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Wadeley Academy

OPERATIONAL STANDARD/POLICY

Disciplinary Policy


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1 Purpose

The purpose of this policy is to ensure that WADELEY ACADEMY has a consistent and fair approach to the student discipline.

2 Scope

This procedure applies to all WADELEY ACADEMY staff, parents and students

3 Definitions, Acronyms and Abbreviations


Parent' means:

- The biological parent or guardian of a learner.
- The person legally entitled to custody of a learner; or
- The person who undertakes to fulfil the obligations of a person referred to in paragraphs and towards the learner's education at school.

Abbreviation	Explanation
WADELEY ACADEMY	Wadeley Academy
PR	Principal
VPR	Vice Principal
CT	Class Teacher
P/S	Policy/Standard

4 Responsible for Implementation

HM, VHM and CT

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5 Policy

5.1 Overview

While discipline is intended to correct inappropriate behavior, positive recognition and reward is acknowledged as the first resort for sustained acceptable behavior and achieving potential. WADELEY ACADEMY fully supports the principles of fair discipline and the consistent application of appropriate and corrective disciplinary measures where necessary.

Should expected norms of conduct not be met by any Student, corrective action will be initiated by the principal and/or teachers. Corrective action may or may not include the application of formal disciplinary measures, any formal steps being applied in order to prevent further occurrences of unacceptable behavior or to restore the teacher/Student relationship.

The Code of Conduct and Disciplinary Procedure is not intended as an exhaustive guideline of the conduct/rules which a student is intended to comply with, or the steps to cope with all disciplinary-related issues. Rather, it is intended to indicate fundamental values and principles according to which Students are expected to conduct themselves, as well as a framework within which corrective action and discipline can effectively be implemented.

The Student and Parents accept that a particular sanction imposed after the disciplinary process is legitimate, fair, final, binding and is a necessary consequence of the breach of a School Rule. All parties involved are encouraged to refrain from threats, abuse of power, bias, dislike or interpersonal difficulties that may compromise the authority of the disciplinary process or the atmosphere of equity, due process and fairness.


5.2 Disciplinary action

Various forms of informal and formal disciplinary measures may be initiated by the Academy. The severity of the action taken by the Academy will depend on the circumstances, the seriousness of the infringement and any mitigating or aggravating factors being of relevance.

Informal disciplinary action

Informal disciplinary action that may be applied by the Academy includes:

- reprimand or counselling by a teacher or a member of the Executive;
- detention or time punishment, writing exercises, suspension from activities (internal or external, or both) for not more than 5 (five) school days;
- a program of School Service or volunteer services supervised by the School

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Infringements that are not considered serious, or do not require formal disciplinary action in the opinion of the student's responsible teacher, can be dealt with directly by the teacher, without the consent of the principal, as the case may be.

Parents and the Student accept that compliance with the imposed penalties may, on occasion, cause disruption and inconvenience to the student's family, but that this often a consequence of progressive discipline and Parents agree to support the school in its endeavors.

Informal disciplinary action is not generally recorded on the student's record, but may still require communication with the Parents.

Formal disciplinary action


Formal disciplinary action that may be applied by the Academy, or any combination thereof, includes:

- a recorded warning or demerit;
- Parent contact and an interview with Parents, generally after an investigation by the school;
- removal of a privilege(s);
- community service;
- suspension from class, specific activities or from attending the school, pending the convening of a formal disciplinary hearing, and/or as a form of corrective action suspension may be assigned without a disciplinary hearing with the permission of the Parents; or
- expulsion, as a last resort in the case of Very Serious Misconduct or repeated infringements, usually after the conducting of a disciplinary hearing, unless a hearing is declined by the Parents.

Discipline will, wherever feasible and effective, be applied purposefully. Repeated committing of a similar or related offence will result in incrementally more severe action being taken, particularly where a clear pattern or trend is indicated by the student's continued misconduct.

A very serious first incident may, however, justify a severe penalty, and mitigate against the imposition of a lesser form of action.

Warnings/demerits issued by the school will be noted on the Student's record. Copies of warnings/demerits issued will also be provided to the Parents.

