

CHAPTER EIGHT

THE DEPARTMENT OF SCHOOL EDUCATION: SCHOOLS, STAFF AND STUDENTS

This chapter introduces the Committee's review of the Department of School Education's policies and actions on violence. The focus here is on general, broad-based functions, structures and strategies, including the role and nature of schools, their relationship to the community and parents, and reactive and proactive strategies to manage violence. The staff who contribute to addressing violence, and their training and conditions, are also examined. The final section of the chapter looks at means of helping students to participate, support each other, and appropriately confront violence in schools. Departmental responses to violence and violent students, including corporal punishment, suspension, exclusion and expulsion are also examined.

8.1 THE SCHOOL

8.1.1 Role of the School

In the Committee's opinion, schools should not be seen as the focus of the problem of youth violence nor should they be solely responsible for addressing the problem. The community as a whole must share the responsibility for its young people, and collaboration between schools, parents, the community and government is therefore essential.

While recognising that schools themselves are not responsible for the range of social problems that young people and their families experience, a number of witnesses suggested to the Committee that schools are uniquely placed to play a fundamental role in addressing youth violence:

If we are going to look at youth violence and how to address it, and you have to look at it in a social context, it seems obvious to us that the one place that most kids between 10 and 18 are at, five days a week for 42 weeks of the year, is the school. It's the place where not only can you access the kids, but you can also access their parents ... [who] have an important function in trying to address the issues of violence (Cross Evidence, 11.10.93).

■ Schools as Community Centres

The Committee heard that schools have great potential to contribute to community involvement by allowing their facilities to be used as community centres after hours (Bowie Evidence 08.11.93).

It has been the policy of the Department of School Education to encourage the use of school buildings, grounds and facilities by the community as widely as is consistent with the requirements of the school in carrying out its educational functions. A policy statement and guidelines for the community use of school facilities have been released by the Department of School Education (NSW Department of School Education, 1990b; 1990c). The Committee endorses the extension of this approach, with encouragement for initiatives which provide support, training and leisure activities for young people.

A number of innovative projects in the U.S. demonstrate the potential success of school-community partnerships in working with young people and addressing the social pressures that they, their families, and school staff face. The Dunbar project in Baltimore, for example, provides an array of human services to six schools, including computer training provided by the IBM corporation; a medical centre providing a health careers program; a law firm providing conflict resolution training; a physical fitness centre to assist teachers to relieve stress, created by a local contractor; workshops for parents in how to address social needs; an after-hours youth centre operated by the family support foundation; a parents-on-patrol activity allowing parents to work with the police department to keep the entire area safe; and a group of forty black professionals offering a mentoring program to enhance self-esteem in young black men.

In this project, the school building becomes the pivotal institution in the neighbourhood. Children not only learn there but gain health care; socialising skills; recreation; and, in many cases, nutritious food. The neighbourhood school is a place for parents to meet, to receive job training, or to earn academic qualifications. It is also a place for community leaders to set goals based on the needs of their individual schools and for businesses and non-profit organisations to channel resources into the community.

The school in effect becomes a two-way door: health, education and family development go out; community pride, power and prestige go in (U.S. Senate, 1991:15).

The Committee notes that the Dunbar project has been developed as a community response to particular cultural and social needs in this part of the United States. While the Committee does not propose any prescriptive model of community involvement, it believes that local schools and communities can operate as partners in responding appropriately to specific needs and assisting in community development.

In noting that school personnel do not have the time or expertise to provide this co-ordinating link with the community, one submission pointed to the model in Britain and Canada, where youth workers provide support functions such as assisting teachers with difficult students, and conducting remedial classes and camps. It was suggested to the Committee that some schools in NSW are currently investigating the use of youth workers in the school setting (Submission 51). The Committee believes these initiatives should be encouraged to assist in the development of school-based violence prevention strategies.

RECOMMENDATION 59

That the Minister for Education encourage the extension of the use of schools for community-based programs and services, especially for initiatives providing support, training and leisure activities for young people.

RECOMMENDATION 60

That the Minister for Education authorise and encourage school administrators and teachers to involve youth workers in the development of school based strategies to prevent and respond to violence at school.

■ Interagency Relations

A number of interagency initiatives involving the Department of School Education are currently being attempted. These include the following:

- **Metropolitan West region:** The Links program has been established in collaboration with Barnados and Penrith Police Citizens' Youth Club and targets Year 7 and 8 students with a history of short suspensions or who are at risk of suspension. A youth worker has been funded by the federal Department of Employment, Education and Training, and the NSW Department of School Education will provide teacher time. The program will be made up of crime prevention components involving students in a range of activities offered by the Police Citizens' Youth Club.

An Interagency Committee was established in Western Sydney in May 1993 to strengthen links and foster communication and cooperation between agencies. The focus of the Committee has been on the issues of young people in Western Sydney in response to emerging evidence of duplication, gaps in services, lack of understanding between agencies/departments and the need for a more coordinated approach to service response.

Membership consists of representatives from:

- Department of Health - Wentworth and Western Sydney Area Health Services;
- Department of School Education;
- Commonwealth Department of Social Security;
- Department of Juvenile Justice;
- Child Protection Council;
- Catholic Education Office;
- Police Service;
- Department of Housing; and
- Department of Community Services.

The first significant committee activity was a joint interagency forum on "The Prevention of Violence in Youth and Families". The issues of Child Protection, Domestic Violence and Youth Violence were found to impact upon all member agencies and gave focus and definition to the role and purpose of the Committee.

The Committee determined to focus upon these three specific action areas. The Committee held a planning day to develop a position paper with the objective of obtaining approval from the respective departments and agencies to pursue a far more active partnership, including collaborative actions and commitment to the provision of resources to achieve identified outcomes.

- **South Coast region:** The Helping All Young Students Succeed (HAYSS) Project is a joint project of the Department of School Education and the Department of Health which aims to develop the social skills of students assessed by a psychologist as exhibiting signs of anti-social behaviour. The program was established in 1994 in an area of socio-economic disadvantage with a traditionally high demand on the services of Itinerant Teachers - Behaviour and where a number of violent incidents had occurred. The Department of School Education provides an Early Intervention Special Education Teacher, while the Department of Health funds a psychologist's position. During Semester One, targeted students from the first school were removed from the classroom for a small-group social skills program in the morning, and then returned to the classroom where the same program was taught to the whole class in the afternoon. Supporting material on each component of the program was sent to parents so that they could reinforce skills development. The Program was transferred to a second school in Semester Two.

The results of the first year of the project have been evaluated. Five of the six children from the first school for whom a full evaluation was possible moved from the clinical to the non-clinical behaviour range following the intervention. However, the four boys from the second school showed no significant change after treatment. This discrepancy may have been a result of students in the first school being younger (all were from kindergarten), and three being female. The second school was located in an area considered to be of higher risk, with the lowest income levels of any town in the state. In addition, no reinforcement of the social skills program offered to targeted students in the morning was offered in the classroom setting in the afternoon in the second school.

The presence of an aggressive role model in the student's home was correlated with the absence of any behavioural improvement, despite the psychologist working with the families of targeted students in their homes (Cooper, 1994).

Two new schools have been identified to participate in the project in 1995. Students involved in the project in 1994 will continue to be observed, with other services currently available in the Department of School Education offered to assist these children on an ongoing basis. Additional support from other agencies such as Community Health Services will be offered to families of students participating in the 1995 intervention when aggressive role models are identified. Some reinforcement of the intervention offered to the targeted groups will be included in a full class program in both schools.

- **North West region:** An Itinerant Support Teacher (Behaviour) is to be linked to a broader strategy in the Narrabri district involving community agencies to address behaviour disorder and violence, known as the Namoi Youth Support Program. The program's aim is to provide facilities and programs through a co-

operative approach to encourage students to become constructive members of the community.

- **Metropolitan South West region:** A Youth in Groups program has been initiated aimed at developing a collaborative approach to training the community and staff of Government agencies to have less aggressive exchanges with groups of young people. A pilot program with shopkeepers in Minto Mall is being developed, with teacher time allocated from the \$5 million welfare package for schools in 1993-4, referred to in Section 8.2.1.

Anti-violence strategies are also being promoted in the community. Three forums have been conducted involving representatives of the police, and the Departments of Community Services and Health, together with teachers and parents. These initiatives aim at improving and enhancing existing networks and sharing anti-violence strategies and standards of best practice.

