dealings with others (Romans 5:6-11, 2 Corinthians 5:17-21). Accountability and responsibility for our actions remain which may also include some form of disciplinary action.

Teachers of the School will endeavour to show the love of Jesus in action. Teachers will model the self-giving ‘Love of the Cross’ in their instructions, admonitions and examples set. Students will be treated with love, care and respect even when negative emotions are also experienced.

Our school works from the central principle that our students have the right to feel safe in a school that is free from physical, sexual and emotional bullying and harassment.

It is our goal to adhere to our framework of policies and practices that enable a teacher’s right to teach and a student’s right to learn in a safe, caring and supportive environment.

**This framework of Student Behaviour Management policies includes:**

- Student Management of Discipline
- Drug Policy and Guidelines
- Cyber Bullying and use of Mobile Phones (Mobile Policy)

Teachers will ensure that students have a clear understanding of the SBM Policy procedures, levels of misbehaviour and consequences. Parents will be informed about the SBM Policy during parent meetings which are held at regular intervals. Our school values will be displayed in each classroom for maximum awareness. Class rules should be clearly displayed in each room and they must complement general school values and expectations.

There is a high expectation from all teachers to implement the SBM Policy as it applies to:

- Attendance and lateness anecdotes (manually) onto Roll
- Uniform breaches – report to Assistant Principals
- General concerns
- Movement documentation and dismissal times and obligations
- Yard cleanliness and clean-ups
- Use of mobile devices during lessons

**Review Timeline:**

**Date endorsed: 27<sup>th</sup> July 2016**

**Review date: 2018**

## School Behaviour Management Policy

All staff at Crossways Lutheran School are accountable to the LSA for managing student behaviour and for creating safe, orderly, productive and successful learning communities.

Our policy aims to:

- Prepare young people for successful participation in society
- Ensure all groups and individuals are treated with respect at all times
- Create a school culture where families, society members, and staff influence the behaviour of students through role modelling and intervention and support
- Make clear to students behaviour has consequences which can increase or reduce immediate and future choices
- Ensure students understand that individuals must accept responsibility for their behaviours according to their developmental ability

Furthermore it is our more specific aim to create a learning environment that is:

- Safe, caring and loving
- Inclusive
- Conducive to learning
- Free from harassment and bullying

To ensure this Crossways Lutheran School has agreed to the Behaviour Code based on the school's values of forgiveness, love, respect, fairness, safety, responsibility and success for all.

In particular school based staff are expected at all times to:

- Develop and foster positive relationships with students and families
- Communicate and interact effectively with students and engage them in the problem solving process
- Participate in developing policy change and in training and development that develops the skills needed to manage behaviour effectively
- Establish, maintain, make explicit and model the school's expectations relating to student behaviour
- Respond positively to responsible behaviour and apply consequences if students interfere with the teaching and learning in a classroom

Student behaviour is generally managed well in classrooms where the learning and management strategies:

- Involve negotiation with the students
- Support the participation of all students
- Value the differences in gender and the cultural and linguistic difference in students
- Acknowledge and reward
- Differentiated programs – Scaffolded/Extended

At Crossways Lutheran School we believe teachers can have a strong positive influence on student behaviour. In a classroom the antecedents that affect student behaviour are those elements that form the physical environments, the learning program and relationships. In cases where a teacher has concerns re the dysfunctional nature of the cohort they need to discuss this with School Coordinator within three weeks of the start of the semester. Where possible changes may be made but the needs of the students are to be considered as well.

## **Behaviour Code:**

### ***ANTECEDENTS***

#### **Factors that influence behaviour**

Effective classroom management antecedents promote desirable behaviours and we recognise that we can arrange conditions in classrooms which will minimise opportunities for irresponsible behaviour to occur.

In a classroom, the antecedents that affect student behaviour are those elements that form the physical environment, the learning program and relationships. They may include particular students and this may be reviewed in consultation with the School Coordinator.

#### **The Physical Environment**

- classroom layout, arrangement of desks
- classroom organisation, seating arrangements
- ventilation, temperature and comfort
- ease of movement within the room
- colourful displays of student work
- decorations, posters, information displayed

## **The Learning Program**

- teachers use a range of methodologies/ strategies
- different learning styles are acknowledged and catered for – differentiated programs
- students work in a success oriented environment
  
- work is interesting, engaging (hands on), relevant and challenging to students
- tasks are achievable for each student
- students receive regular and constructive feedback
- staff are encouraged to involve students in developing learning plans, course content and assessment criteria – discuss the assessment rubric
- skills of effective communication, conflict resolution, negotiation, and decision making are actively taught, modelled and reinforced

## **Relationships**

- teachers are role models for students – Lutheran Ethos/ as Christians
- teachers show confidence, care, interest and respect for students
- sequences of actions are developed to form routines that use time and resources efficiently
- appropriate classroom rules (developed with student input), expectations and routines
- learning is enjoyable and satisfying

\*Students respect the right of the teacher to teach and the right of the other students to learn

## Code of Conduct: Crossways Lutheran School

### DEVELOPING RESPONSIBLE CODE OF CONDUCT

#### **BE FAIR**

- include others
- treat people equally
- help others
- one person speaks at a time

#### **RESPECT OTHERS**

- smile
- be friendly
- listen to each other
- speak to each other positively, politely and calmly
- respect the opinions of others
- let others learn
- respect the school's uniform policy
- be honest
- respect school property

#### **BE SAFE**

- move in a safe and orderly manner
- no fighting or bullying or threats to harm
- walk in the classroom
- help others
- use equipment appropriately

## **BE RESPONSIBLE**

- ask for help if needed
- listen to others
- behave responsibly as students
- be active in creating a tidy school environment
- listen respectfully to teachers and others when spoken to (including not answering the phone when being spoken to)

## **AIM FOR SUCCESS**

- complete tasks
- be organised and bring equipment to lessons
- set challenging goals
- Love and forgiveness

## **BE LOVING and FORGIVING**

- Love one another unconditionally (teachers and students, students and students, teachers and parents)
- Forgive each other as God forgives us for our sins – when implementing the SBM policy
- Every individual is a unique creation of God

## Response to unacceptable behaviour

As we believe everyone should support the right of a student to learn and a teacher to teach.