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5.3 Disciplinary Action and Investigation

When an infringement occurs which may require formal disciplinary action, the teacher of the student concerned, or a Parent or other Student/s will initiate the disciplinary process by reporting the incident to the principal. A report or complaint may be supplemented by any additional information or statements to clarify or adequately detail the facts surrounding the alleged infringement.

The principal will lead the investigation, formulate the charge and present the evidence at the disciplinary hearing. This assessment usually takes the form of an informal investigation, which generally includes an opportunity for the student to “state his/her case” in response to the complaint. All interviews with possible culprits and witnesses will be conducted confidentially. Any notes taken by the Investigator and/or any witness present during the investigation will be for the personal use of the Investigator only and will not form part of the official record of any proceedings. Students may be asked to make written statements, which must be signed and dated and may be used later in any procedures that follow the investigation. Any such person shall be entitled to read the statement before signing it and shall be given a personal copy to keep.


In cases where the alleged behavior may amount to Very Serious Misconduct, a second member of staff will be present for all interviews with the Investigator and all present will be expected to tell the truth. Any deceit may be considered an aggravating factor in determining punishment, if guilt is established.

A teacher chosen by the student shall act for the student at the hearing. The Parents/Legal Guardians of the Student will be informed of the hearing before it commences and may be present at the hearing, but will only be allowed to participate in the proceedings when the decision has been made as to the guilt (or not) of the student and is considering the appropriate sanction/penalty.

If deemed appropriate, an interview with Parents will be conducted.

If, after investigation:

- the infringement is confirmed, but is considered to be of a nature that does not require a formal disciplinary hearing, the school may counsel the student and issue the appropriate penalty, or warning to the Student(s) concerned; or
- the infringement is confirmed and is considered to be of a serious nature, it will be referred for a formal disciplinary hearing.

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Formal Disciplinary Hearing

Category 1, or in the case of repeated category 2 and/or 3 infringements and prior disciplinary action not having its expected effect, will be referred for a disciplinary hearing.

A notification of a hearing will be given to the Parents of the Student concerned. This notification must provide sufficient information to ensure that the Student and Parents are properly informed of the alleged complaint, the seriousness of the allegations, and the Academy's intention to convene a hearing to investigate the infringement.

The Parents will be notified of the hearing at least 2 (two) business days before the scheduled hearing.

The student may be suspended pending the hearing, if this is considered appropriate, bearing in mind the circumstances, the right to education and the seriousness of the alleged misconduct, and other parties who may be involved. The suspension of the student will be indicated in the notification to the Parents, the period of suspension preferably not exceeding five 5 (five) school days.

The student and his/her Parents must be advised that they are expected to attend the hearing, as their non-attendance may prejudice the student's case, resulting in the hearing being held in their absence, and a decision being made without their involvement.


The Student and Parents must also be advised of the serious nature of the allegations, and the possibility of formal and severe disciplinary action being taken should the student be found guilty of the allegations made against him/her.

Legal representation at a disciplinary hearing is not permitted, unless the school and the Parents mutually agree that it is appropriate for both parties to be professionally represented.

The conducting of the hearing is of great importance and must be chaired by an objective member of the Executive of the school, or a suitably qualified and experienced third party. The Chairperson will be responsible for leading and managing the hearing process, and making the critical decisions as to the guilt or innocence of the student relative to the allegations made.

The Investigator may only attend the Disciplinary Hearing to present the case and is not involved in the deliberations of the Disciplinary Committee.

The Chairperson makes the final decision, after due consideration of mitigation and aggravating factors. Other members of the Disciplinary Committee are present to assist the Chairperson to make a decision, firstly to the guilt and secondly to the appropriate penalty for the student.

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The Chairperson may refer the matter back to the Investigator for further investigation, in which case the Disciplinary Committee will reconvene at a later date set by the Chairperson to hear further evidence, but not more than 5 (five) school days thereafter.

After the completion of the hearing, any penalty decision made (ie whether to impose disciplinary action or not) should be formally communicated to the Parents and supported in writing by the hearing chairperson.

This notification must include a reminder that the student has the right to review/appeal against any action decided upon, within 5 (five) school days of the hearing's outcome being communicated.

NB. Copies of all disciplinary documentation will be retained by the school for record and safekeeping purposes.

