

BEHAVIOUR AND DISCIPLINE IN SCHOOLS

GUIDANCE CIRCULAR

(January, 2020)



MINISTRY OF
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About these guidelines

How they help you

1. These guidelines:
 - a. Are from the Ministry of Education. They provide advice to School Leaders and school staff on developing the school behaviour policy and explain the powers members of staff have to discipline students.
 - b. The purpose of this document is to provide an overview of the powers and duties for school staff. It is for individual schools to develop their own best practice for managing behaviour in their school.
2. These guidelines are designed to help you:
 - a. act legally
 - b. make good decisions
 - c. act fairly
 - d. understand your options and duties; and
 - e. minimise the risk of complaints.

Guidelines and Legislation

3. These guidelines outline the implications for School Leaders and school staff in relation to student behaviour and school discipline, the Education Law, 2016, and the associated Education Regulations, 2017, relating to student behaviour and school discipline.

Who are these guidelines for?

4. School Leaders, Department of Education Services (DES) officers, governing bodies and school staff.
5. The term “school leader” means a person, by whatever name called, who is responsible for the day-to-day management of the school and for persons deployed to work at the school.
6. Except where specifically stated, these guidelines apply to all schools within the Cayman Islands. The term “school” means an institution for providing compulsory education and includes:
 - a. a unit for that purpose but established in an institution that caters to other categories of education; and
 - b. Government school, an assisted school and an independent school

What the Law states:

Education Law, 2016.Part 11

27. (1) Every school shall have a written Behaviour Policy that includes the disciplinary penalties to be applied and the procedures for the enforcement of the penalties.
- (3) The Behaviour Policy for a school shall apply to the conduct of a student -
 - (a) at school; and
 - (b) while a student is engaged in activities away from school premises, arranged as school activities;and each school may decide that it shall apply at other times and in other places when the school considers it appropriate in the interests of the education of the student or the protection of the reputation of the school.
- (4) In the preparation and revision of a Behaviour Policy for a school, regard shall be had to -
 - (a) the wishes of parents of students in attendance at the school; and
 - (b) guidance which may from time to time be given by the Minister on matters relating to student discipline and behaviour.

The Education Regulations, 2017. Part 10 - 53 (1)

53. (1) The Director of the Department of Education Services, school leaders and the governing body of a school shall ensure that written measures designed to promote good behaviour and discipline on the part of students, are brought to the attention of members of staff, students, and parents and guardians of students and are constantly implemented; and these measures shall be referred to as the 'Behaviour Policy'.
- (2) The school leader shall in determining the Behaviour Policy –
 - (a) act in accordance with current written guidance issued by the Director of the Department of Education Services or the governing body pursuant to the law or these regulations; and
 - (b) have regard to any notification or guidance given to the schools leader pursuant to the law or these Regulations

Definition of parent within these guidelines

7. References to parents in this guidance include the child’s birth parents, any person who has parental responsibility, which includes the Department of Children and Family Services (DCFS) and any person (for example, a foster carer) with whom the child lives.

8. This guidance refers to “parents” throughout and where practicable it is expected that all those with parental responsibility should be engaged with the disciplinary measures outlined within this document.

1.0 Key considerations

1.1 Teachers have power to discipline students for misbehaviour which occurs in school and, in some circumstances, outside of school.

1.2 The power to discipline also applies to other authorised staff working within a particular school (unless the School Leaders says otherwise) with responsibility for students, such as support and specialist staff.

1.3 School Leaders must ensure they have a strong behaviour policy to support staff in managing behaviour, including the use of rewards and sanctions.

2.0 The school behaviour policy

2.1 The School Leader must set out measures in the behaviour policy which aim to:

- promote acceptable and good behaviour, self-discipline and respect
- prevent bullying
- ensure that students complete assigned work
- regulate the conduct of students

2.2 When deciding what these measures should be, the School Leader must take account of the Ministry of Education’s National Code of Conduct and policies relating to school discipline and student behaviour. School Leaders also have regard to the wishes of parents, to any guidance or notification provided by the Ministry of Education, the Department of Education Services (DES) and governing bodies, which include the following:

- Searching, screening and confiscation.
- Physical intervention in schools
- Suspension, exclusion and expulsion

2.3 The School Leader must decide the standard of behaviour expected of students at the school. He or she must also determine the school rules and any disciplinary penalties for breaking the rules.

2.4 Teachers’ powers to discipline include the power to discipline students even when they are not at school or in the charge of a member of staff.

2.5 The School Leader must publicise the school behaviour policy, in writing, to staff, parents and students at least once a year.

2.6 The school’s behaviour policy must be published on its website.

3.0 Home school agreements

3.1 The standard of behaviour expected of all students must be included in the school’s home-school agreement which parents must be asked to sign following their child’s admission to a school.

4.0 Developing the behaviour policy

4.1 It is vital that the behaviour policy is clear, that it is well understood by staff, parents and students, and that it is consistently applied. In developing the behaviour policy, the School Leader should reflect on the following eleven key aspects of school practice that, when effective, contribute to improving the quality of student behaviour and developing safe and positive school climates:

- A consistent approach to behaviour management
- Rules and routines
- Strong school leadership
- Classroom management
- Rewards and sanctions
- Behaviour strategies and the explicit teaching of expected behaviours
- Staff training and support
- Student support systems and interventions
- Liaison with parents and other agencies
- Managing student transitions
- Managing organisational and environmental factors

5.0 Discipline in schools

5.1 Teachers have statutory authority to discipline students whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction.