At Crossways Lutheran School we deal with behaviours on **3 levels**.

**Level 1** Managed at teacher level through your own strategies, classroom management and support from peers and Leadership.

**Level 2** Students who transgress further may be sent to the School Coordinator or Principal – to spend time out in an office or in another cohort *negotiated*.

**Level 3** After Levels 2 and 3 a student may be referred to the Principal, which can lead to external/internal suspension or exclusion. Some extreme behaviour will automatically lead to this step. Following suspension or exclusion formal arrangements are made between the school and the student/family. These arrangements are documented in the behaviour contract. A student's plan will be circulated to relevant teachers by the Principal. Where appropriate classroom teachers will be involved in the student's re-entry meeting to school and the development of the behaviour contract.

### **Some general points to be aware of:**

Many of our students are bringing to school issues and concerns that would be difficult for any mature adult to cope with. Grief, loss, separation, neglect and abuse will have a deleterious affect on their self-esteem and self-opinion and this affects their willingness to learn. It is important to acknowledge that whilst we were invariably not part of the problem we are part of the solution. How we respond to such behaviours will impact on current and future relationships and therefore the learning outcomes for that student.

Lateness is to be noted and initially dealt with by the teacher. When lateness persists the issue is to be discussed with the relevant School Coordinator as an attendance issue. This may be taken to the liaison officer for follow up.

Students must be given options/warnings at Level one before being sent to School Coordinator or Principal. Persistent refusal to work should be discussed with the student, their parents and the teacher. Support can be accessed from your M/S or J/S Coordinator. However you need to attempt to resolve these issues as part of your responsibilities as a teacher at Crossways Lutheran School.

Lateness and being unprepared should be recorded on the daily Roll in the anecdotal section or alternatively kept as a manual record. After teacher attempts to resolve this issue with the student/s; it can be referred to the School Coordinator to be dealt with.

## Bullying and harassment

Crossways Lutheran School has a zero tolerance of bullying and harassment in our school. Whilst we cannot guarantee that bullying and harassment will not occur we Will guarantee that when we are made aware of such behaviours we will take them seriously and work to support both the victim and the perpetrators.

### **What is bullying?**

Bullying is a pattern of repeated physical, verbal, psychological or social aggression that is directed towards a specific student and/or staff member by someone and is intended to cause harm, distress and/or create fear. Bullying may be carried out overtly (e.g. face-to-face) or covertly (e.g. through repeated social exclusion or via technology). It is a sub-category of aggression and is different to, but also related to, harassment and violence. It is not the same as conflict or social dislike even though, in some cases, the outcome of both can be bullying.

### **The different types of bullying**

Face-to-face bullying (sometimes referred to as direct bullying) involves physical actions such as punching or kicking or overt verbal actions such as name-calling and insulting.

Covert bullying (sometimes referred to as indirect bullying) is a subtle type of non-physical bullying which isn't easily seen by others and is conducted out of sight, and often unacknowledged by adults.<sup>1</sup>

Cyberbullying occurs through the use of information or communication technologies such as Instant Messaging, text messages, email and social networking sites. It has many similarities with offline bullying but it differs in that the student(s) who is/are bullying can be anonymous, it can reach a wide audience and the sent or uploaded material can be difficult to remove.

Most students who cyberbully also bully off-line. It is now recognised that many forms of covert bullying appear to have significant potential for serious harm.

### **Who to report to:**

When a student reports a case of bullying irrespective of the type or perceived intensity and /or where a teacher observes an incident such as described above then the issue is to be dealt with in the following manner:

**Step one:** Report the issue concern directly to the Principal or School Coordinator. The issue will be dealt with immediately by firstly interviewing and reassuring the victim that their concerns have been listened to and they are supported.

**Step two:** Fill in an incident report form with details and resolutions.

**Step three:** Principal or School Coordinator reports incident to both sets of parents and records on incident sheet.

**Step four:** Discuss and report to the Principal who assesses that process has been followed.

## Symptoms of Bullying

Students who appear distressed, upset, withdrawn with unexplained and sudden increases in absenteeism or skipping, or who are displaying obvious annoyance behaviours from others are possibly being bullied or harassed.

**They may be experiencing any one or combination of the below on a low level but high on going frequency and they will need adult intervention.**

They include;

- **Physical**: hitting, pushing, touching, grabbing, looks, stares, facial expressions, gestures, spitting, taking or damaging property
- **Verbal or written**: spoken or written insults, threats, suggestive comments, name-calling, unfair criticism, spreading rumours
- **Cyber**: using e-mail, voice and text messaging, social networking sites, photographic and video images
- **Graffiti**: using pictures, tags or words
- **Social**: forming groups to leave out, ignore and disrespect; influencing, encouraging or organising someone else to be involved in any type of bullying or harassment.
- **Sexual**: unwanted sexual advances, other unwelcome conduct of a sexual nature; types of bullying and harassment such as that described above that is based on a person's sexuality or sexual orientation; abuse, comments, including name calling that suggests something about a person's sexuality or sexual orientation.