5.4 Review/appeal process


Review process

The Parents have the right to request a review against any formal disciplinary action imposed by the Academy, within 5 (five) school days of receiving written notification of the Chairperson's decision, being the outcome of the disciplinary hearing. The Parents' request for review must be in writing and detail in full their grounds for the review.

The granting of a review against a decision of the Chairperson of a hearing, only entitles the student to a review of the finding of the hearing and all the matters raised at the disciplinary hearing will not be "re-heard". No new information may be introduced at the review hearing. The review procedure is limited to reviewing the decisions made at the hearing and is based on the grounds and motivations lodged in the review motivation.

Typical grounds for such a review may include:

- the Disciplinary Procedure was not properly followed;
- the decision on guilt was not considered correct or fair;
- the decision regarding action to be taken was considered inappropriate;
- mitigating factors were not properly considered;
- the hearing chairperson was considered to be biased, did not apply his/her mind, or supposedly made a subjective decision; or
- the Student was not in a position to properly present his/her case.

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If after assessing the request for a review, it is deemed appropriate to proceed with a review hearing, the school will elect a new chairperson, who must be an objective member of the Executive of the school, or a suitably qualified and experienced third party. The review chairperson will be responsible for leading and managing the review process, and making the critical decisions.

The review should wherever possible be conducted within 5 (five) school days of receipt of the review motivation, in accordance with the principles highlighted in above.

If the Student has been suspended or expelled pursuant to the findings of the hearing, the submission of the request for a review will not affect the suspension/expulsion, which will remain in effect until the review process has been concluded. In the case of any other formal disciplinary action being imposed by the hearing Chairperson, the imposition of such action will be held in abeyance pending completion of the review process.

The conclusion of the school's review procedure is the final step in the school's disciplinary process and marks the exhaustion of internal disciplinary measures.

Appeal process


Should substantial new and relevant evidence come to light after the hearing, the Parents have the right to request an appeal against the formal disciplinary action imposed by the school.

The granting of an appeal against a decision of the chairperson of a hearing, enables new and relevant evidence to be introduced and the matter will be "re-heard".

The Parents wishing to request an appeal must motivate their request in writing, detailing in full their grounds for the appeal. The request for the appeal must be submitted to the Head within 5 (five) school days of the hearing chairperson's decision having been communicated to the Parents, so as not to delay proceedings.

If after assessing the request for a review, it is deemed appropriate to proceed with an appeal hearing, the school will elect a new chairperson, who must be an objective member of the Executive of the school, or a suitably qualified or experienced third party. The appeal chairperson will be responsible for leading and managing the appeal process, and making the critical decisions.

The appeal should wherever possible be conducted within 5 (five) school days of receipt of the appeal motivation in accordance with the principles highlighted above. If the Student has been suspended or expelled pursuant to the findings of the hearing, the submission of the request for an appeal will not affect the suspension/expulsion which will remain in effect until the appeal process has been concluded. In the

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case of any other formal disciplinary action being imposed by the hearing Chairperson, the imposition of such action will be held in abeyance pending completion of the appeal process

The conclusion of the school's appeal procedure is the final step in the school's disciplinary process and marks the exhaustion of internal disciplinary measures

5.5 Collective Disciplinary Action

The Disciplinary Procedure is principally designed to deal with instances of misconduct or infringement by individual Students. Alleged misconduct by a group of Students, usually acting in concert with one another, or where the infringements are of a similar nature or objective, is considered as being collective misconduct.

Generally, collective misconduct is more effectively dealt with on a collective basis. An investigation into the alleged misconduct may be conducted with regard to all of the students concerned. A single disciplinary hearing can then be conducted with the students concerned, with their Parents present.


The same procedures as provided for above are followed in a collective situation. In a collective disciplinary hearing, however, individual Students must still be provided, during or immediately after the hearing process, with the opportunity of demonstrating that their own circumstances may be different to that of other Students or the group involved, and of showing why they should be treated differently. In certain cases, however, it might be considered appropriate by the school to conduct separate investigations or hearings with individual Students. WADELEY ACADEMY reserves its right to exercise its option to conduct individual or collective procedures.

5.6 Expulsion

If the penalty contemplated by the Disciplinary Committee is expulsion from WADELEY ACADEMY, the principal may request an interview with the Parents of the Student, for purposes of determining whether or not the College is the best environment for the Student, given the incident/s of alleged Very Serious Misconduct and considering the rest of the Student's record at the College.