- **Metropolitan East region:** The issue of violence in the Vietnamese community is being addressed in a series of meetings involving counsellors, principals, police liaison officers, and welfare workers (James Evidence, 22.02.94).

The Committee supports these initiatives, and believes they demonstrate the potential benefits of interagency co-operation.

The Director-General of School Education stated to the Committee that

We are basically saying that we are on about teaching and learning, that we are certainly interested in student welfare within the school ... but that we are not a welfare agency that can stretch out very widely into the community. Problems of repeated misbehaviour and bad behaviour amongst students over a long term require specialist support from other agencies, community service agencies and the parents (Boston Evidence, 29.07.94).

It is clear that interagency co-operation on welfare issues is of vital importance. The Committee has also heard that

The connection between high schools and the community is very limited at the moment. I think it is very important that schools start to build closer links with local communities and local agencies and organisations (Brown Evidence 25.10.93)

The Director-General suggested that these issues were beginning to be addressed:

I am very active at the moment in working with other agencies, with Community Services and Health and Juvenile Justice in particular, to see that we can better co-ordinate the delivery of services so that I am not expected to expand and take on even more counsellors but to work co-operatively with them so that, using their resources, the needs of the child are addressed (Boston Evidence, 29.07.94).

These consultations have included regular meetings of Directors-General. Dr Boston referred specifically to his attempts at addressing elements of the Carrick report dealing with early childhood which are yet to be implemented. The Department of School Education sponsored a state-wide conference on early childhood education and services. Pilot parenting programs are also being developed by the Department of Community Services, with the Department of School Education providing accommodation in schools, and the Department of Health providing health care services (Boston Evidence, 29.07.94). The Committee supports this continuing commitment to parenting programs, both within the Department and in conjunction with other government agencies .

It was suggested to the Committee that there is room for improvements in information resources regarding the availability of services for students and their families:

When schools turn to outside agencies for support it's (a) very hard to identify what the agencies are and (b) there does not seem to be a great deal of coordination (Cross Evidence, 11.10.93).

This claim was supported by another witness who suggested that school counsellors are not briefed on the policies of other agencies, there are no interdepartmental policies specifying how liaison between agencies takes place, and a working party to develop interagency policies on student violence has yet to be set up. As a result, and

Due to an apparent lack of interagency liaison some policies in other areas appear to conflict or to leave students in need of support (In camera Evidence).

The Committee believes interagency policies and protocols should be developed, and resource material produced outlining the roles and responsibilities of agencies that contribute to confronting youth violence.

The Committee considers there to be scope for schools to develop links with educational specialists from outside the school environment to assist in offering programs in schools. With an overcrowded curriculum and increasing teacher stress:

Schools can look at involving universities and people outside the school schools could perhaps be a little more creative in the way in which they access expertise outside the school, and bring people in to teach the children (Jenkin Evidence, 11.10.93).

RECOMMENDATION 61

That the Minister for Education continue and extend the Department of School Education's involvement in parenting programs, both within the Department and in conjunction with other government departments.

RECOMMENDATION 62

That the Minister for Education, in consultation with other relevant agencies:

- **develop interagency policies and protocols on dealing with school violence and violent students; and**
- **produce resource material outlining the roles and responsibilities of all agencies that have a role in confronting and addressing youth violence.**

RECOMMENDATION 63

That the Minister for Education encourage education regions to consider the involvement of outside experts working in the areas of youth programs, youth education and violence prevention in the development and implementation of programs addressing youth violence.

8.1.2 The Nature of the School

In addition to ensuring that individual teachers are appropriately trained and resourced in managing student behaviour, and that appropriate curricula are mandated, broader factors may also need to be addressed by schools as part of a holistic approach to violence prevention.

It is generally accepted that the nature of leadership and governance in a school can be a major correlate of violence within its walls. A firm, fair, consistent principal-leadership style, for example, has been shown to be associated with low levels of student aggression. High levels of arbitrary leadership and severe disciplinary actions tend to characterise schools experiencing high levels of aggression (U.S. House of Representatives, 1992:57).

The Committee believes decision-making procedures in schools should be clearly delineated and distributed, and that the professional development of school executives in the area of effective leadership and management of change is vital.

Opportunities for the school community to participate in decision-making should continue to be extended.

RECOMMENDATION 64

That the Minister for Education ensure that schools establish and disseminate procedures for decision-making, with clearly delineated areas of responsibility and with a view to improving opportunities for teacher, student and parent input.

■ **School Hours and Homework Centres**

The submission from the National Children's and Youth Law Centre criticises the "depersonalised" treatment of large numbers of young people by the inflexible arrangements in schools. Innovations to change structural factors which may contribute to violence should be introduced and evaluated. Staggering the school day and introducing separate senior high schools, or relaxing rules for senior students, are suggested as possibilities (Submission 26).

In contrast to this position, some commentators have proposed that extending the compulsory schooling time by two hours would have significant benefits in ensuring students were under appropriate supervision for longer periods of time, with fewer opportunities for crime. The Committee notes that school hours in European countries are longer than in Australian schools.

Many schools now operate homework centres to support young people after hours. The Committee believes that these centres are valuable in securing any benefits that may result from extended hours of supervision, and that the number of such centres should be increased.

RECOMMENDATION 65

That the Minister for Education increase the number of homework centres in schools.

■ **Transition from Primary to Secondary School**

In a submission to the Committee, a teacher and school attendance officer addressed the disenchantment of some students entering secondary school, faced with a prescriptive system with few options and an examination culture with little relevance to their lives. This disenchantment may be particularly problematic for students who lack social skills and self-esteem, or come from underprivileged, dysfunctional or fractured families. The start of the first year of secondary school may therefore be the optimal time for preventative programs such as the teaching of pro-social competencies, including problem-solving; interpersonal skills; anger control; stress management; empathy training; understanding and using groups; and time management (Submission 11).

Visiting schools, the Committee has heard that rumours relating to initiation rites, often involving violent acts, remain common among groups of students entering secondary school. A number of schools are offering peer support programs targeting Year 6 students in an attempt to reduce these fears and the alienation associated with the transition to secondary school. Several of these programs have been developed to address the particular needs of Aboriginal students in this regard. The Committee supports the extension of such programs.

The Department of School Education's Quality Assurance Unit is planning a review of transition programs for Year 6 students during Term Four, 1995, and Term One, 1996. The review will monitor students at the time they are making decisions regarding their secondary schooling and visiting schools, and evaluate their experiences the following year.

RECOMMENDATION 66

That the Minister for Education ensure that the Department of School Education support, encourage and extend peer support programs linking Year 6 students to secondary schools for all Year 6 students.

■ Selective Schools

Several witnesses referred to what they perceived to be a growing divide within the education system between comprehensive schools, and selective and private schools. The President of the NSW Secondary Principals' Association, for example, suggested that the perceived or real inequality in the system where some schools are seen as preferred because of a title or a reputation may exacerbate violence. In his view, students attending schools with poor reputations may feel disenfranchised and consequently react violently against the more privileged group (Hurley Evidence, 22.02.94).

The principal of a private girls' school on Sydney's North Shore suggested that schools are being under-funded and increasingly forced to develop a reliance on sponsorship and parent fund raising, which can lead to "gross inequalities in schools":

You do not want to end up with schools that are just holding pens for the children who consider themselves to be the dregs left behind (Wheeldon Evidence, 22.02.94).

The Committee has heard that the pressures placed on students attending prestigious schools can also lead to behavioural problems:

There are huge expectations on young people to achieve [in private schools] and I notice a lot of violence amongst those group of young people who get neglected because they are seen as achievers. They are lashing out because of the very rigid and high expectations, and we see a lot of those kids drifting to the Kings Cross area (Brown Evidence, 25.10.93).

These claims by witnesses were, however, unable to be substantiated by research, nor were the opinions evident in visits the Committee made to various schools in areas that had a history of stigmatisation. The Committee found that schools had responded to their problems by introducing positive, proactive strategies, and perceived a strong sense of school and personal pride and self-esteem during these visits.

8.1.3 Parent Participation and School Councils

In recent years, along with the devolution of responsibility to the local school, considerable progress has been made in involving parents in school management and local decision-making. However several witnesses were critical of the lack of meaningful integration of parents in the schooling system in relation to their child's specific problems:

many of our societal structures actually leave parents on the periphery of it all - they end up with the pieces rather than being invited to come and participate in dealing with behavioural problems (Ludbrook Evidence, 01.11.93).