5.2 The power also applies to other school staff who have been given authorisation by the School Leader, such as support and specialist staff

- 5.3 Teachers can discipline students at any time the student is in school or elsewhere under the charge of a teacher, including on school visits.
- 5.4 Teachers can also discipline students in certain circumstances when a student's misbehaviour occurs outside of school.

6.0 Disciplinary measures

- 6.1 Teachers can discipline students whose conduct falls below the standard which could reasonably be expected of them. This means that if a student misbehaves, breaks a school rule or fails to follow a reasonable instruction the teacher can impose a sanction on that student.
- 6.2 To be lawful, the sanction (including detentions) must satisfy the following three conditions:
- The decision to sanction a student must be made by a teacher or a member of staff authorised by the School Leader.
 - The decision to sanction the student and the disciplinary measure applied must be made on the school premises or while the student is under the charge of the member of staff.
 - It must not breach any other legislation (for example in respect of disability, special educational needs and human rights) and it must be reasonable in all the circumstances.
- 6.3 A sanction must be proportionate. In determining whether a sanction is reasonable, the Education Regulations, 2017 state that any disciplinary measures must be reasonable in all the circumstances and must take into account the student's age, any special educational needs or disability they may have, and any religious requirements affecting them.
- 6.4 The School Leader may limit the power to apply particular sanctions to certain staff and/or extend the power to discipline to privately contracted staff such as Security Officers.
- 6.5 Corporal punishment is illegal in all circumstances.
- 6.6 Schools should consider whether the behaviour under review gives cause to suspect that a child is suffering, or is likely to suffer, significant harm. Where this may be the case, school staff should follow the schools' Child Protection Policy. They

should also consider whether continuing disruptive behaviour might be the result of unmet educational or other needs. At this point, the school should consider whether a multi-disciplinary assessment and/or conference is necessary.

7.0 Behaviour and sanctions

- 7.1 A clear school behaviour policy, consistently and fairly applied, underpins effective education. School staff, students and parents should all be clear of the high standards of behaviour expected of all students at all times. The behaviour policy should be supported and backed-up by senior staff and the School Leader
- 7.2 Successful Schools encourage good behaviour through a mixture of high expectations, clear policy and an ethos which fosters discipline and mutual respect between student, and between staff and students.
- 7.3 Schools should have in place a range of options to recognise, reinforce and reward good behaviour, and clear sanctions for those who do not comply with the school's behaviour policy. These will be proportionate and fair responses that may vary according to the age of the student, and any other special circumstances that affect the student.
- 7.4 When poor behaviour is identified, sanctions should be implemented consistently and fairly in line with the behaviour policy. Successful schools will have a range of disciplinary measures clearly communicated to school staff, students and parents. These can include:
- A verbal reprimand.
 - Extra work or repeating unsatisfactory work until it meets the required standard.
 - The setting of reflective written tasks
 - Loss of privileges
 - Missing break time.
 - Detention, including during lunch-time and after school with allowances for eating, drinking and restroom use.
 - School based community service or imposition of a task – such as picking up litter, tidying a classroom, helping clear up the dining hall after meal times, or removing graffiti. This may be part of a restorative approach employed by the school.

- Regular reporting including early morning reporting; scheduled uniform and other behaviour checks; or being placed “on report” for behaviour monitoring.
- In more extreme cases schools may use internal suspension, exclusion to home and expulsion.
- In cases where a student is repeatedly breaking the school code of conduct, then referral to the Behaviour Support Service and/or Student Services may be considered.

8.0 Student conduct outside of the school grounds

- 8.1 Teachers have the power to discipline students for misbehaving outside of the school premises “to such an extent as is reasonable”.
- 8.2 Behaviour policies should set out what the school will do in response misbehaviour and bullying, which occurs off the school premises and is witnessed by a staff member, including the sanctions that will be imposed on students
- 8.3 Subject to the behaviour policy, teachers may discipline students for:
- misbehaviour when the student is:
 - taking part in any school-organised or school-related activity or
 - travelling to or from school
- 8.4 In all cases of misbehaviour, staff can only enforce or carry out a disciplinary penalty on the school premises or elsewhere when the student is under the lawful control of the staff member, which includes bus wardens and drivers.

9.0 Detention

- 9.1 Teachers have a power to issue detention to students.
- 9.2 Schools must make clear to students and parents that they use detention (including detention outside of school hours) as a sanction.
- 9.3 The times outside normal school hours when detention can be given (the ‘permitted day of detention’):
- 9.4 The School Leader can extend which members of staff can put students in detention. For example, a

School Leader can decide that all members of staff, including support staff, can impose certain levels of detentions.

10.0 Matters schools should consider when imposing detentions

- 10.1 Parental consent is not required for detentions. However, parents are to be informed if a detention is taking place outside of school hours
- 10.2 As with any disciplinary penalty a member of staff must act reasonably given all the circumstances when imposing a detention.
- 10.3 With lunchtime detentions, staff should allow reasonable time for the student to eat, drink and use the restroom.