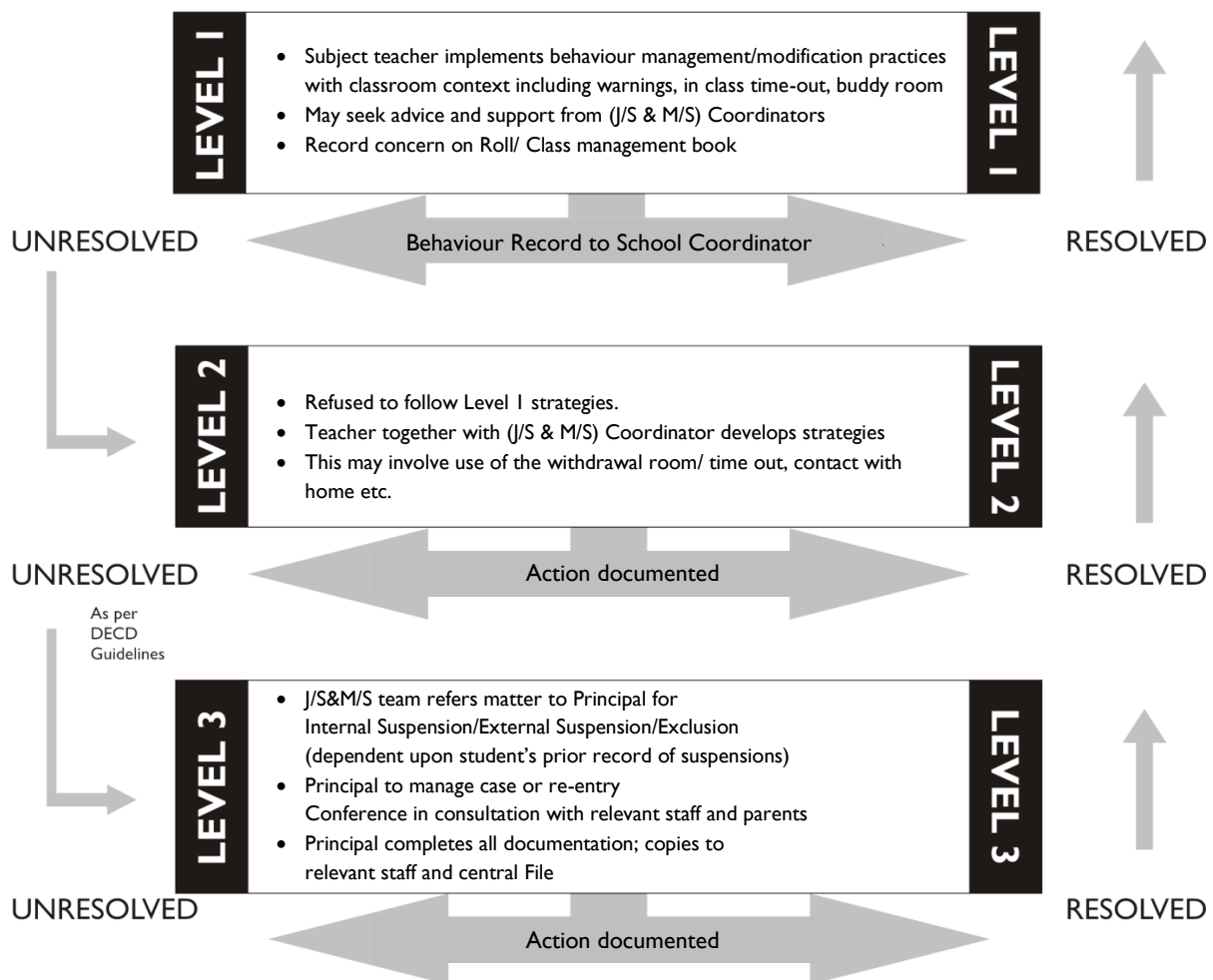
# BEHAVIOUR MANAGEMENT PROCEDURES (CLASSROOM)

## Classroom Management

- Students made aware of school's Code of Conduct (Student Handbook) and general SBM policies/procedures
- Classrooms display Code of Conduct and display specific class/area rules.

### SIGNIFICANT BREACH OF CODE OF CONDUCT (Including persistent low level breaches)

SERIOUS BREACHES  
(DRUGS, VIOLENCE ETC)  
TO BE DIRECTED TO THE PRINCIPAL FOR  
IMMEDIATE ACTION AT LEVEL 3 RESPONSE



	BEHAVIOUR	WHO RESPONDS/RECORDS	CONSEQUENCES
<b>LEVEL 1</b>	<p><b>Behaviour that impedes the effective running of the classroom or the orderly operation of the school.</b></p> <p>Disrupting learning and teaching</p> <p>e.g. talking in class; interrupting others</p> <p>Unacceptable learning behaviour</p> <p>e.g. lateness, indifference to work</p> <p>Undermining school routines</p> <p>e.g. diary, return form,; littering, uniform, minor unacceptable yard behaviour, skipping lessons</p>	<p><b>INFORM</b></p> <p>The teacher is directly involved in seeking own solutions, taking appropriate action and negotiating solution with student</p> <p>Complete <b>Behaviour Record column</b> on Roll if concerned and pass J/S &amp; M/S Coordinator; this will serve as useful information if further response is required later</p> <p>Consultation may occur with J/S &amp; M/S Curriculum Coordinators</p> <p>Teacher may choose to make parent contact by phone or diary note if so consult with School Coordinator</p>	<p>As per classroom rules</p> <p>e.g. Reminders, Warnings, Moving seats, “in class sit out”</p> <p>OR</p> <p>Other strategies negotiated with support person such as “Buddy Room” or moving class for a lesson etc.</p> <p>Parent contact</p> <p>OR</p> <p>Brief keep in at break to discuss behaviour and possible solutions</p>
<b>LEVEL 2</b>	<p><b>Persistent Level 1</b></p> <p>Irresponsible behaviour</p> <p>OR</p> <p>Act of irresponsible behaviour which <b>undermines the good order of the school</b> – serious enough to draw to the attention of Leadership</p> <p>Examples: smoking, harassment, direct disobedience, abusive language, truancy (lessons or day), graffiti, leaving school grounds</p>	<p><b>REFER</b></p> <p>Make an <b>anecdotal note</b> in your roll book about the behaviour and complete a Critical Incident Report</p> <p>Information may be brought to weekly Leadership meeting</p> <p>Parents are informed by phone by the teacher and by correspondence from Principal / School Coordinator</p> <p>Student counsellor may organise parent meeting (Record on Behaviour Record)</p> <p>Home Group teacher and referring teacher informed of outcomes.</p>	<p><b>Persistent Level 1- Internal Suspension</b> (determined by the seriousness of behaviour</p> <p>And / OR</p> <p><b>Behaviour Chart for 1- 2 weeks – parents will be notified</b></p> <p>(esp. for lateness or poor on task behaviour)</p> <p>OR</p> <p>Other strategies developed in consultation with Leadership</p> <p>Yard Clean-up</p>