The principal may suggest, or the Parents may request, that the student be removed from the College. If the principal and the Parents agree, the Parents will then confirm in writing that they intend to remove the Student from the school. The principal will acknowledge this request in writing to the Parents and the school will take all reasonable measures to assist the Student and the Parents to find a place for the Student at another school.


If the Parents do not wish to remove the Student from the school as immediately above, the school may

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conclude the disciplinary hearing.


In any interview discussions with the Parents, the principal will have another member of the school staff present who shall keep written minutes of the interview.

In instances where expulsion is the penalty decided upon at the disciplinary hearing, the Parents will be asked to remove the student either immediately and without notice, or at a specified date that is shorter than a full term, with written notice, as is reasonable under the circumstances. The school will not be required to give the Parents a full term's written notice under these circumstances. In instances of expulsion, the Deposit will be forfeited, however, any prepaid fees will be refunded to the Parents within 30 calendar days.


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5.7 Discipline Guideline


Type of Offence		Recommended Action		
		1 st Offence	2 nd Offence	3 rd Offence
Type 1 Offence (Extreme Misconduct)				
1	<p>Violent, abusive or threatening behavior (verbal or physical).</p> <p>Fighting, battery or assault (threatened or actual). Victimization, bullying or initiation of any sort.</p> <p>Transferring, using or being in possession of a dangerous weapon, fireworks, explosives or any object that considered as being potentially dangerous.</p> <p>Intimidating or willfully interfering with others (attempted or actual).</p> <p>Inciting, advising or rewarding others to perform violent, racist, offensive or threatening acts.</p> <p>Any “gang” related activity that may threaten the safety or welfare of others</p> <p>Harassment (sexual, racial, cultural, or religious).</p> <p>Issuing a bomb threat or arson (attempted or actual).</p> <p>Behavior that may pose a danger to the safety and welfare of others</p>	Suspension and Hearing followed by Suspension or Expulsion		
2	Being in possession of, or under the influence of alcoholic, hallucinogenic, or dangerous/prohibited substances, or distributing, storing or consuming any of these substances.	Suspension and Hearing followed by Suspension or Expulsion		

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	Strong suspicion of habitual use (abuse) or regular use of medication, drugs, or alcohol at school or during a school event.			
3	Being in possession of another's property without their knowledge or consent or attempting to remove another's property without consent or their knowledge. Theft or attempted theft.	Suspension and Hearing followed by Suspension or Expulsion		
4	Serious dishonesty (actual or intended) Cheating, copying or tampering with test or exam results, reports or assignments. Being in possession of or distributing material or information that may give an advantage in a test or an exam. Extortion, bribery, corruption or fraud (attempted or actual). Being an accomplice to, colluding, conspiring, assisting / abetting or instigating dishonesty, fraud, or theft. Inciting, advising or rewarding others to be dishonest or to cheat. Serious breach of school security procedures, unreasonably refusing to submit to a search. Off-site criminal misconduct that disrupts or substantially damages the College/Student relationship and the educational process.	Suspension and Hearing followed by Suspension or Expulsion		
5	Obscene, indecent, or sexually explicit behavior or gestures, or attempts to make unwanted physical contact, Sexual harassment, inappropriate sexual innuendos or graphic comments Threatened or actual physical assault including gender-based violence and sexual harassment. Intentional and offensive, derogatory, insulting, abusive, racist, or lewd behavior.	Suspension and Hearing followed by Suspension or Expulsion		


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	Storage, creation, sale, or distribution of pornographic, obscene or offensive material, publications, symbols, email, text/SMS/MMS, cartoons or objects.			
6	<p>Sabotage, malicious or willful damage to school or others' property.</p> <p>Unauthorized occupation of any school property or facility or having the effect of depriving others from using this property or facility. Preventing or seeking to prevent free assembly by others on the school's property, without permission.</p> <p>Blocking off any entrances or exits to or from the school premises, with the intention or effect of interfering with free access / egress by others.</p> <p>Students are precluded from participating in or initiating protest action unless they have exhausted all avenues available to address their concern and they have received the necessary permission from the principal.</p>	Suspension and Hearing followed by Suspension or Expulsion		
7	<p>Actions that expose others to serious danger or injury, or expose the school to potential accidental loss or damages - whether due to willful or negligent acts.</p> <p>Unsafe acts or behavior that endangers the safety and welfare of others.</p>	Counselling/ Suspension and Hearing followed by Suspension or Expulsion		
8	Serious misconduct or actions that may bring the reputation of the school, Students or other stakeholders into disrepute	Counselling/ Suspension and Hearing followed by Suspension or Expulsion		
9	<p>Any other misconduct considered to be very serious and possibly justifying expulsion as a first offence.</p> <p>Forgery or falsification of school documents and reports.</p>	Counselling/ Suspension and Hearing followed by Suspension or Expulsion		