11.0 Detentions outside school hours

- 11.1 School staff should not issue a detention where they know that doing so would compromise a child's safety. When ensuring that a detention outside school hours is reasonable, staff issuing the detention should consider the following points:
- Whether the detention is likely to put the student at risk.
 - Whether the student has known caring responsibilities which mean that the detention is unreasonable.
 - Parents are to be informed of the detention.
 - Whether suitable travel arrangements can be made by the parent for the student. It does not matter if making these arrangements is inconvenient for the parent.

12.0 Searching, screening and confiscation

- 12.1 There are two sets of legal provisions which enable school staff to search and/or screen individuals and to confiscate items from students:
- 1) The **general power to discipline** (as described in this document) enables an authorised member of staff to search, screen, confiscate, retain or dispose of a student’s property as a disciplinary measure, so long as it is reasonable in the circumstances. The law protects them from liability for damage to, or loss of, any confiscated items provided they have acted legally.

2) **Power to search without consent** for “prohibited items” including:

- knives and weapons
- alcohol
- illegal drugs
- stolen items
- tobacco, cigarette papers and e-cigarettes
- fireworks
- pornographic images
- any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property; and

- 12.2 The legislation sets out who can undertake a search, how a search should be carried out and what must be done with prohibited items found as a result of a search.
- 12.3 Weapons and knives and or child pornography must always be handed over to the police.
- 12.4 More detailed advice on searching, screening and confiscation and what must be done with prohibited items found as a result of a search is provided in the guidance document - ‘Searching, Screening and Confiscation.’

13.0 Power to use reasonable force

- 13.1 Members of staff have the power to use reasonable force to prevent students committing an offence, injuring themselves or others, or damaging property, and to maintain good order and discipline in the classroom.
- 13.2 School Leaders and authorised school staff may also use such force as is reasonable given the circumstances when conducting a search without consent for items listed above or articles that have been or could be used to commit an offence or cause harm.
- 13.3 Separate advice is available in the guidance document ‘Physical Intervention in Schools’.

14.0 The authority to withdraw, internally suspend, exclude or expel a student

- 14.1 Deputy School Leaders in conjunction with named senior staff can set a period of withdrawal
- 14.2 The School Leader and Deputy School Leader may internally suspend a student for up to three (3) consecutive school days.

14.3 The School Leader of an assisted or independent school may exclude a student to home for a fixed period of up to 7 consecutive school days.

14.4 The School Leader of a Government School may exclude a student to home for a fixed period of between one (1) and three (3) consecutive school days.

14.5 The School Leader of a Government School, after gaining permission from the Department of Education, may exclude a student for a fixed period of between four (4) and seven (7) consecutive school days

14.6 The Director of Education or Governing Body after investigating an incident report, may extend a fixed period exclusion up to a further thirty (30) consecutive school days.

14.7 School Leaders of Government schools, assisted schools or independent schools can expel a student, but in accordance with the Education Regulations (2017) must notify the Chief Education Officer when considering this course of action.

14.8 The decision to expel a student must involve the Director of Education, the DES Exclusion Committee or Governing Body and a thorough evaluation of the circumstances must take place before such a decision is made.

School Leader’s decision

14.9 When excluding a student, a School Leader must ask these questions about the facts of the investigation:

- Was the student’s behaviour a serious and/or persistent breach of the School Behaviour Policy?
- Did the student’s behaviour have, or was likely to have, a serious negative impact on other students or the good order and management of the school?
- Does the student’s attendance at school poses an acceptable risk to the safety or wellbeing of other students and staff?
- Is the student charged with a serious offence?

And if so

- What part did the student's individual circumstances play?
- What action is appropriate in these circumstances?

More information on suspension, exclusion and expulsion can be found in the Ministry of Education Guidance Document '***The Suspension, Exclusion and Expulsion of Students***'

APPENDIX I

Model School Behaviour Policy

Insert School Logo

School's Behaviour Policy
(Sample front cover)

..... School

Approved and adopted - Date

This policy has been developed and implemented in consultation with the whole school community including students, parents/guardians, staff, and partner agencies.

Review Date

SIGNATURES

Student (via the Student Council)

Parent (via the HSA)

DES Senior School Improvement Officer/ Chair of Governors
.....

School leader

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1. Introduction

Students at **[Insert School Name]**, have rights and privileges as well as responsibilities. While the school has an obligation to provide an education for all its students, the School Leader and staff have an expectation that students conduct themselves in a way that is respectful, responsible and supportive of the school's positive learning environment. Students, parents, teachers, school management, and the wider community have contributed to the development of this School Behaviour Policy, which states our expected standards in relation to appropriate and responsible student behaviour. This policy is intended to inform staff, students and parents of the expectations, procedures and protocols for promoting positive behaviour and dealing with negative behaviour within **[Insert School Name]**.

2. Policy statement (Insert the school's own policy statement or use the example below)

*At **[Insert School Name]**, we believe that all members of the school community deserve a welcoming, supportive, respectful and inclusive learning environment, which values individual safety, well-being and the right to learn. In particular at **[Insert School Name]**, we realise our responsibility to provide a social learning context that is significant in influencing positive student behaviour and encourages individuals to accept responsibility for their own behaviour. This School Behaviour Policy provides a framework for such learning. Teachers encourage appropriate behaviour by teaching, guiding, directing, and providing opportunities for new learning to occur.*

3. Rationale and purpose

This policy has been drawn up in accordance with the Education Law, 2016 and associated regulations. This policy also takes into account the Ministry of Education guidance relating to student behaviour and discipline.