The Committee also heard that any intervention into violent behaviour needs to include the whole family and the community from which that child comes:

Parents need to help to raise a child's self-esteem and to co-operate with the aims of those running the program (Black Evidence, 26.04.94).

It was suggested that parents can be involved in some of the remedial strategies that schools can implement, such as pre-suspension activities, and programs such as Talk Sense to Yourself and Stop, Think, Do (Jenkin Evidence, 11.10.93).

The Director of the National Children's and Youth Law Centre informed the Committee that under the New Zealand Education Act there is a statutory obligation on principals to provide good guidance and counselling to every student in the school, and if there are matters that are hindering a student's progress within the school, the principal is obliged to involve parents:

If you look at education law in Australia, I am quite surprised at how little positive emphasis there is on students' rights and parents' rights (Ludbrook Evidence, 01.11.93).

The Committee heard that considerable power in schools in New Zealand rests with school boards, and that

parents, if they are voting as a block, probably have more power than the other groups as a whole (Ludbrook Evidence, 01.11.93).

In addition, School Charters enshrine principles such as appropriate gender and racial representation on the school board (Ludbrook Evidence, 01.11.93).

In New South Wales, School Councils offer opportunities for parents and the community to be involved in supporting the education of young people.

In releasing guidelines for the establishment of School Councils, the then Director-General of the Department of School Education suggested that this process would provide a mechanism to address two key elements of school effectiveness:

- a strong principal who sets clear goals, emphasises the quality of teaching and learning and who manages the school wisely; and
- a commitment and deep involvement of the local community, particularly parents, in the life of a school (NSW Department of School Education, 1990a:i).

The guidelines state that membership of the School Council should include the school principal, the President of the Parents' and Citizens' Association, elected members from the school staff, elected members from the parents, and appointed members from the local community. A

public meeting is to be convened to formalise the decision to establish a School Council, with a Steering Committee set up to draft a constitution. The role of the Council includes:

- representation on the interviewing panel for the selection of the Principal when the vacancy occurs;
- determining the aims and educational goals of the school;
- identifying local educational needs and priorities; and
- determining local student welfare policies and the school's Fair Discipline Code (NSW Department of School Education, 1990a:1-3).

As at 8 July 1994, 64% of all NSW Government schools had School Councils. The Department of School Education is actively promoting School Councils with establishment grants, inservice courses and packages for schools.

The Committee is aware that School Councils have received some criticism on the grounds that while it is appropriate for parents to be involved in supporting their children's education, involvement in policy and budgetary decisions, which require particular skills and expertise, is considered by some to be inappropriate.

One teacher contended that anecdotal evidence suggests that schools in areas of high unemployment face added pressures. The success of encouraging and instituting parental involvement will largely depend on how schools as organisations and systems are able to implement whole-school strategies of inclusion (Hickey Evidence, 26.04.94). The Co-ordinator of South Sydney Youth Services, for example, stated that

In our area it is very unusual for parents to be involved in Parents' and Citizens' because they don't have the resources (Brown Evidence 25.10.93).

The importance of reaching and involving parents of students from minority backgrounds, and the need for culturally sensitive parent effectiveness training, were also raised in evidence (Acheson Evidence, 01.11.93).

The Committee believes that mechanisms promoting the full participation of all cultural and socio-economic groups in supporting the education of young people are required.

RECOMMENDATION 67

That the Minister for Education encourage the involvement of parents on matters relating to student welfare and discipline, and ensure that schools:

- **develop effective processes in their management plans which guarantee genuine community participation; and**

- **inform parents of their rights, responsibilities and opportunities for involvement in the school community.**

8.1.4 Responding to Critical Incidents

When an incident of a serious nature occurs in a school, support services are needed to assist students and staff to deal with their grief and trauma. Such procedures are in place within the Department. The Committee heard, for example, that after a shooting by a student in the Northern region of the state, the Department of School Education ensured that counsellors and other officers were brought in as quickly as possible. Additional counselling resources from outside agencies were also accessed.

The decision to provide external resources to schools can be made by Assistant-Directors General upon receipt of a serious Critical Incident Report. In 1993, *Guidelines for the Management of Critical Incidents in Schools* were distributed to schools, recommending the establishment of a Critical Incident Committee and response planning.

The President of the NSW Teachers' Federation stated in evidence before the Committee that:

I think the handling of critical incidents policies and practices that have now been put into effect are in general fairly good it's a lot harder when you get to the less spectacular incidents, because the school at the time has to deal with it with its staff (Cross Evidence, 11.10.93).

The Committee heard that counselling sessions or debriefing for students involved in violent acts, either directly or indirectly, are provided in Catholic schools. Psychologists from Catholic Education Offices are also available to assist schools in initiating Critical Incident Plans (Jackson Evidence 08.11.93).

8.1.5 Policy for a Non-violent School

In a submission to the Committee, Jean Jenkin, Lecturer in Special Education at the University of Western Sydney, Macarthur, outlined the requirements of a policy for a non-violent school.

Designing a policy for a non-violent school requires corporate commitment. The policy should:

- refer to the school being a safe and non-violent place;
- recognise the legal, moral and psychological rights of members of the school community; and
- delineate the responsibilities of members of the school community.

Since a policy of non-violence covers the whole school community, corporal punishment has no place.

The recruitment of teaching staff with views which accord with the school's philosophy needs to be considered, as do appropriate induction and orientation programs, with the development of support teams.

The academic, social and physical needs of students must be provided for, which may involve individualisation of programs, and inclusion and representation in policy development. The role and responsibilities of parents should be clarified, with representation in training and support programs, and individual consultation as required.

The policy should contain a program section, including curricular programs (academic, social and behavioural); preventative programs (for children, teachers and parents); responsive programs (welfare and discipline policy, physical responses, timeout, suspension/expulsion, grievance procedures, crisis management strategies, and structured debriefings); and administrative considerations (funding or budget commitments and organisational flexibility).

Processes for implementation, including roles in organisational decisions, in strategy selection and in service delivery, evaluation, and documentation need to be arrived at. Available human, material and administrative resources should also be listed (Submission 3).

The Committee has heard that a number of schools, both primary and secondary schools, have developed policies for non-violence in consultation with students. These policies may be simple statements of the rights and responsibilities of students. The Committee believes such policies would be a valuable contribution to the development of a school culture promoting non-violence. Rather than a prescriptive approach, the Committee believes that the Department of School Education should provide a resource for schools outlining best practice to encourage and assist them in the development and introduction of a policy for a non-violent school.

RECOMMENDATION 68

That the Minister for Education require the Department of School Education to review, on a regional basis, existing policies for non-violent schools and produce a resource for schools that outlines standards of best practice and encourages student involvement in developing such a policy, including an outline of their rights and responsibilities.

■ The Independent Teachers Association's Draft Policy

The Independent Teachers Association has developed a draft policy on violence in schools which was endorsed by the annual conference in 1993. The union entered into the drafting of the policy because of the extent of concerns raised by members of the union, particularly over the last few years, regarding the impact of violence in schools. The Committee was informed that implementation of the final recommendations would be negotiated at diocesan and school level (Hickey Evidence, 26.04.94).

The first part of the document is a preamble outlining the rights of students and teachers in terms of safe environments in which to work and learn. The major part of the document concentrates on procedures and strategies, recognising the need for a whole school approach:

The key to dealing with problems in violence is development in and implementation of effective school policies that go right through curricular issues, parental relationships, general ways of operating, classroom management and student learning policies (Hickey Evidence, 26.04.94).

The document outlines basic factors to be included in a holistic approach to behavioural management, suggesting the desirable outcome is students who are independent, self-reliant and self-motivated learners who can intervene in their own education and exercise control over their own learning situations. Access to student counsellors and quality management development are discussed, with a focus on collaborative approaches to professional development and whole school approaches to problem solving (Hickey Evidence, 26.04.94).

In terms of severely disruptive students, specific recommendations have been made in the draft policy. It was suggested to the Committee that it is very difficult to access counselling because the networking into other social agencies remains very weak (Hickey Evidence, 26.04.94).

The policy recommends special programs and negotiated contracts with students. Under such contracts a clear outline of expected behaviour should be outlined, together with procedures such as suspension or exclusion that may be followed if such expectations are not met (Hickey Evidence, 26.04.94).