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Type 2 Offence (Serious Misconduct)


	<p>Playing of obscene, insulting or demeaning games.</p> <p>Dangerous horseplay.</p> <p>Malicious teasing.</p>	Counselling/Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion	
	<p>Inappropriate behaviour or comments in public or at school events that brings the school into disrepute (inclusive on social media platforms).</p> <p>Abuse of school privileges or seniority/status, abuse of position of authority.</p> <p>The use of racist, sexist or any discriminatory remarks.</p> <p>Lying and unfair behavior (with less serious initial consequences).</p>	Counselling/Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion	
	Smoking or being in possession of tobacco, eCigarettes, vapes or cigarettes on the school premises or at school events.	Counselling/Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion	
	<p>Vandalizing property or equipment, improper use or not taking due care of property or equipment.</p> <p>Accidental damage to property through carelessness.</p>	Counselling/Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion	
	<p>Acts or behavior designed to create a hostile or threatening school environment, or that may reasonably have resulted in such an environment.</p> <p>Willful disruption of school activities, interference with school authorities.</p> <p>Conduct designed to be prejudicial to good order or discipline at the school.</p>	Counselling/Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion	

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	Any misconduct by the Student that is considered by College authorities to warrant more than counselling, a verbal reprimand, or an ordinary warning.	Counselling/Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion	
Type 3 Offence (Lesser Misconduct)				
	Disregard for rules, directions, instructions or for any persons in authority. Defiance or disrespect towards Staff Members, Parents/Guardians, visitors or peers Being discourteous towards College authorities, adults or peers, or displays of insolence. Being unreasonably intolerant of others and their religion, personal beliefs, cultural traditions, appearance or of diversity. Persistent violation of College rules (with less serious initial consequences).	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
	Use of excessive force when playing games or during sporting events. Playing games in an area where others may be injured or where property may be damaged. Riding skateboards, wheelies, bicycles or motorbikes in areas where such activities are prohibited, or in such a manner as may cause injury to others or damage to property.	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
	Noisy or disruptive behaviour, disturbing the activities of others. Highly disruptive or unruly classroom behaviour. Trespassing or entering College premises without permission or without supervision, and/or after College hours. Refusing to identify oneself upon request by a College authority.	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
	Swearing and use of vulgar, profane (foul) derogatory or discriminatory language.	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion

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				Expulsion
	Tardiness, littering and poor housekeeping. Poor grooming, unhygienic personal habits, improper use of College facilities or ablutions Hair, dress or apparel that is not in accordance with College standards or rules. Eating or drinking during class or College events / activities when consumption is not permitted.	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
	Tampering with the possessions or equipment of others. Use of College equipment without permission (with no serious consequences) .	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
	Refusal or failure to complete homework or assignments. Refusal to deliver or return reports, reply slips or letters to Parents or to the College. Unreasonable and unexplained refusal to attend or participate in College activities or compulsory events. General uncooperativeness and / or being wilfully obstructive. Poor application to studies, College work or assignments.	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
	Truancy, poor timekeeping practices. Unexplained absences from classes or from compulsory events or activities. Leaving class or College premises without permission. Persistent late-coming or early unauthorised departure from class / College.	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
	Persistent misuse of personal communication devices during College activities.	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion
	Any other infringements that may be considered serious enough to warrant the implementation of corrective action and taking of disciplinary measures.	Counselling and Reprimand or Warning/Demerit/ Detention	Final Warning/Parental Contact	Suspension and Hearing followed by Suspension or Expulsion

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6 Deviations or Contraventions

Any staff or students that do not comply with this policy will be subject to disciplinary action.