The purpose of the policy is to:

1. Highlight expected, appropriate and respectful student behaviours.
2. Describe positive behaviours and associated rewards and incentives.
3. Describe violations of the School Behaviour Policy and associated interventions and consequences that may be enforced.
4. Outline the responsibilities of students.

The rules and expectations outlined have been developed so that a combination of consistent, fair, proactive, corrective, and instructive strategies can be implemented in every classroom. Equally important to sharing what is expected of students is that school policies and practices support character development, the development of self-control and positive behaviour choices. Thus ensuring teachers can teach and students can learn. As a result, students, staff, and parents all benefit.

4. (Insert School Name], Student Code of Conduct (schools may want to modify this section to represent their own code of conduct)

The expectations for students at [Insert School Name], .School are to be in the RIGHT PLACE, at the RIGHT TIME, doing the RIGHT THING.

As a student I will.....

Respect self and others by:

- Following school rules.
- Listening to members of staff or responsible students and following instructions politely and calmly.
- Being polite to all staff, visitors and fellow students and treat all people as I want to be treated.
- Telling the truth, and admitting to things I have done.
- Working with others in positive ways.
- Refrain from swearing or insulting a member of staff, visitor or student.
- Being respectful, positive and considerate of others.
- Never rushing, fighting or play-fighting.
- Listening when others are speaking to me.

Be responsible by:

- Helping keep classrooms pleasant, clean and tidy.
- Never touching other people's property, and treating their belongings with respect.
- Following rules about safety.
- Never dropping litter and always placing litter in the garbage bins.

Respect the policies of the school by:

- Being on time for school and all my lessons.
- Only eating the dining area or designated places.
- Making healthy food choices.
- Remaining on school grounds unless I have permission to leave school.
- Dressing in the correct school uniform at all times.
- Remembering to leave chewing gum at home as it is not allowed on school premises.
- Leaving my cell phone and other electronic devices at home..
- Placing litter in the garbage bin

Achieve by:

- Making learning my priority and coming to school prepared to work.
- Doing my schoolwork to the best of my ability.
- Bringing all the equipment necessary for school.
- Being an active learner by participating in class activities and discussions.
- Always recording homework in my planner and complete homework on time.

5. Tiered Levels of rewards and sanctions (School may modify or add to the tiered reward table)

As with any incident of student behaviour, school staff must exercise informed judgment about whether a student's actions constitute a reward or sanction in relation to the Student Code of Conduct. The tiered responses shown in table 1 and 2 provide guidance to school staff in the use of progressive interventions, both positive and negative, to change student behaviours. School staff always have the option to use an intervention from a lower level as long as one from the prescribed level is also employed.

Repeated chronic or cumulative offenses may require a higher tier of sanction and a referral may be made to supporting agencies. Serious violations of the Code of Conduct will result in immediate sanctions at a higher tier.

Table 1: Tiered Rewards

TIER	OPTION
1	<i>Tier 1 Rewards. Teachers/staff use the following rewards to recognise and reinforce positive behaviour, effort and achievement/success in and around the classroom.</i>
	<ul style="list-style-type: none"> • Verbal praise • Display students work • Merit points • Tokens such as gifts, etc. • Tutorial group rewards <ul style="list-style-type: none"> • Post card, letter and/or certificate to parents • Classroom privileges • Homework pass <ul style="list-style-type: none"> • Text, email, phone call to parents. • Classroom responsibilities • Referred for academy reward
2	<i>Tier 2 Rewards. Appropriate when students have made extra effort and or behaved in a way which requires extra recognition. Tier two rewards may also be cumulative as a result of a pre-agreed number of tier 1 rewards. Tier 2 rewards are generally recognised through academy activities.</i>
	<ul style="list-style-type: none"> • Bronze/silver merit awards/certificates • Academy honour board • Academy display board • Academy awards for attendance, most improved, effort and conduct <ul style="list-style-type: none"> • Academy letters, reports home • Academy recognition badges • Tutorial/academy dress down day (excluding those who have not met requirements) <ul style="list-style-type: none"> • Weekly/monthly assembly recognition • Academy trips/parties for groups of students • Academy Lunch trips
3	<i>Tier 3 Rewards. Appropriate when students have made an exceptional contribution to the school, have achieved something outstanding or need recognition for services to the wider community. Tier 3 rewards may also be cumulative as a result of a pre-agreed number of tier 2 rewards. Tier 3 rewards are generally recognised through whole school celebrations or national press releases.</i>
	<ul style="list-style-type: none"> • Gold merit awards/certificates • School honour board • School display board • National Press report • Termly/yearly prize draw for high achievers <ul style="list-style-type: none"> • Principal letters, reports home • Whole school recognition badges • Movie or games day <ul style="list-style-type: none"> • Termly/monthly assembly recognition • School trips/parties for groups of students • Dress down passes • Whole school awards for attendance, most improved, effort and conduct

Table 2: Tiered Behaviours and Sanctions (in line with SIMS)