8.2 THE STAFF

A range of specialist staff are involved in addressing violent behaviour in schools. At the commencement of the Committee's Inquiry, the Director-General of the Department of School Education provided the Committee with a detailed breakdown of anti-violence expenditure totalling \$18,968,660 during the 1992-3 financial year. Estimates of the amount of time various categories of specialist staff devoted to confronting violent and aggressive behaviour were as follows:

Category of Staff	Nos.	% of time
Itinerant Support Teachers:	92	100%
Conduct Disorder Teachers:	42	100%
Teachers' Aide Special	15	100%
School Counsellors	456	30%
District Guidance Officers	67	30%
Home-School Liaison Officers	68	15%
Home-School Liaison Officer Co-ordinators	7	15%
Education Officers (Aboriginal)	11	15%
Aboriginal Education Assistants	200	50%
Behaviour and Attendance Programs	21.8	100%
Regional Aboriginal Community Liaison Officers	10	30%
Community Liaison Officers (Language Background other than English)	11	15%

8.2.1 Staffing Increases

In October 1993, the then Minister for Education announced that over 100 additional support staff would be hired, and anti-violence programs reviewed under a new \$5 million welfare package for schools (Minister for Education, 1993c).

The 102 new staff positions were to comprise:

- 20 School Counsellors;
- 40 teacher aides to implement and support programs established by specialist teachers or counsellors;
- 20 teachers working with behaviour disordered students, either as Itinerant Support Teachers or Behaviour and Attendance Teachers;
- 20 regional Aboriginal community liaison officers allocated according to Aboriginal student enrolments, and participation and retention rates of students; and
- 2 Community Liaison Officers.

The then Minister subsequently announced the creation of 1,466 additional positions for schools in 1995, 200 of which were to be school counsellor positions (Minister for Education, 1994c).

8.2.2 School Counselling Service

School counsellors support students affected by violence by:

- providing psychological counselling services and teacher inservice training;
- maintaining links with government bodies and private organisations providing student services; and
- keeping informed of Departmental and inter-Departmental policies, and strategies for dealing with students.

The Committee heard evidence from representatives of the NSW Executive of the Australian Guidance and Counselling Association, the national professional association for school counsellors established in 1988, and School Psychologists Australia Inc.

As discussed in Chapter Two, School Psychologists Australia Inc provided the Committee with statistics from a survey sample consisting of one-third of all school counsellors in NSW, and based on their work in the twelve months to November 1992. The survey suggested that 8,638 cases of overt violence came to the attention of school counsellors:

Type of Violence	No. of Incidents
Violence in the family	3,029
Violence among peers (including dating violence), or within the school, or towards a teacher	2,853
Notification of Child Sexual Assault	360
Notification of Child Physical Assault	1,010
Rape of Student	346
Murder by student	22
Murder of student or teacher or other staff member	18

In addition, there were 8,191 cases of covert or concealed violence, or violence against the self, including 864 attempted suicides. These figures refer to the number of cases, and any one case could involve many interviews with a number of individual students, groups of students, students with their parents or siblings, with teachers or with health professionals. It is suggested that a minimum of one in every 45 students was affected by some form of violence (Submission 7).

The Committee heard that the demand on school counsellors is growing due to a climate of greater acceptance by students and staff of counselling services. On the other hand, the Committee also heard from students in one rural high school that pupils often prefer not to see the school counsellor. Those that did see the counsellor did so upon direction from teachers.

■ Numbers of Counsellors

The creation of 200 new counsellor positions took the number of counsellors and guidance officers in NSW to 760, bringing the ratio to approximately 1 counsellor to every 1,088 students. The Director-General of School Education stated to the Committee this will mean that

many high schools will now get a full-time counsellor where they have only had a counsellor two or three days a week. Much of their work will be concerned with the prevention of violence, and when violence does occur they will always be involved in its remediation (Boston Evidence, 29.07.94).

Dr Boston also informed the Committee that

I believe that the ratio is sufficient, given the core business of the Department of School Education which is teaching and learning and also assisting children to succeed at school (Boston Evidence, 29.07.94).

The Committee was informed that in some states of the United States, legislative provision enforces a counsellor-student ratio of less than 1:300 (Pamment Evidence, 22.02.94). While Australian schools may not be facing the crises faced by schools in many areas of the States, it is clear that family dysfunction and problems such as unemployment are increasing.

Several witnesses recommended to the Committee that each secondary school in NSW have its own full-time school counsellor:

I cannot believe that in this day and age, with all the problems that we do have, and the recognition of the much more complex society in which our young people are trying to grow up in, with all the problems that we have with the disruption in family life ... the one thing that we don't have enough of in the schools is in fact the school counsellors for children to go to when they have got problems (Cross Evidence, 11.10.93)

A full-time counsellor would minimise those occasions when a counsellor is not present at a particular school when a critical incident or major problem occurs. When such instances occur, the counsellor must attempt to remove themselves from their commitments at another school, or another counsellor must be found who may not understand the school dynamics.

A number of witnesses suggested that the counselling needs of primary schools were increasing significantly, with a recognition of the importance of early intervention and working with families:

In the Metropolitan West or Metropolitan Southwest, you sometimes need at least a full counsellor in some of the larger primary schools because unless you get in at the early intervention stages and try to look at helping the parents cope we very rarely get the same sort of success (Hatswell Evidence, 22.02.94);

and

We also have to drastically rethink the provision of counselling services ... [P]roblems ... don't suddenly just appear because the student graduated from primary at Year 7 (Cross Evidence, 11.10.93).

As previously discussed, the Committee believes that early intervention, preferably prior to the age of eight years, is crucial in addressing violent and aggressive behaviour. The Committee also notes the changing role of the Department of Community Services in supporting students in schools has impacted on the role of the schools in counselling and welfare. This has occurred as a result of increases in the reporting of cases of abuse and a decline in staffing levels and funding.

The Committee believes that the appropriateness of counsellor staffing levels should continue to be monitored to ensure that student needs are met.

RECOMMENDATION 69

That the Minister of Education undertake a review of the school counsellor service to examine:

- the adequacy of counsellor numbers in each region;
- the basis upon which the allocation of counsellors occurs; and
- the services provided by school counsellors.

■ Staff Training and Conditions

School counsellors are psychology graduates who have had teacher training and at least two years successful teaching experience. They then go through a selection process and if successful undertake a further two-year school counsellor training course. Most counsellors in New South Wales are now registered as psychologists.

The Committee was informed that whole class programs in social skills training, decision-making and problem solving conducted by school counsellors may have advantages over the identification of a small number of emotionally disturbed children who are removed from the classroom for counselling. The teaching background of counsellors assists them in conducting such classroom programs (Hatswell Evidence, 22.02.94).

However, the Committee understands that in the United States and Great Britain, counsellors may be appointed on the basis of a degree in psychology, and are not required to have teaching diplomas. In evidence to the Committee, school counsellors suggested that

The New South Wales model is probably the best one in Australia ... I strongly believe it is critical to our understanding and credibility in schools, with school teachers and with parents that we have actually worked in classrooms. We know the issues (Pamment Evidence, 22.02.94).

The Committee believes, however, that suitably qualified psychologists would have the necessary skills and abilities to fulfil the requirements of the position of school counsellor.

The Committee heard conflicting information as to whether school counsellors have an adequate career path to executive positions in the Department. The Committee believes it vital that appropriately experienced counsellors have access to such positions.

RECOMMENDATION 70

That the Minister for Education allow the appointment of selected experienced psychologists without teaching diplomas to the position of school counsellor.

■ **Operational Aspects**

The Committee was informed that no policy exists regarding the operations and protocols of the school counselling service, which makes liaison with agencies difficult (In camera Evidence). The Committee believes such a policy would be useful.

The submission from the National Children's and Youth Law Centre suggests that students be advised of the availability of school counsellors and support teachers, and be guaranteed easy and confidential access to them. The submission also recommends that NSW education legislation be amended to include a requirement that the student receives support, such as is the case in New Zealand (Submission 26). Section 77(a) of the New Zealand Education Act states that the principal of a state school shall take all reasonable steps to ensure that students get good guidance and counselling. The Committee believes that access to Counsellors should be guaranteed, but that the Minister should consider whether legislative amendment is required.

Under the registered psychologists' Code of Conduct, school counsellors are required to protect client privacy. The Committee heard that in many schools counsellors find it difficult to access telephones with sufficient privacy to deal with student issues (In camera Evidence). The Committee believes this situation should be remedied, and that school counsellors have access to accommodation within schools which ensures privacy and confidentiality can be maintained.