<b>LEVEL 3</b>	<p><b>Persistent Level 2</b></p> <p>Irresponsible behaviour</p> <p>OR</p> <p><b>Acts directed against persons or property</b></p> <p><b>Acts that may endanger the health/safety of others</b></p> <p><b>Examples:</b> vandalism, theft, repeated harassment, direct verbal abuse of staff, possession/use of some unauthorised substances, graffiti</p> <p>Acts which are clearly <b>criminal and/or</b> that are <b>definitely</b> threatening and <b>dangerous</b> to the safety of persons, and as such require the immediate removal of the student from school, and possibly police intervention</p> <p>Examples: arson, possession/use of drugs, possession/use of weapons, assault</p>	<p><b>REFER</b> to relevant Admin (Principal &amp; School Coordinator)</p> <p>Complete <b>Critical Incident form (Red)</b>; attach any additional documentation</p> <p>Home Group teacher, J/S &amp; M/S Coordinator and referring teacher informed of outcome by Principal</p> <p>Where possible/appropriate key staff will be involved in a student's return from suspension/exclusion and the development of the Behaviour Agreement</p> <p>Principal organises documentation, notification meeting times for parent notification</p> <p>Notify Police and LSA (if necessary)</p>	<p><b>Persistent Level 2 -</b> External suspension is likely at this level</p> <p>Whether or not suspended, future consequences may be redefined to set tighter limits for individual students where needed, as part of a Behaviour Agreement</p> <p>Exclusion may occur where required (LSA Guidelines)</p> <p><b>Four serious classroom referrals</b> (same misconduct) in a term or four yard referrals in a term will result in one to two days suspension (<b>for serious behaviour issues</b>).</p> <p>Student to resolve issue with staff member with support</p>
----------------	--	--	--

## Referral Process

A student who disrupts the learning of others or the ability of the teacher to teach may be sent to the School Coordinator or Principal only after the teacher has made reasonable attempts to resolve the situation through classroom based management strategies. Any lateness or unpreparedness is to be entered on Roll as part of the Referral process.

During the process of resolving the issue reference should be made to the Code of Conduct displayed in each room. If behaviour persists the student is sent to the School Coordinator or Principal.

**Process:**

Classroom based Behaviour Management procedures must be used before students are referred to leadership.

It is the duty of the teacher to report a serious concern to Coordinators who if required will PHONE HOME (on the day of the referral or ASAP) to inform parents of the problems and to work together on solutions.

**Please note that four Behaviour referrals for (severe) classroom behaviours (see level 1 and 2 behaviours) in a term will lead to one/two day suspension, hence the importance in ensuring the referral is valid and justified.**

**Review Timeline:**

**Date endorsed: 27<sup>th</sup> July 2016**

**Review date: 2018**

## CODE OF CONDUCT BREACHES

### **Yard Behaviours**

Any breach of the code should be reported directly and immediately via walkie talkie to the Principal / School Coordinator.

The School Coordinator will attend or meet the student and apply sanctions for Level 1 or 2 breaches or begin Level 3 response for serious and dangerous violations.

Yard duty teachers fill out an Incident Report and notify the School Coordinator.

### **Skipping Lessons**

Each teacher takes a Roll at the start of each lesson. Where a student is shown to be skipping this is marked on Roll and logged in the anecdotal comment if required.

Skipping may lead to **internal suspension**. Parents are notified by mail/ phone/ home visit that their child is absent for that lesson. If persistent it will lead to external suspension – as stated in level 1 behaviours.

Known planned absences must be handed into Student Services a least 24 hours prior to activity.

### **Lateness to Class**

Lateness to school is generally addressed through school attendance procedures. Lateness to lessons during the day is to be logged on the Roll.

Persistent lateness should be reported directly to the School Coordinator.

Lateness to class can be unavoidable and requires a reasonable and fair approach from the teacher (as teachers we too can be unavoidably delayed). It is not a reason for time out to be applied.

### **Students Wandering**

Students wandering the grounds during lessons will be sent to class whereby the extreme lateness with intent to skip will be recorded and followed up. Parents must be notified if it is persistent behaviour.

VERBAL ABUSE, THREATS OF VIOLENCE, VIOLENCE and SERIOUS PROPERTY DAMAGE are to be referred directly and immediately to the Principal/School Coordinator. Student is to be sent to Front office. Suspension may apply once investigated.