Level	1		
MINOR or MAJOR Offence	<p><i>Responsibility: Teacher- Use the following interventions to help students manage behaviour in the classroom. Teachers to record offence and sanction taken in lesson monitor comments (SIMS). If offence becomes a MAJOR due to intensity or frequency then intervene student and inform/refer on to SMT using SIMS and/or referral form.</i></p> <p>Cheating. Defiance. Disrespect toward others or their equipment. Disruptive behaviour. Inappropriate contact. Lying. Leaving class without permission. Misuse of school equipment. Possession of mobile electronic equipment or other prohibited items. Refusal to attempt/complete work. Teasing/hurtful comments. Uniform infraction, Unsafe behaviour.</p>		
Action Taken	<ul style="list-style-type: none"> Letter of apology Loss of privileges Restorative approach Contact parent 	<ul style="list-style-type: none"> Teacher conference with student Mentoring In-class time-out Seat change Behaviour target(s) 	<ul style="list-style-type: none"> Reinforcement of appropriate behaviours Written reflection about incident Daily report (teacher) Teacher detention
2	<p><i>Responsibility: Teacher can deal with behaviour but must also inform/refer to SMT. Teachers to record offence in SIMS and forward on to SMT.</i></p>		
MAJOR Offence	<p>All Tier 1 MINOR offences that become MAJOR due to intensity or frequency, or have not been resolved: Leaving School without permission, Threatening behaviour to student, Prejudicial remarks/comments. Selling goods. Deliberate damage to property..</p>		
Action Taken	<ul style="list-style-type: none"> All of tier 1 sanctions Referral to SMT/Deputy Daily report (LM) 	<ul style="list-style-type: none"> Teacher conference with student and/or parent Referral to school counsellor Peer mediation 	<ul style="list-style-type: none"> Parent or guardian accompany student to school or classes Confiscation of prohibited items Student/Parent contract School detention.
3	<p><i>Responsibility: Teacher/SMT - Teacher to intervene with student and inform and/or refer on to SMT using SIMS</i></p>		
MAJOR Offence	<p>Tier 1 and 2 offences are repeated, are of a more serious nature or have not been resolved. Alcohol, tobacco and other drugs. Arson/fire. Bullying. Deliberate cruelty to animals. Inappropriate sexual contact, Inciting others to fight or joining a fight. Indecent/offensive behaviour. Physical aggression to student Stealing. Threatening behaviour to staff.</p>		
Action Taken	<ul style="list-style-type: none"> All of tier 1 and 2 sanctions Mandatory referral to / SMT/Deputy 	<ul style="list-style-type: none"> Community Service (Volunteer work as a form of restitution) Parent/guardian notification required Alternative school-based programme Behaviour contract 	<ul style="list-style-type: none"> Referral to Behaviour Support Services In-school suspension Exclusion (1-3 days) School Leaders detention
4	<p><i>Responsibility: Teacher/SMT Teacher/SMT to record offence in SIMS and forward on to Deputy/School Leader</i></p>		
Offence	<p>Tier 1, 2 and 3 offences are repeated, are of a more serious nature or have not been resolved. Arson. Physical aggression to staff. Distribution of alcohol/drugs; Possession of dangerous implements/weapons</p>		
Action Taken	<ul style="list-style-type: none"> All of tier 3 sanctions Parent/guardian notification required 	<ul style="list-style-type: none"> Alternative school-based program Referral to Alternative Placement Panel Behaviour referral to School Leader 	<ul style="list-style-type: none"> Restricted activity Modified school day Transfer to another Academy Exclusion (4–7 days) Behaviour contract
5	<p><i>Responsibility: School Leader with support from SSIO/DES. Teacher/SMT Record offense and outcome in SIMS.</i></p>		
Offence	<p>Tier 4 offences have been repeated or have not been resolved. Tier 5 offences are of a significantly serious or extreme nature where the student’s behaviour presents a serious health and safety risk to the school community.</p>		
Action Taken	<ul style="list-style-type: none"> Parent/guardian notification required 	<ul style="list-style-type: none"> Managed move to another school Referral to Alternative Placement Panel 	<ul style="list-style-type: none"> Extended Suspension (up to 30 days) Expulsion (to be considered only in the most extreme cases)

Costs relating to loss or damage may be required in addition to any other prescribed consequences.

6. Sanctions and disciplinary action (Schools may modify and or add to this list)

There is a clearly defined process for issuing sanctions in this school. Where possible students are issued with a warning to enable them to rectify their behaviour although there may be times, if the nature of their behaviour is so serious, that more than a warning is warranted. The school uses a wide range of consequences for poor behaviour which are outlined in more detail below.

Community Service

For example, a teacher may require a small task to be completed as a consequence for a minor misdemeanour. The task might include a simple classroom chore, or help with a simple clerical task.

Teacher's Break Time/ Lunch Time Detention

For other misdemeanours, teachers may issue a formal detention for some of the student's break or lunchtime. Such detentions are logged on SIMS and the Tutor/Learning Mentor informed.

Teacher's After School Detention

For more serious misbehaviour a teacher may set up an after school detention of up to one hour, which may be supported by a senior member of staff. Such detentions are logged on SIMS and the Tutor/Learning Mentor informed.

School Detention

A weekly after school detention is reserved for serious one-off or repeated misbehaviour that has been brought to the attention of Learning Mentors or the Deputy School Leader. Students who are found to be repeatedly attending School Detention or are refusing to attend School Detention will be considered for a School Leaders Detention.

School Leaders Detention

School Leaders Detention is reserved for more serious offences, for students who are repeatedly offending or for students that are refusing other sanctions. The School Leaders Detention takes place after school on a Friday. A School Leaders Detention may also form part of a restorative solution as an alternative to a fixed-term exclusion and may involve some type of community service.