RECOMMENDATION 71

That the Minister for Education:

- **introduce a policy regarding the operations and protocols of the school counselling service;**
- **ensure students are advised of the availability of school counsellors and support teachers; and**
- **ensure that all students have access to appropriate guidance and counselling and that, if necessary, this be enshrined in legislation.**

RECOMMENDATION 72

That the Minister for Education ensure that school counsellors have access to:

- **telephones with sufficient privacy to deal with student issues in schools, in accordance with the registered psychologists' Code of Conduct; and**
- **accommodation within schools which ensures privacy and confidentiality.**

8.2.3 Teacher Training

Several witnesses suggested to the Committee that current teacher training courses are inadequate in terms of classroom management strategies:

One of the gaps in pre-service education is certainly in the area of behaviour management - we don't have a course of study that runs for one semester called behaviour management in the classroom which I think is absolutely essential (Jenkin Evidence, 11.10.93).

Concern was also expressed that university staff presenting existing components covering behaviour management may not have experience of classroom management.

The submission from the National Children's and Youth Law Centre suggests that teachers be trained or re-trained in fair discipline methods which focus on constructive, non-violent methods (Submission 26).

The Head Teacher of the South Coast Wilderness Enhanced Program, within NSW Department of School Education, contends that a number of benefits could arise from improved professional training of teachers. These include improved modelling of non-violent behaviours; a creative and clever, rather than defensive and violent, response to problems; a decrease in teacher stress and improved morale; improved community perceptions of school and teachers; and community values reflecting the changes in attitudes of teachers and students (Submission 28).

The Committee believes that behaviour management training should be an integral part of pre-service teacher training, and that this issue should be addressed in consultation with University Vice-Chancellors.

Several witnesses suggested training was particularly relevant given the aging of the teacher population (Cross Evidence, 11.10.93; Hurley Evidence 22.02.94).

However, other witnesses suggested that providing incentives for the recruitment of more mature aged persons into the teaching profession would yield rewards due to their greater life experience (Jenkin Evidence, 11.10.93).

The Committee supports initiatives that would widen teacher recruitment, if such initiatives are supported by appropriate inservice training.

The Committee recognises that in certain areas of the state, the teacher population is aging and these staff would benefit from some targeted training programs. In other areas of the state, particularly in the urban developing areas, training programs for younger teachers to support them in situations involving student violence and aggression would be advantageous.

RECOMMENDATION 73

That the Minister for Education bring the issue of adequate pre-service teacher training in strategies to deal with violence, including behaviour management, to the attention of University Vice-Chancellors.

RECOMMENDATION 74

That the Minister for Education examine the feasibility of recruiting mature age persons with appropriate skills into the teaching profession.

8.2.4 Teacher-student Relations

A number of witnesses suggested to the Committee that inappropriate interactions between students and teachers can exacerbate classroom tension and lead to violent incidents:

assaultive and abusive behaviour [is] a cause of concern from the perspective of the students [and is a] result of a lack of strategies on the part of the teachers and obviously the stress the teachers are under (Jenkin Evidence, 11.10.93).

The Committee heard that teachers should ensure that they model appropriate self-control at all times (Jenkin Evidence, 11.10.93). Another witness suggested that

teachers are not necessarily just teachers, they must be managers; they must be managers of students' behaviour and must actually work with their students and become close to them as people as well as teach content (Hatswell Evidence, 22.02.94).

Obviously, student behaviour can have a considerable effect on teaching staff. The Committee heard that a growing number of teachers were finding it difficult to return to school after they had experienced assaults or verbal threats (Cross Evidence, 11.10.93). The recent introduction of an Employee Assistance Program, offering a 24 hour counselling service from contracted psychologists, may assist in addressing this problem.

8.3 THE STUDENT

8.3.1 Student Participation

Several witnesses suggested to the Committee that there is a relationship between boredom and alienation and behavioural problems:

I think a lot of disciplinary problems at schools are because kids are bored and because they feel that whatever they do they are targeted for failure (Ludbrook Evidence, 01.11.93).

This experience of alienation can be exacerbated by the decision-making culture of schools:

The less involved students are in making decisions, the more frustrated they become, and the more alienated they are from their destiny (Brown Evidence, 25.10.93)

The Committee heard that in New Zealand, it is routine for students to be involved in developing policies in each school in relation to matters such as school discipline, sexual harassment, and racial abuse (Ludbrook Evidence, 01.11.93).

The submission from the National Children's and Youth Law Centre advocated the establishment of Student Representative Councils (SRCs) in all schools, the provision of guidelines for their operation and a meaningful role in decision making (Submission 26).

In evidence to the Committee, several witnesses also stressed the importance of involving students in any anti-violence initiatives:

My experience of programs in schools that work are ones where students are directly involved with decision-making ... young people in schools know what the problems are I don't think we need to have professionals dealing with these very basic issues. I think we need to start getting young people involved in dealing with them with assistance from adults (Brown Evidence, 25.10.93)

The Director of the National Children's and Youth Law Centre suggested that any solution to the problem of violence in schools would require students, parents and teachers working together (Ludbrook Evidence, 01.11.93). The Committee fully endorses this sentiment.

A submission to the Committee from the Hunter Regional Student Representative Council suggested that the valuable contributions students can make to school policy be acknowledged. The submission suggested that authoritarian schools tend to have discipline problems. Students could be involved in decision-making by the student body being consulted through surveys or ballots; SRCs being consulted about decisions affecting the school; better representation of students on School Councils and committees; and better liaison between the Department of School Education and state and regional SRCs. Written policies for dealing with grievances and conflict were also recommended (Submission 46).

The Committee has heard that a number of schools have introduced school parliaments, which both teach young people about democratic and parliamentary processes, and also provide the opportunities to be involved in decision-making on real school issues.

As part of the Youth and the Law Project discussed in Section 6.1.6, a schools project has been developed in the Macarthur region involving four schools: Picton High School, Campbelltown Performing Arts High School, Airds High School and Ambarvale High School. A total of 60 students from the four schools attended a three-day residential forum at a conference centre. Young people who had been trained as trainers acted as group leaders to run the forum, which examined the forms of violence which affect young people most, including domestic violence, sexual violence, gang violence, drug and alcohol abuse, racism and prejudice, and violence against homosexuals. The students presented their ideas at the end of the forum to an audience including school principals, teachers and parents, and then elected group leaders to run later forums within each of the schools. These 16 students were then trained over four days in small group facilitation skills and in running a trial forum program. They then ran a forum within each of the schools involving approximately 50 students, so that almost 300 students from the area were involved in the two months of the program. At the

conclusion of these forums, the groups presented their ideas to principals, representatives of the news media and parents. Action groups were also established to implement ideas and suggestions that had been raised (Smith Evidence, 28.07.94).

The Committee believes the inclusion of young people in the development of anti-violence initiatives is highly desirable, and that student involvement in decision-making processes at schools should be reviewed. To assist in this review at the school level, standards of best practice regarding student participation should be prepared and distributed to schools.

RECOMMENDATION 75

That the Minister for Education:

- **review student involvement in decision-making in schools;**
- **urge schools to ensure that students are consulted in the development of anti-violence initiatives; and**
- **produce information on standards of best practice regarding student participation for dissemination to all schools.**

8.3.2 Peer Support

During the course of the inquiry, the Committee heard evidence from representatives of the Peer Support Foundation and also visited a number of schools in which peer support programs or buddy systems operate.

Peer Support programs have been operating since 1971, and while they were originally developed to counter the incidence of drug abuse among young people in schools, methods used, including raising the self-esteem of students, have been recognised as being directly relevant to youth violence.

Senior students guide juniors through structured activities designed to enhance certain skills for living such as communication, improving self-awareness and self-esteem, decision-making, problem solving, the art of successful negotiation, clarification of values, strategies for saying "no" to harmful influences and behaviour, conflict resolution, appropriate assertive behaviour and developing a supportive and nurturing network.

The Committee visited Menai Public School to observe their Buddy Scheme. Under the program, kindergarten students are "buddied" with Year 6 students. The scheme seeks to promote harmonious relations in the playground and offers orientation assistance to kindergarten students. For certain classroom learning activities, kindergarten and Year 6 classes have been combined. Teachers reported to the Committee that management problems were minimised in situations where older students helped the younger ones with their work.

In the Riverina region a buddy scheme matching a Year 11 student with two Year 7 students identified as being at risk of violent behaviour has been developed.