## **Summary**

Student Behaviour Management is the responsibility of all staff. As co-workers at Crossways Lutheran School we seek consistency, fairness and due diligence. Staff are expected to address the antecedent to effective behaviour management and to apply due process and protocols when dealing with inappropriate behaviour.

Staff are expected to treat students in a manner you would expect your child or relative to be treated in another school or similar circumstances.

Whilst students own the behaviour staff are part of the solution to modifying the behaviour through restorative justice principles and practices.

***In all actions throughout the referral process both staff and students are to conduct themselves within our Code of Conduct and the values of Fairness, Respect, Safety, Responsibility, Love, Forgiveness and Success that underpin the Framework of SBM.***



**CROSSWAYS**  
LUTHERAN SCHOOL

## **Crossways Lutheran School: DRUG POLICY**

### **Crossways Lutheran School: DRUG POLICY**

At Crossways Lutheran School our goal in managing a drug related incident is to ensure the wellbeing and ongoing educational support of student(s) involved as well as ensuring the wellbeing and educational support of the whole student community.

The school policy complements the aim of the National Drug Strategy where there is an emphasis on:

- Prevention through education, information and safe supportive environments
- Intervention through appropriate procedures for dealing with incidents involving possession, use and/or distribution of illicit drugs in schools

### **Underpinning Principles**

- Staff and student wellbeing are paramount
- All staff have a right to be well informed and educated in the processes and procedures
- Staff have a right to feel supported and to have immediate access to support in dealing with a student suspected of being under the influence of a drug or engaging in drug related behaviour
- Staff and students involved in any critical incident involving drug related behaviour have the right to debriefing and counselling
- Staff have a right to be informed about the outcome and consequences
- Students have a right to be processed with the principles of nature justice being applied without prejudice

## **Context and overarching policy statement**

Crossways Lutheran School is a school (R – 10) with 90 students in a culturally and socio economically diverse culture. The school is committed to maintaining a safe, secure and supportive environment for its community and recognises engagement in learning as a strong protective factor against drug-related and other risks for young people. This policy links to a range of curriculum; policies and procedures; and positive school environment initiatives.

Our school takes action to prevent drug use by students and to intervene if it occurs by taking a whole school approach. The use, possession and/or distribution of illicit drugs and the unsanctioned use and distribution of drugs such as alcohol, tobacco and prescription drugs, are not accepted. Suspected drug-related incidents will be responded to with a mix of educative, deterrent and disciplinary responses, mindful of the need to consider principles of natural justice and legal obligations and of managing risks for the school.

## **Links to other school initiatives**

Our school has a commitment to learner wellbeing and engagement as identified in the Site Improvement Plan 2015/18

This policy also relates to our school's medication management, WHS and curriculum policies, and our school's behaviour code.

Drug education is taught as part of a sequential and developmentally appropriate curriculum (Outside Agencies) and student resiliency and wellbeing are promoted.

Partnerships are made with parents, South Australian Police (SAPOL), local health and community agencies to assist our school to address drug issues.

The following principles of natural justice and procedural fairness will apply in the management of suspected drug-related incidents:

- the right to be informed of the form of the proceedings
- the right to be represented by an advocate of choice
- the right to know what is alleged
- the right to be heard and to question evidence
- the right to impartial adjudication
- the qualified right to privacy
- the right to appeal
- and (in potentially very serious incidents with legal implications) the right of the student to legal representation.

If suspected drug-related incidents occur and drug issues arise, they will be managed and responded to in ways that:

- minimise the harm to all members of the school community
- ensure the wellbeing, educational careers and ongoing support for the students involved
- are both firm and fair.

## **Procedures for both school and extra-curricular activities**

### **Overview**

Involvement with drugs, including illicit and unsanctioned drugs, means that school personnel have reason to believe that, on school grounds or when students are in the care of school staff:

- drugs have been or are being used
- students are or have been in possession of drugs or instruments used with drugs
- students are or have been present when drugs are being used by others.

In the event of a suspected drug-related incident:

- The safety and wellbeing of students will be considered paramount: they may need to be treated as unwell in accordance with the school's health plan and/or emergency procedures.
- Parents will be contacted in instances of possession, use or distribution of drugs.
- **Police will be informed in instances of possession, use or distribution of: illicit drugs; drug paraphernalia; and/or illegal behaviour involving legal substances; and/or when an unidentified substance is suspected of being a drug.**
- The LSA office will be advised when suspected drug-related incidents involve the police and/or when an incident poses a risk to the school or LSA. The incident will be recorded by completing an Incident Report.
- Consequences may vary and will depend on the nature of the situation, its potential for harm and the circumstances of the individual students involved. However, they could involve suspension or exclusion.

***Follow-up support for student wellbeing will be implemented.***

## **School procedures - Management of Drug Related Incident/s at Crossways Lutheran School**

***Incident*** Student/s suspected of processing, distributing or using a drug or drug paraphernalia, including being drug affected.

### ***Initial Procedures***

- Calmly but firmly intervene ensuring the safety and wellbeing of students and yourself is considered
- Consider calling for and seeking the support of another staff member
- Assess the safety and health needs of those directly involved and assess any potential threat to others
- Stay with the student/s involved especially if the student/s require first aid
- Notify office to call for ambulance if required
- Safely collect any drugs, paraphernalia and deliver to Principal's office
- Attend to other students involved

### ***Management of Incident – Principal***

- Monitor student welfare – place the student in First Aid Room
- Inform the student of the proceedings and the principles of natural justice
- Secure the evidence – bag and tag
- Collect general information of the incident from teacher, students or others
- Document and record details