Withdrawal

Refers to incidents where a student has been withdrawn from normal classroom lessons for up to one day. This disciplinary consequence is usually used where a student needs a 'cool down' or have a 'reflective' period outside of the classroom.

Internal Suspension

Refers to a disciplinary penalty where a student is formally placed within the school based suspension unit or room, or other in-school provision for between one (1) and three (3) consecutive days.

Exclusion

Refers to a disciplinary penalty where a student is removed from school for a fixed period of time. At **[Insert School Name]**, School exclusions will count against graduation.

Expulsion

Refers to a disciplinary penalty where a student is permanently excluded and cannot return to their registered school.

Note: Further information on Suspension, Exclusion and expulsion can be found in the Ministry of Education Document – *‘Guidance on the Suspension, Exclusion and Expulsion of Students’*

7. Searching, screening and confiscation

The school follows the legislation and Ministry of Education advice when confiscating items from students, which is outlined in their document “Searching, Screening and Confiscation – Advice for School Leaders and Staff– 2020 (A copy of this document is available from the school on request or to download from the Ministry website). The following items are what are termed ‘Prohibited Items’ and their presence on school premises or if found on an individual student will lead to the highest sanctions and consequences:

- Knives
- Firearms/weapons
- Illegal drugs and drug paraphernalia
- Alcohol
- Fireworks
- Tobacco, cigarette papers and or e-cigarettes
- Pornographic images
- Stolen items
- Any article that the member of staff (or other authorised person) reasonably suspects has been, or is likely to be, used:
 - i) to commit an offence,
 - ii) to cause personal injury to, or damage to the property of, any person (including the student)

School Leaders and authorised staff can also search for any item banned by the school rules, which has been identified in the rules as an item which may be searched for. The following are items which are banned by the school under the Student Behaviour and Discipline Policy (please add/amend these)

- Dice. Fast food. Cell phones and other personal electronic devices.
- Jewellery not in accordance with the school uniform policy. Lighters or matches

The school will confiscate any electronic items being used on the premises such as mobile phones, MP3 players etc. Staff in this school have the right to confiscate and search any media which they “reasonably suspect” is being used to bully or otherwise cause an individual harm.

Students wearing any accessories or jewellery which do not follow the school uniform policy can expect to have these items confiscated. Any confiscated items will be logged and made available for collection at the end of the school day. Where a student repeatedly breaks the rules, they may be asked to hand in items at the beginning of each day to reduce unnecessary time wasting for teachers. For repeated offences of this nature, parents will be asked to collect confiscated items or the items may be kept for the whole term. Where items are not collected, the school will dispose of them at the end of each term.

Where items are 'prohibited' as outlined above, these will not be returned to students and will be disposed of by the school according to the Ministry and statutory guidance 'Searching, Screening and Confiscation – Advice for School Leaders and Staff'. Students must not bring any of the items listed above on to school premises. The school will automatically confiscate any of the 'prohibited' items and staff have the power to search students **without** their consent for such items. There will be severe penalties for students found to have 'prohibited' items in school. In certain circumstances this may lead to exclusion and criminal charges being sought

8. Home School Agreements

[Insert School Name], publishes, on a yearly basis, a home-school agreement and associated parental declaration. A home-school agreement is a statement explaining:

- The school's aims and values
- The school's responsibilities towards its students who are of compulsory school age.
- The responsibility of each student's parents, and what the school expects of its students

At [Insert School Name] we take reasonable steps to ensure that all parents of students registered at the school sign the parental declaration to indicate that they understand and accept the contents of the agreement.

9. Student conduct and misbehaviour outside of school

What the law allows

In line with the Education Law (2016) teachers at [Insert School Name] have a statutory power to discipline students for misbehaving outside of the school premises and the School Leader has a specific statutory power to regulate students' behaviour in these circumstances.

At [Insert School Name] school teachers may discipline a student for:

- any misbehaviour when the child is:
 - taking part in any school-organised or school-related activity; or
 - travelling to or from school

Out of School Behaviour

This school is committed to ensuring our students act as positive ambassadors for us. Taking the above into account, we expect the following:

- Good order on all transport (including public transport) to and from school and educational visits
- Good behaviour on the way to and from school.
- Positive behaviour which does not threaten the health, safety or welfare of our students, staff, volunteers or members of the public.
- Protection for individual staff and students from harmful conduct by students of the school when not on the school site.

The same behaviour expectations for students on the school premises apply to off-site behaviour.

Sanctions and disciplinary action – Off-site behaviour

Sanctions may be given for poor behaviour off the school premises which undermines any of the above expectations and has been witnessed by school staff (including Bus Wardens and Drivers) regardless of whether or not it is an activity supervised directly by those staff.

Sanctions may be in the form of detentions, internal suspension or fixed-term exclusion. In issuing sanctions, the following will be taken into account:

- The severity of the misbehaviour.
- The extent to which the reputation of the school has been affected.
- Whether students were directly identifiable as being members of the school.
- The extent to which the behaviour in question could have repercussions for the orderly running of the school and/or might pose a threat to another student or member of staff (e.g. bullying another student or insulting a member of staff).
- Whether the misbehaviour was whilst the student was participating in a sports event (and in any situation where the student is acting as an ambassador for the school) which might affect the chances or opportunities being offered to other students in the future.