The programs aim to build self-esteem and mutual respect in students:

they know the difference between assertion and aggression. They accept difference in people. They do not belittle them. They speak effectively to themselves and to other people. They do not try to dominate other people (Seed Evidence 10.02.94).

As at February 1994, an estimated 534 secondary schools and 550 primary schools had operational programs (Seed Evidence, 10.02.94).

The Foundation recommended that the current Peer Support Program be extended into all primary and secondary schools. While the Committee supports the extension of the program, it feels that a directive to all schools would be inappropriate. Schools should be encouraged to introduce such a program, but the Committee believes that the school community should act in this regard to ensure a sense of ownership and acceptance of the program or pursue programs of their choice.

The Committee supports the development of peer support approaches having regard to the particular needs of Aborigines, and students of non-English speaking backgrounds, in schools.

The Peer Support Foundation is funded by the NSW Department of Health, which allocates federal Drug Offensive funds, in addition to community donations and fees for services (Wadeson Evidence, 10.02.94). The Committee heard that the Foundation believes funding should be directed from the Department of School Education rather than the Department of Health now that the scope of the program is wider than anti-drug education (Dibble Evidence, 10.02.94). While this arrangement may prove advantageous, the Committee believes this matter should be negotiated by the Foundation and the relevant Departments.

8.3.3 Peer Mediation and Conflict Resolution Panels

A number of education regions have introduced constructive, non-punitive dispute resolution mechanisms that involve students. The Committee visited Mt Druitt High School which has a peer mediation program. Following a dispute within the school that involved some racist comments, a teacher approached Year 12 students to discuss the convening of support groups facilitated by teachers to address the issue. An alternative proposal of students directly addressing the problem themselves was put forward, which led to the peer mediation program, devised in consultation with a community justice centre.

When a dispute arises, it is identified by the staff welfare team. Two students are assigned as mediators for each Year, and are supported by Year Advisers. The student mediators organise a meeting with the parties involved in the dispute, either before or after school or during lunchtime. The mediators actively listen to the views of the parties to the dispute and help those students listen to solutions and ideas. At the end of the session, the mediators are debriefed by Welfare Team members.

Staff at the school suggested to the Committee that a valuable outcome of the process has been the skills gained by the student mediators:

Often the problems that are being presented to them are insoluble ... [T]he skills that they have learnt are most probably more important than the concept of 'all problems are being solved' (Briefing, 04.03.94).

At Picton High School a Mediation Program Coordinator's Training Manual and a work plan for implementation has been developed including issues such as:

- raising the awareness of staff, students and the community;
- training mediators; and
- developing a school curriculum based on conflict resolution skills, entailing three week units in English or Social Sciences (Submission 13).

In addition, the Committee learnt of a school in Christchurch, New Zealand, that has trialed a form of in-school mediation. An outside mediator who is not a teacher, and is therefore not part of the disciplinary system of the school, comes in and applies mediation techniques to develop constructive solutions (Ludbrook Evidence, 01.11.93).

The Committee supports a process of peer mediation supported by staff, and believes teachers' skills should be developed to enable them to empower students to become involved in dispute resolution. The Committee also believes the New Zealand model involving outside mediation should be trialed and evaluated.

RECOMMENDATION 76

That the Minister for Education

- ensure that education regions develop inservice courses for teachers to provide them with the skills for developing peer mediation programs and offering training to students; and
- trial and evaluate the New Zealand model of mediation involving mediators from outside the school system.

8.3.4 Gangs and Weapons

The previous Minister for Education stated that gang colours would not be permitted if they can be identified as belonging to a particular gang, and gangs would not be permitted to operate in schools (Minister for Education, 1993b).

In the revised guidelines on suspension, exclusion and expulsion of students from school, distributed in 1994, principals have the authority to ban weapons being brought onto school premises. The school's fair discipline code should include a statement on weapons banned from the school. Principals may exercise discretion in deciding whether to ban potential weapons completely or whether to allow their presence when they are used solely in a benign manner.

The types of weapons that should be banned from school premises include:

- firearms of any kind
- any imitation or replica of a firearm
- knives
- hunting slings, catapults or slingshots
- knuckle-dusters
- studded gloves or sap gloves
- blow guns or any other similar device capable of projecting a dart
- whips of any kind
- kung fu sticks or nunchaku
- batons of any type
- spear-guns
- mace
- any defence or anti-personnel sprays that are capable of discharging irritants in liquid, gas or powder form.

Principals may use their discretion in allowing some of the items onto school premises if they are satisfied they are used solely for benign purposes, for example a knife used for the purpose of eating lunch.

If a principal becomes aware that a student or any other person on school premises or at a school activity is in possession of a weapon or weapons, he or she should contact the police. The student should be suspended immediately (Department of School Education, 1994a:7).

8.3.5 Student Welfare and Discipline

During the course of its inquiry, the Committee received considerable evidence on the issue of student welfare and discipline including corporal punishment, suspension, expulsion and exclusion. Such issues, particularly corporal punishment, are sensitive and cannot be dealt with in isolation. Factors such as the school environment, the training of teachers in conflict resolution and behaviour management strategies and the opportunity for students to gain skills in communication and conflict resolution all impact upon the issue of discipline. The Director of the National Children's and Youth Law Centre, for example, suggested that

The most important influence on behaviour within [the] school and the best sort of school atmosphere, is [when] students feel respected and they behave not because they are going to be harshly punished but because they have a sense of belonging to the school, a sense of inclusion and a sense of the peer pressure from other students if they misbehave (Ludbrook Evidence, 01.11.93).

A number of other witnesses stressed the importance of inclusion and participation in welfare and discipline policies. The President of the NSW Teachers Federation, for example, discussed schools that have implemented contract systems where the rules are adopted by students in their Student Representative Councils, with well-defined penalties. Some schools reinforce these contract systems with concepts such as isolation or time-out rooms (Cross Evidence, 11.10.93).

The Executive Director of the Federation of Parents' and Citizens' Associations stressed the need to develop positive self-disciplinary strategies:

It is our firm view that schools should be actively encouraged to develop self-discipline in students, rather than relying on models of discipline which are external to the student (Johnson Evidence, 08.11.93).

Such an approach involves the formulation of programs with an appropriate commitment of resources to develop every student's capacity to manage situations of conflict, stress, crisis or perceived failure in a non-violent manner. Students are taught to understand the feelings of anger, aggression, and frustration which they may experience and encounter in others. They are also equipped with a range of coping strategies so these emotions do not necessarily lead to expressions of violence. It was put to the Committee that

Suspension, exclusion and expulsion, and corporal punishment ... are concerned with external compliance rather than the cultivation of internal qualities. As such, they represent a quick fix, but in no way do they represent an effective solution (Johnson Evidence, 08.11.93).

During the course of the Inquiry, the Committee visited a number of schools offering programs which appear valuable in developing positive self-discipline. Granville Boys' High School, for example, has developed a School Welfare and Pastoral Care Program (SWAPP). The units in the program are offered in the school's vertical role groups and include:

- Assault;
- Behaviour on Public Transport;
- Avoiding Playground Fights;
- Respect for Other Cultures; and
- Attitudes to Females.

During the visit the Committee observed students participating in the Avoiding Playground Fights and Respect for Other Cultures units.

The Committee has heard of a number of schemes in a variety of schools and regions that offer a levels-based system of positive and negative behaviour management. Students may be awarded cards, certificates or medals for a significant achievement or praiseworthy behaviour. A collection of a certain number of one type of award leads to an award of a higher level.

Schools the Committee visited during the course of this Inquiry invariably had comprehensive Student Welfare Policies and clearly defined rules on expected student behaviour.

■ **Fair Discipline Principles**

In 1989, the NSW Department of School Education released the document, *Fair Discipline Code: Guidelines for Discussion by Government School Communities*. The Code contains a list of guiding principles considered basic to fair discipline. The principles include:

- *Schools should provide a stable, safe and ordered environment within which students learn effectively and behave responsibly.*
- *Schools should promote national pride and inspire in students a sense of common purpose.*
- *Principals should provide strong and effective leadership of the school staff, students and wider community in establishing and maintaining the highest tone and clear direction for the school.*
- *Schools need to create and maintain positive relationships within the school community.*
- *Students should be encouraged to develop self-discipline by accepting responsibility for their own behaviour.*
- *Schools should foster in students a feeling of belonging to the school and its community.*
- *School staffs should contribute with enthusiasm to establishing and maintaining the desirable tone and direction of the school.*
- *Schools should insist on responsible student behaviour and develop practices which prevent irresponsible behaviour.*
- *Students should be encouraged to value the personal dignity and worth of themselves and others.*
- *Schools should promote in students a respect for the values that underpin our society and its laws (Department of Education, 1989b:3).*

■ **Corporal Punishment**

The Department's *Fair Discipline Code* (1989b) also contains guidelines for the use of corporal punishment. Corporal punishment can only be administered in schools under strict criteria. The guidelines state that where it is formally decided to include corporal punishment, it should be used only as one of the last options.