Professional Judgement			
Suspected use/possession/distribution of illegal substance, drug paraphernalia or unidentified substance  ↓  Contact Police Notify parents Contact LSA	Suspected use, possession distribution of legal substance but illegal behaviour  ↓  Contact Police for advice Notification to parents Notify LSA	Suspected use possible distribution of legal substance unsanctioned behaviour e.g. medicines  ↓  Use professional judgement in the need to contact Police	No substance No confession of drug use but unwell behaviour  ↓  Treat the student as unwell  ↓  Notify parents to collect

**Contact Parents immediately. Students will be supported by a staff member (teacher/ LSO as advocate) when Police are called in to investigate if the parents are not available to be present.**

***Following Actions***

- Consider whether mandatory reporting is required
- Report critical incident or School records, as well as to LSA
- Apply processes, sanctions and support as per SEE guidelines and School Behaviour Management Policy
- Debrief staff

***For Advice:***

LSA – John Proeve	8267 8401
Local Police or call	131444

## Principles of Natural Justice

### *When do principles of natural justice need to be utilised?*

The degree of compliance with the principles of natural justice, then, will vary for different incidents.

Some of the principles will be evident, as a matter of common practice, in most incident management arrangements, regardless of the perceived seriousness of the consequences. Ensuring that there are no language and cultural misunderstandings is paramount. These are:

<p><b>The right of the student to be informed of the form of proceedings</b></p>	<p>Justice will begin to be served when a student understands the formalities of the incident management proceedings. This means the student is informed as to the form of proceedings by clarifying:</p> <ul style="list-style-type: none"> <li>• the purpose of the specially convened meeting</li> <li>• the relevance of the school’s student wellbeing policy and student behaviour code</li> <li>• and the procedural implications of compliance with natural justice</li> </ul>
<p><b>The right of the student to be presented by an advocate of choice</b></p>	<p>This natural justice principle will most commonly be met when the student’s parent/caregiver is an invited participant in the proceedings. Compromising issues, like parent involvement in their child’s drug-related behaviour, or parents with English language difficulties, may convince a principal to recommend a qualified school staff member who has not been a part of the incident. Accounting for gender, Aboriginality, ethnicity, maturity and special needs of a student may influence the recommendation of adult advocate. Ultimately it is the student’s right to choose their advocate.</p>
<p><b>The right of the student to know what is alleged</b></p>	<p>Natural justice also means the student has the right to hear what is alleged and have access to all evidence prior to proceedings commencing. The student also has the right to know the reasons for the eventual determinations, whether disciplinary, educative or preventative, and whether these have been determined taking into account records of past behaviours.</p>
<p><b>The right of the student to be heard and to question evidence</b></p>	<p>This natural justice principle demands that:</p> <ul style="list-style-type: none"> <li>• the principal/delegate cannot exercise their discretion or discipline a student ‘unheard’: the opportunity for the student to provide their interpretation of events must be accommodated</li> <li>• the student must have sufficient time and opportunity to prepare and present their version of events either in person or by written submission (where circumstances suggest)</li> <li>• the student has the right to question the accuracy, relevance or completeness of evidence that has been presented by others</li> <li>• the student has the right to remain silent.</li> </ul>

<p><b>The right of the student to impartial adjudication</b></p>	<p>The concern here is with the possibility that a decision-maker may be biased against a student, most commonly where previous dealings with the student can be seen to potentially prejudice or prejudge proceedings. Given the nature of the relationships between teachers and students, this is a difficult principle to accommodate completely in any school setting.</p> <p>It may be effectively handled by:</p> <ul style="list-style-type: none"> <li>• conducting the proceedings as a partnership or conference between student, parent/carer and principal/delegate</li> <li>• conducting proceedings in a place that does not stand for administrative control (eg a conference room rather than the principal's office)</li> <li>• the inclusion of a procedural observer—an independent adult to monitor whether due pro cess was adhered to ensuring the accurate recording/documentation of all relevant evidence.</li> <li>• Ensuring the accurate recording/documentation of all relevant evidence</li> </ul>
<p><b>The qualified right to privacy for the student</b></p>	<p>Every endeavour should be made to keep the student's identity confidential with regard to other students or the school community. However, the student's parents/caregivers have the right to know about their child's behaviour. The school counsellor may need to know too. Complete privacy is neither possible nor desirable.</p>
<p><b>The right of the student to appeal</b></p>	<p>The right of appeal by a student/advocate can be based on objections about process (such as when they believe natural justice was applied inappropriately) and/or penalty (such as when they believe a period of exclusion is deemed too severe).</p> <p>Appeals may mean a follow-up conference between the principal, student and advocate or a second investigation headed by a new delegate.</p> <p>Where students are excluded, an explanation of the formal appeal process must be included as part of the exclusion or expulsion conference: students and parents/caregivers should be given the appropriate appeal.</p>
<p><b><i>In instances of potentially very serious incidents (carrying possible legal consequences for students), the following principle may also apply:</i></b></p>	
<p><b>The right of the student to legal representation</b></p>	<p>On the rare occasions where this principle will be enacted, such as where illicit drugs and/or violent circumstances are involved, the investigative proceedings must be handled by the police.</p> <p>The student and/or their parents/caregivers will decide if the representation of a solicitor is needed.</p>

In addition to the above, the common law principle of the presumption of innocence will play a part in all incident management processes. It is particularly pertinent:

- not to prejudge or change your suspicions to truths until sufficient facts have been obtained, or a student admits to using, possessing or distributing drugs
- to treat as unwell a student who appears to be groggy or disoriented. A teacher's first concern is the health of the student. Premature accusations of drug use may be totally incorrect and may put the teacher at risk of civil action.

In summary, where the educative mission of schools is pre-eminent, the procedures of incident management are designed to achieve something good for all students. The goal is to be procedurally fair, whilst in pursuit of desired outcomes, which adapt the educative, punitive and deterrence programs to individual incidents and participants.