Exclusions for charge related incidents out of school

In line with the Education Regulations (2017) the School Leader may ask the **DoDES/Governing Body** to consider exclusion when a student is charged with an offence and that the School Leader is reasonably satisfied it would not be in the best interests of other students or of staff, for the student to attend the school while the charge is pending.

10. Behaviour on the school bus

At **[Insert School Name]** we consider that using the school bus is a privilege. This privilege may be temporarily denied or permanently removed if misconduct jeopardizes the safe operation of the school bus or the safety of students riding the bus. School exclusion is a possible sanction.

Behaviour or activity jeopardizing the safe operation of the school bus or putting the safety of others on the bus is prohibited. The school bus operator will report promptly and in writing to the **[Insert title of designated person]** the conduct requiring disciplinary action. After an evaluation by school SMT, appropriate disciplinary action will follow. A copy of the misconduct report will be returned to the school bus operator. Generally, misconduct on a school bus will not deny a student access to the classroom. Internal suspension and exclusion will occur only in special cases of misconduct that warrant this type of action.

Consequences for Violations Related to Transportation for <u>all</u> students include, but are not limited to:			
1st Offense	2nd Offense	3rd Offense	4th Offense
Parent meeting required Appropriate action required Student meeting Seat change on bus Bus or School Suspension in line with offense Code of Student Conduct implemented as appropriate	Bus Suspension required (up to five days)	Bus Suspension required (six to 10 days)	Bus Suspension required (remainder of the year)
	Appropriate Action Required Additional Bus or School Suspension commensurate with offense Implement Code of Student Conduct as Appropriate		

11. Gang related activity

At **[Insert School Name]** gang related activity is prohibited and sanctions may be enforced and/or police action may be requested under the following circumstances:

- a. Wearing, possessing, using, distributing, displaying, any clothing, jewellery, badge, symbol, sign, or other item which evidences or reflects membership in or affiliation with any gang.
- b. Carrying out any act which furthers the interests of any gang, gang like activity, or act of violence, including but not limited to:
 - (1) encouraging membership in a gang;
 - (2) requesting any person to pay for protection or otherwise intimidating or threatening any person;
 - (3) committing or inciting criminal acts or violation of school policies;
 - (4) encouraging other students to engage in physical violence against any other person;
 - (5) engaging in any act, either verbal or nonverbal, including gestures handshakes, slogans, drawings, etc. showing membership or affiliation with any gang;
 - (6) challenging or provoking fights, flashing colours, verbal remarks, etc.;
 - (7) marking or defacing school property with messages, symbols, or slogans that may signify gang affiliation;
 - (8) displaying gang apparel, signs, symbols, or slogans on personal property;
 - (9) engaging in physical confrontations where one or more persons confront another individual or group; and
 - (10) using electronic devices such as cell phones, or computers to communicate gang activities while on school property.

12. Cell phone or other electronic devices

At **[Insert School Name]**, cell phones and other electronic devices are **not permitted**. Any cell phone or other electronic device that is found in school will be confiscated and returned at the end of the school day. Repeated offences may result in the phone being returned to the parent at the end of the week or term. The refusal to hand over a phone or any other electronic equipment will be considered a serious breach of the School Behaviour Policy and will result in sanctions being taken.

The school will take reasonable measures to secure any electronic equipment that has been confiscated, however it will not be held responsible in the event that a phone is stolen, damaged accidentally or damaged due to fire or other natural hazards.

In exceptional circumstances, the School Leader may make an arrangement with a parent/ carer for a student to bring a cell phone to school and leave it with a designated adult. Any of the following will be considered as a serious breach of the Student Code of Conduct and may result in Police action:

- Photographing or filming staff or other students without their knowledge or permission.
- Photographing or filming in toilets, swimming pools and changing rooms and similar areas.
- Bullying, harassing or intimidating staff or students by the use of text, email or sending inappropriate messages or posts to social networking or blogging sites.
- Using cell phones outside school hours to intimidate or upset staff and students.

Note: Year 12 students at CIFEC and Layman Scott High School (Cayman Brac) will have their own acceptable use policies to support students attending work experience and/or college placements.

13. Classroom Rules

At **[Insert School Name]**, we believe that establishing good classroom discipline is essential in promoting a positive learning environment where students can experience success and reach their potential. Every child should feel that the classroom environment is safe and secure, free from all threats of physical or emotional harm. In addition, it is important that each child learn to develop self-discipline and good work habits, to resolve conflicts peacefully, and to think independently.

In order to promote a positive learning environment, each classroom will have expectations, rules and routines, which will develop the idea that classrooms are a community with the common purpose of learning. Our classroom rules will:

- Keep control of the environment
- Provide structure in the classroom
- Provide the students with a safe and positive learning environment
- Keep inappropriate behaviours from occurring
- Provide students with consistent procedures and routines

Example of Classroom Rules – ‘The 5 Ps’ (Schools to insert their own classroom rules)

Be PROMPT

Be on time, enter the classroom quietly and sit at your assigned seat

Be PREPARED

Bring all materials, necessary for learning and be dressed appropriately

Be PRODUCTIVE

Maximise learning time by staying on task, following directions and remaining seated unless you have been given permission to get up.

Be POLITE

- Be polite, courteous and positive to everyone. Cursing, teasing, talking back and bullying will not be tolerated.
- Respect yourself, your classmates, your teacher and your classroom.
- Keep your hands to yourself.
- If you don't own it don't write or draw on it.