Principals of schools which have decided to introduce corporal punishment must inform annually all parents, guardians or care-providers of their right to veto the use of corporal punishment for their child by written request to the principal (Department of Education, 1989b:16).

The Committee received mixed evidence on the issue of corporal punishment. On the one hand, evidence was presented to the Committee against the use of corporal punishment under any circumstances. Witnesses supporting this stance claim that corporal punishment is ineffective, gives mixed messages to children regarding the acceptability of the use of violence, and is in breach of the U.N. convention on the rights of the child (Ludbrook Evidence, 01.11.93). Another witness stated

I ... don't think that you can reconcile a policy for the use of corporal punishment for children with the other government policy that says that children who are armed and come to school with weapons will be expelled (Jenkin Evidence, 11.10.93).

The Federation of Parents' and Citizens' Associations also rejected the role of corporal punishment in managing student behaviour:

We believe that there is absolutely no place for corporal punishment in government schools. Schools should not possess the discretion to include this ... form of punishment within their fair discipline codes (Johnson Evidence, 08.11.93).

On the other hand, it was suggested to the Committee by one youth worker of a non-English speaking background that corporal punishment is supported by parents of certain cultural backgrounds who believe a strict disciplinary approach fosters appropriate behavioural and academic diligence (Ghaleb Evidence, 10.02.94). In addition, a submission advocating corporal punishment suggested that the reduction in the use of corporal punishment had been accompanied by a rise in school yard violence and contended that the use of the cane is a positive influence (Submission 22).

Throughout the inquiry, the Committee did not hear evidence of any widespread adherence to the use of corporal punishment as part of a repertoire of disciplinary actions. The President of the Secondary Principals' Council indicated to the Committee that he was not aware of any schools still using corporal punishment (Hurley Evidence, 22.02.94).

Within the private school system, the Committee heard that most Catholic school authorities have ceased corporal punishment as a disciplinary option, although it was conceded that since the diocesan authorities and non-systemic schools operate autonomously, there may be one or two schools still practising corporal punishment (Baker Evidence, 08.11.93). The Executive Director of the Association of Independent Schools indicated that the Association opposes the automatic abolition of corporal punishment in schools in the absence of the establishment of positive corrective methods. While the incidence of corporal punishment has reduced significantly over the last ten years, in his opinion, it remains a legal option to be used at the

discretion of the individual independent school. The Executive Director suggested that school discipline policies should cover a whole range of options, including the limited use of corporal punishment:

I support those who say that there are some punishments of a verbal and personal kind that can do more harm in the long run to a child than some mild corporal punishment (Chapman Evidence, 08.11.93).

The Director of the National Children's and Youth Law Centre suggested that corporal punishment should be banned in all educational institutions by an amendment to the Crimes Act (Ludbrook Evidence, 01.11.93).

The Committee is of the opinion that the use of physical pain and humiliation by an adult to correct or comment on behaviour of a child is a blatant example of how not to resolve issues which arise from conflict or misunderstanding. Most Committee members believe, however, that legislative amendment is not required, since it appears that schools are implementing appropriate welfare and discipline policies that do not rely on physical sanctions, and corporal punishment is increasingly being phased out. The Committee does believe that corporal punishment should be removed as a disciplining option in government schools.

The Committee was informed that with the demise of corporal punishment, individual teachers are becoming more responsible in intervening when anti-social behaviour arises. This trend has increased the need to address violence and other problems in a more holistic way within the education system, rather than simply sending pupils to the designated disciplinarian (Hickey Evidence, 26.04.94).

The Committee supports the further development and extension of initiatives which involve consistent policies of expectations and sanctions, team efforts in dealing with disruptive situations and strategies such as negotiated contracts.

RECOMMENDATION 77

That the Minister for Education amend the Department of School Education's Fair Discipline Code to remove corporal punishment as a disciplinary option in government schools.

■ Suspension from School

The Committee recognises that all students have a right to receive an education. However, this involves balancing the rights of a minority who may be disruptive with the rights of the majority of students to have a safe and harmonious learning environment.

If a student's disruption conflicts with the rights of others in the school there may come a time when further action, including suspension, is required, particularly if the student behaves violently, creating danger for others.

The Director-General of School Education informed the Committee that suspension is a process and not a penalty and that parents are involved (Boston Evidence, 29.07.94). In February 1994, the Director-General of School Education issued a memorandum to principals on suspension, exclusion and expulsion of students from school and procedures for the declaration of place vacant. Declaration of place vacant is usually reserved for students with poor attendance. These procedures incorporate specific guidelines for the management of violent behaviour, and state that

principals should use their available authority immediately if they believe that the safety of staff or students is at risk Violent behaviour must be dealt with swiftly and will result in immediate suspension (Department of School Education, 1994a:1).

The previous procedures for suspension, exclusion and expulsion, released in May 1992 and superseded by the 1994 guidelines, included a glossary defining physical violence as

1. *Striking, or use of force against a student or staff member.*
2. *Any deliberate act which causes injury to a student or staff member* (Department of School Education, 1992a:5).

Non-physical violence was defined as "words, actions or threats that alarm reasonable students or staff members" (Department of School Education, 1992a:5). However, the text of the guidelines does not distinguish between these forms of violence. A previous document, issued in 1989, suggested that students exhibiting both physical and non-physical violence may be suspended (Department of School Education, 1989a:2). The 1994 procedures do not include a glossary. The Committee believes that the inclusion of definitions of the types of violence that should lead to suspension would be of benefit to principals in using their discretionary powers.

Principals are compelled to inform the student of the precise grounds for suspension, and give them an opportunity to express their views before a decision is made. Parents or care-givers must be notified in writing of the reasons for the suspension, the probable duration, the expectation that the student will continue with studies at home, and their responsibility for the care and safety of the student while under suspension. The notification must also refer to the importance of the parents' or care-givers' assistance in resolving the matter, and the principal must convene a meeting with them and with personnel involved in the welfare and guidance of the student, to discuss appropriate action. A record of action taken must be maintained in the school's suspension register.

For long suspensions, the principal advises the appropriate director of schools, and seeks a report from the school counsellor which should include recommendations for further action. The principal must also offer to develop, with the student and parents or care-giver, an agreed study program to be undertaken by the student during the period of suspension. Principals are also required to utilise the school, education resource centre and other available resources in seeking a means of resolving the problem and lifting the suspension within twenty days. Principals must not impose any more than two suspensions, either long or short, on an individual student in any one calendar year. If unacceptable behaviour persists, strategies such

as alternative educational programs must be considered (Department of School Education, 1994a:3-4).

The guidelines view suspension as providing a "period when all parties can seek a positive resolution to the problem" (Department of School Education, 1994a:1)

Concern was expressed to the Committee that school counsellors are not always involved in short suspensions, as discipline and welfare strategies are sometimes seen by principals as being independent (Pickering Evidence, 08.11.93). The Committee believes the welfare and behavioural needs of suspended students must be met, and that this matter should be addressed.

RECOMMENDATION 78

That the Minister for Education amend the suspension, exclusion and expulsion procedures to

- **include definitions of the type of violent behaviour that should lead to suspension, while maintaining the discretionary power of principals; and**
- **ensure that the welfare and behavioural needs of such students are met through means such as informing school counsellors of all short suspensions and involving them in discussions on appropriate actions to be taken.**

■ Suspension and Pre-suspension Programs

On the issue of suspensions, a number of witnesses raised the importance of ensuring that students who have been suspended, or are at-risk of suspension, receive appropriate assistance:

There is no point in suspending a child and allowing them to come back twenty days later if there has been no intervention: there is nothing that has changed in the school, there is nothing that has changed in that child's life and there is nothing that has changed in the teacher's life For any real success, we need to look at pre-suspension and post-suspension programs (Hatswell Evidence, 22.02.94).