**Review Timeline:**

**Date endorsed: 27<sup>th</sup> July 2016**

**Review date:2018**

**Appendices: Forms to be filled**

## Incident management checklist—suspected drug-related incident

The following checklist is designed as a quick reference tool for principal and/or delegate's own use if they choose to.

	Check box
Has First Aid/ Emergency Care been attended to?	<input type="checkbox"/>
Are the basic facts to ensure safety of student/s known?	<input type="checkbox"/>
Has the safety and wellbeing of all students involved been attended to? (Are there other students who have taken the substance?)	<input type="checkbox"/>
If appropriate has the student/s been escorted to a safe, confidential place where the state of health can be closely observed? (Health and wellbeing issues paramount)	<input type="checkbox"/>
Is the student assessed as 'well' to continue the interview?	<input type="checkbox"/>
Is there a presumption of innocence until proven otherwise?	<input type="checkbox"/>
Is there any evidence? If yes, has the evidence (drugs/drug paraphernalia) been secured? Witnessed by _____	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>
Has the student/s been informed as to: <ul style="list-style-type: none"> <li>• steps of process that will now occur <input type="checkbox"/></li> <li>• right to representation by advocate of choice <input type="checkbox"/></li> <li>• right to be heard, including the right to remain silent <input type="checkbox"/></li> <li>• right to question evidence <input type="checkbox"/></li> <li>• right to hear what is alleged and to know reasons for determinations? <input type="checkbox"/></li> </ul>	
Have you discussed informing the parents/caregivers with the student and ascertained any issues of concern with engaging parents/caregivers?	<input type="checkbox"/>
Have parents/caregivers been informed? If a decision has been taken not to inform parents at this stage, it has been made on the basis of: <ul style="list-style-type: none"> <li>• being in the best interest of the child's welfare <input type="checkbox"/></li> <li>• on police advice, pending investigation <input type="checkbox"/></li> <li>• the student (over 18 years) requesting that parents not be contacted <input type="checkbox"/></li> </ul> If parents unavailable to attend school, have they offered another time? If yes, when? _____ Are there any considerations as a result of contact with parents/caregivers? _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No
In the case of a more serious incident, and especially if police are required, has the student or parent/caregiver requested a legal advocate (eg solicitor) to be present?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has the student been offered the right to have a procedural observer of their choice present?	<input type="checkbox"/>
Has the student admitted to using, possessing or distributing the drug?	<input type="checkbox"/> Yes <input type="checkbox"/> No

## Appendix A: Incident management roles and documentation

Do you know what the substance/equipment is?		<input type="checkbox"/> Yes <input type="checkbox"/> No
<p><b>If yes, is it</b></p> <p>Legal, but unsanctioned in a school? (eg tobacco) <input type="checkbox"/></p> <p>Illegal for youth in a school (alcohol) – call police for advice <input type="checkbox"/></p> <p>Legal to possess, but illegal to supply (eg supplying prescription medicine to others) —is there a need to call police as collaborative partners or to clarify legality issues? <input type="checkbox"/></p> <p>An illicit substance or drug paraphernalia—call police and suspend further school investigations <input type="checkbox"/></p>	<p><b>If No, do you need to:</b></p> <p>Call police for search of student or school property? <input type="checkbox"/></p> <p>Call police for identification of substance? <input type="checkbox"/></p>	
If appropriate, has the regional office been informed?		<input type="checkbox"/>
Does your manager, regional support services need to be involved? (Intent to exclude, developing an alternative program, early intervention strategy)		<input type="checkbox"/>
Is there a need to make a mandatory report or to seek advice regarding a report?		<input type="checkbox"/>
Continue with interview, using <b>Student interview record—Suspected drug-related incident</b>		

<b>Follow-up record</b>	
To be completed by principal/delegate or procedural observer following student interview and all police investigations	
<p>If there has been police involvement, will the student be involved in any police/justice program? (Police Drug Diversion Initiative or Early Intervention Pilot Program)</p> <p>If yes, detail _____</p> <p>_____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Has there been a decision on disciplining student behaviour?</p> <p>If yes, has the student been advised of the decision and any appeal process to which they are entitled?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Has school-based support for the student/s been put in place?</p> <p>Is there a necessity to contact other agencies to support student and family?</p> <p>Have these been agreed to by the student and (if under 18) the family?</p> <p>If yes, which ones?</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
Has the incident been reported through the Incident and Response Management System (IRMS) if required?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have the appropriate staff been informed of the determination whilst affording the student the right to (qualified) privacy?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has the school discussed reviewing the drug policy/behaviour code?	<input type="checkbox"/> Yes <input type="checkbox"/> No



### Initial incident record—suspected drug-related incident

#### To be completed by the intervening teacher

Intervening teacher: \_\_\_\_\_ Position: \_\_\_\_\_  
School: \_\_\_\_\_ Today's date: / / Time now: \_\_\_\_\_  
Record completed by (if other than intervening teacher): \_\_\_\_\_

#### Details of incident

*(Attach further sheets if there is not enough room for details on this pro forma)*

Location of incident? \_\_\_\_\_  
\_\_\_\_\_

Date of incident? \_\_\_\_\_ Time of incident? \_\_\_\_\_

Who was present at the scene? \_\_\_\_\_  
\_\_\_\_\_

What was observed? \_\_\_\_\_  
\_\_\_\_\_

What was said? \_\_\_\_\_  
\_\_\_\_\_

Did you confiscate any drug or drug paraphernalia? Yes / No If yes, please detail:  
\_\_\_\_\_