Be PATIENT

Wait respectfully and calmly for your turn, do not call out or complain. Listen, stay seated and focus on the speaker when someone is talking.

14. The use of reasonable force

In order to maintain the safety and welfare of our students, it may sometimes be necessary to use reasonable force on a student, as permitted by the Education Law, 2016. At **[Insert School Name]** we have taken account of advice provided by the Ministry of Education Guidance ‘Physical Interventions in Schools’ and have instructed our staff on their legal powers in relation to using physical interventions with students.

Any use of force by **[Insert name of school]** staff will be reasonable, lawful and proportionate to the circumstances of the incident and the seriousness of the behaviour (or the consequences it is intended to prevent). Reasonable force will be used only when immediately necessary and for the minimum time necessary to achieve the desired result and in order to prevent a student from doing or continuing to do any of the following:

- committing a criminal offence
- injuring themselves or others
- causing damage to property, including their own
- engaging in any behaviour prejudicial to good order and discipline at the school or among any of its students, whether that behaviour occurs in a classroom or elsewhere.

At **[Insert School Name]**, any physical intervention by staff will be in line with our School Physical Intervention Policy.

Action as a result of Self-defence or in an emergency

All staff including teaching assistants, admin staff and security staff have the right under Common Law to defend themselves from attack, providing they do not use a disproportionate degree of force to do so. Similarly in an emergency, if for example, a student was at immediate risk of injury or at the point of inflicting injury on themselves or someone else, any member of staff is entitled to intervene.

15. Bullying

The Ministry of Education has defined bullying as being repeated conduct by a student where the conduct is intended by that student to have the effect of, or that student ought to know that the conduct would likely have the effect of:

- Causing physical, emotional, psychological or social harm to another student.
- Placing another student in reasonable fear of physical, emotional, psychological or social harm.
- Placing another student in reasonable fear of damage to that student's property.
- Creating an intimidating, threatening, hostile or abusive educational environment for another student.
- Disrupting the academic progress of another student.
- Damaging the reputation of another student.
- Infringing on the rights of another student to participate in school activities.

[Insert School Name], endeavours to comply with the Ministry of Education requirements placed on schools and our Anti Bullying Policy outlines detailed procedures and protocols to 'encourage good behaviour and respect for others on the part of students and in particular preventing all forms of bullying among students'.

16. Behaviour of parents/guardians and other visitors to the school

[Insert School Name], encourages close links with parents/guardians and the community. We believe that students benefit when the relationship between home and school is a positive one. "While

the vast majority of parents, guardians and others visiting our school are keen to partner with us and are supportive of the school, in those instances wherein there is a negative attitude, it is unacceptable for it to be expressed aggressively, with threatening behavior, or in the form of written, verbal and/or physical abuse towards a member of the school community.”

Violence, threatening behaviour and abuse against school staff or other members of the school community will not be tolerated. When formulating our procedures, reference was made to the Education Law (2016) and the Ministry of Education Complaints Policy. A poster indicating that such negative behaviour is not acceptable is displayed in the school reception area.

Types of behaviour that are considered serious and unacceptable

The following list outlines the types of behaviour that are considered serious and unacceptable and will not be tolerated towards any member of the school community. This is not an exhaustive list but seeks to provide illustrations of such behaviour:

- Shouting and or swearing either in person or over the telephone.
- Speaking in an aggressive/threatening tone.
- Physical intimidation e.g. standing very close to her/him.
- The use of aggressive hand gestures/exaggerated movements.
- Physical threats.
- Shaking or holding a fist towards another person.
- Pushing.
- Hitting, e.g. slapping, punching or kicking.
- Spitting.
- Racist or sexist comments.
- Sending inappropriate or abusive e-mails to school staff or to the general school e-mail address
- Publishing or posting derogatory or inappropriate comments which relate to the school, its students or staff/volunteers on a social networking site
- Breaking the school’s security procedures

Procedures for dealing with unacceptable behaviour

When a parent/guardian or member of the public behaves in an unacceptable way during a telephone conversation, staff at the school have the right to terminate the call. The incident will be reported by staff to the Senior Management Team. The school reserves the right to take any necessary actions to ensure that members of the school community are not subjected to verbal abuse. The school may warn the aggressor and/or contact the police.

When any parent/carer or visitor behaves in an unacceptable way in person towards a member of the school staff a member of the Senior Management Team will seek to resolve the situation through discussion and mediation. If necessary, the school’s complaints procedure should be followed. Where all procedures have been exhausted, and aggression or intimidation continues, or where there is an extreme act of violence, the discussion will be terminated and the visitor will be asked to leave the school immediately. As it is also an offence under the Education Law (2016) for any person (including a

parent) to cause a nuisance or disturbance on school premises and the police will be called if necessary. If it has been determined that an offence has been committed then the perpetrator is liable under summary conviction to a fine of \$5000 and may also be banned from the school premises for a period of time.

17. School property

It is an expectation, at **[Insert School Name]**, that all students take care of any property or equipment placed in their care and where property is to be returned it is done so in good condition and at the requested time. If property is not returned in good order or is destroyed, damaged, lost or converted by intent or neglect then the parent can be held liable. In such circumstances and in accordance with the Education Regulations 2017, the Director of the Department of Education Services may claim the value of the property from the parent or legal guardian of the student.