Did you request staff backup? Yes / No If yes, who else attended:  
\_\_\_\_\_

#### Health of student/s (observed behaviour, student disclosures):

What was the health status of the students at the time of your intervention?  
\_\_\_\_\_  
\_\_\_\_\_

What was the health status of the students at the time of your hand over to principal/delegate?  
\_\_\_\_\_  
\_\_\_\_\_

Did you need to take any immediate actions, such as first aid, medical support? Yes / No  
(If yes, please detail) \_\_\_\_\_  
\_\_\_\_\_

#### Handover to principal/delegate

To whom did you hand over responsibility? \_\_\_\_\_  
\_\_\_\_\_ What time was the hand over? \_\_\_\_\_

Did you hand over and witness securing of any drugs or drug paraphernalia? Yes / No

Signed \_\_\_\_\_ Date / /

## Appendix A: Incident management roles and documentation

### Student interview record—suspected drug-related incident

**To be completed by principal/delegate or procedural observer**

If more than one student involved in incident, a student interview record should be completed for each student. *(Attach further sheets if there is not enough room for details on this pro forma.)*

Is this the first interview with this student for this incident? Yes / No

If no, when was the previous interview? \_\_\_\_\_

Interview conducted by: \_\_\_\_\_ Position: \_\_\_\_\_

Date of interview:    /    /                      Time: \_\_\_\_\_ Place: \_\_\_\_\_

Student's name: \_\_\_\_\_ Age at the time of incident: \_\_\_\_\_

Parent/caregiver's or advocate's name: \_\_\_\_\_

Other participants in interview: \_\_\_\_\_

Has the student been informed of process to be followed: Yes / No

What are the allegations made against the student:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Has the student been informed of these allegations: Yes / No

If no, detail why: \_\_\_\_\_

\_\_\_\_\_

Student's response to the allegations: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Is there any drug or drug-related paraphernalia involved? Yes / No

If yes, please detail type (if known), quantity and brief description: \_\_\_\_\_

\_\_\_\_\_

Details of discussions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Was the student/their advocate advised of their right to appeal against the process? Yes / No

Did they make an appeal? Yes / No

*Please see next page for continuation of this form*



### Student interview record (continued)

Have the police been contacted for advice? Yes / Not applicable

If yes, what is their advice? \_\_\_\_\_

\_\_\_\_\_

What was the name of the police officer with whom you spoke? \_\_\_\_\_

Log number of phone call \_\_\_\_\_

Will the police be proceeding with investigations? Yes / No

**School investigations must be put on hold pending any police investigation.**

If police called, interview recommenced on (date):    /    /    Time: \_\_\_\_\_

If participants or circumstances are different from initial interview, what has changed?

\_\_\_\_\_

\_\_\_\_\_

What decisions have been made by the school concerning the student's behaviour?  
(educative, punitive, deterrent) \_\_\_\_\_

\_\_\_\_\_

Has the student been given a **fair hearing**? (E.g. the student has been afforded the opportunity to tell their whole story prior to a determination) Yes / No

Has the student (and parents/caregivers) been informed of their obligation and the school's obligations to the family in relation to the SEE procedures? Yes / No  
(This includes being advised of the appeal process and being given the appropriate appeal pro forma in the case of exclusion or expulsion—refer to *School Discipline Policy Implementation Kit, Appendix 19 Section 2*).

Was the student suspended or excluded? Yes / No

Details: \_\_\_\_\_

\_\_\_\_\_

If yes, is a student development plan being initiated in conjunction with parents/caregivers? Yes / No

If yes, who is managing the plan? \_\_\_\_\_

Parents/caregivers' comments: *(Parents/caregivers may wish to include whether they thought the process and final determination followed fair process.)*

\_\_\_\_\_

\_\_\_\_\_

Student's comments (optional):

\_\_\_\_\_

\_\_\_\_\_

Interview ended at (time): \_\_\_\_\_ Signed: \_\_\_\_\_

(Principal/delegate)

<b>School Behaviour Management Policy .....</b>	<b>3</b>
<b>Behaviour Code .....</b>	<b>4</b>
<i>ANTECEDENTS</i> .....	4
Factors that influence behaviour .....	4
The Physical Environment .....	4
The Learning Program .....	5
Relationships.....	5
<b>Code of Conduct .....</b>	<b>6</b>
BE FAIR.....	6
RESPECT OTHERS.....	6
<i>BE SAFE</i> .....	6
<i>BE RESPONSIBLE</i> .....	7
<i>AIM FOR SUCCESS</i> .....	7
<i>BE LOVING AND FORGIVING</i> .....	7
<b>Response to unacceptable behaviour.....</b>	<b>8</b>
<b>Bullying and harassment.....</b>	<b>9</b>
What is bullying? .....	9
The different types of bullying .....	9
Who to report to. ....	9
Symptoms of Bullying.....	10
Behavior Management Procedures.....	10
Who Responds/Records .....	10
Referral Process .....	13
Process: .....	14
<b>CODE OF CONDUCT BREACHES.....</b>	<b>15</b>
Yard Behaviours .....	15
Skipping Lessons .....	15
Lateness to Class .....	15
Students Wandering .....	15
<b>Summary .....</b>	<b>16</b>
<b>Crossways Lutheran School - Drug Policy .....</b>	<b>15</b>
Underpinning Principles .....	17
Context and overarching policy statement .....	18
Links to other school initiatives.....	18
Procedures for both school and extra curricular activities.....	19
Overview .....	19
School procedures - Management of Drug Related Incident/s at Crossways Lutheran School .....	20
Initial Procedures .....	20
Management of Incident – Principal.....	20
Following Actions .....	21
For Advice .....	21
Principles of natural justice .....	22
When do principles of natural justice need to be utilised? .....	22
<b>Appendices.....</b>	<b>25</b>