It was suggested to the Committee that students' behaviour can deteriorate while they are under suspension, and that for those students the school's approach may need to shift from an academic emphasis to an intensive input on social skills and behaviour (Jenkin Evidence, 11.10.93). Ms Jenkin, a lecturer in Special Education at the University of Western Sydney, has co-ordinated the Macarthur suspension support program which offers suspended students an academic and social skills program.

In evidence to the Committee, Ms Jenkin advocated the development of in-school suspension programs to include a separate academic program while also addressing the problem behaviour. Schools should

try to be a little more creative in the deployment of the resources that they already have and perhaps adjust the duties and responsibilities of teachers so that they can ... be available to run an in-school suspension program (Jenkin Evidence, 11.10.93).

During the course of its inquiry, the Committee visited a number of schools and alternative education facilities offering pre-suspension programs including The Cottage, on the grounds of Regents Park Public School in the Metropolitan South West region. The "Cottage program" targets students in the junior years of high school who are displaying behaviour which is unacceptable and threatening to the student's continued enrolment at school. A "tutorial program" is also available for those not enrolled at school, and who may be chronic school refusers.

The Cottage program aims to ensure that students can resolve conflict situations and are provided with an extensive array of behavioural options so that they can succeed at school and at home. The students attending the program usually come from dysfunctional or violent family backgrounds providing poor role models for behaviour, and with discipline irregularly and inappropriately administered. They often experience difficulties in the transition from primary school to secondary school, and have poor self-image. The Committee was advised that self-esteem is increased by the students' experiences within the program.

The Cottage offers the program for one day each week for 12 or 24 weeks while the child attends their regular school for the remainder of the week. Students are referred through their year adviser or school counsellor to the District Guidance Officer, and then to the Cottage counsellor. The program includes personal projects; stress management; homework/schoolwork review; art and expression; drama and lifeskills. Students are encouraged to set behavioural goals for the home, their schools, and for themselves through a contract system, and the achievement of these goals is monitored by the Cottage staff through regular contact with the student's school and family. A point system has been instituted for the achievement of daily goals at the Cottage.

A number of other initiatives have also been implemented in various regions targeting students at risk of suspension.

In the Metropolitan South West region, thirty teachers have been trained in a "Youth Success" program, based on a U.S. program which has been adapted by National Curriculum and Training Inc. in South Australia. Each regional Education Resource Centre has a team to run the program, which targets students with a history of suspension. The program operates over three days with a group of six to eight students and involves social skills training, elements of Glasser's Reality Therapy and concentration skills. Control Theory and Reality Therapy are further discussed at Section 9.1.1.

A "levels" system of behaviour management has been implemented in a group of schools in the Riverina region which places students on tiered levels of achievement based on a points system

of positive rewards and negative sanctions. The system enables groups of students on the lowest level to be identified prior to suspension. These students attend an intensive four week conflict resolution skills course run by staff of a regional special school, culminating in a one day training and development course for student welfare personnel from the schools. Additional resources to address problems evidenced by high suspension rates have been offered to schools in the Metropolitan East region.

During the course of the Inquiry, Committee members visited James Busby High School, and spoke to staff regarding the school's Tutorial Centre for the Hoxton Park cluster in the Metropolitan South West region. The Centre is staffed by an Itinerant Teacher for two days each week, and students are referred from schools within the cluster. In referring students, schools must show that previous intervention strategies have been attempted, and that there is an appropriate commitment by the student to attend the Centre. Most students referred are on long suspensions, or have a history of failed interventions.

The Committee is encouraged by the range of strategies developed to address the behaviour of students at risk of or with a history of suspension, and supports their expansion.

RECOMMENDATION 79

That the Minister for Education ensure that appropriate alternative education strategies are introduced in all regions for students displaying inappropriate and aggressive behaviour, and that these strategies include:

- **tutorial centres offering in-school suspension programs; and**
- **pre-suspension programs offered at off-campus facilities.**

■ Exclusion from School

Formal procedures for exclusion were first introduced in 1991. The current procedures state that exclusion is not a substitute for expulsion and that it

may take place only where a long suspension has not resolved the problem, and it is considered that the student might develop self-discipline and co-operative behaviour in a suitable alternative school (Department of School Education, 1994a:4).

Regional staff, in conjunction with the principal and parents or care-giver, are required to arrange a suitable alternative school placement for the student within ten school days. However, the procedures also state that a principal

may refuse enrolment of a student on the grounds of previous documented violent behaviour if there is evidence that the student has not learned the appropriate skills to manage this behaviour (Department of School Education, 1994a:2).

The Co-ordinator of South Sydney Youth Services discussed a case before the Committee of a young person who had assaulted, and been assaulted by, a Deputy Principal. The student has been unable to find a place in another school as a result of his reputation (Brown Evidence, 25.10.93). It would appear that the alternative placement of such students could prove problematic given the limited intervention strategies available to deal with the issue of violence. If an alternative placement cannot be arranged, an application for expulsion or a return to the original school are the only options available.

Since exclusion from a government school is only possible when there is an alternative school placement available for the student, the option is not available to principals of schools in isolated areas. The Committee acknowledges the difficulties this may create, and believes that appropriate alternative strategies are required.

The Committee believes that appropriate programs should be offered to all students excluded from school or at risk of exclusion for behavioural problems.

RECOMMENDATION 80

That the Minister for Education ensure that:

- **students excluded from schools for violent behaviour are offered behavioural or social skills programs that assist in addressing that behaviour and facilitate placement in an alternative school; and**
- **schools in isolated areas have access to appropriate strategies to provide alternatives to exclusion to deal with aggressive and violent students.**

■ Expulsion from School

The suspension, exclusion and expulsion procedures state that expulsion may be recommended following violent behaviour or the bringing of weapons to school, irrespective of any police action taken. Expulsion can only be approved by the Minister on the recommendation of the Director-General. Students, parents or care-givers have four days in which to respond when notified of a principal's intention to recommend expulsion. Any response must be forwarded to the Assistant Director-General if the recommendation for expulsion proceeds, together with details of reasons, any action taken to moderate the student's behaviour, and the school counsellor's report. A copy of this submission is also provided to the student, parents or care-givers, who have 14 days to respond to the Assistant Director-General. If the Assistant Director-General supports expulsion, after considering the submission and any responses, he or she will forward the recommendation to the Director-General (Department of School Education, 1994a:4-5).

The Committee has heard that excluding problem children from the education system effectively removes their educational and employment opportunities. Studies have identified

the educational disadvantages of convicted criminals, and it has been suggested to the Committee that to charge, suspend or expel students involved in violence in schools may cause similar disadvantage and turn school offenders into adult offenders (Submission 5).

The Director of the National Children's and Youth Law Centre stated:

There are two very negative aspects about expulsion - one is that you are being pushed out by a school community which most students have a sense of belonging to ... and there is also the damage to one's reputation and it is amazing how that can continue after you have completed your education (Ludbrook Evidence, 01.11.93).

The President of the NSW Teachers Federation suggested that the Department of School Education has a social responsibility to try and reform problem students so they can adapt to life as an adult (Cross Evidence, 11.10.93).

The Federation of Parents and Citizens Associations has recently called on the Government to provide alternative schooling and vocational training for students expelled for violence and teenagers who drop out of school. The Youth Action and Policy Association (YAPA) has recommended state education departments and the community sector enter partnerships to develop alternative educational strategies for those excluded or not adequately catered for (Submission 53).

The Committee has heard that the early identification of problem children and attempts to modify behaviour are seen by the Department as a proactive alternative to later expulsion. Resources available include special classes for such students and specialist teachers to work with them, both in special classes and as itinerant teachers monitoring programs in mainstream schools. In addition, programs such as Parents as Teachers, discussed in Chapter Four, can play an important role in early identification and intervention.

The Committee believes that recommendations to expel students should be made in consultation with welfare and discipline committees and that the importance of the right to an education should be recognised in considering these recommendations. In dealing with students expelled from the state education system, the Committee considers that different strategies are required for two categories of children: those under 15 years of age, and those over the age of 15 years for whom it is not compulsory to be in school. The Committee considers that the right of students aged less than 15 years to receive an education is fundamental. It sees the state as having a responsibility to provide this education in the most appropriate way. The Committee considers it would be detrimental to the student, the student's family and the general community if such an education was not made available.

While the Committee recognises that some young people may be disinclined to accept the educational options offered to them, every attempt must be made to encourage these young people to continue their education by broadening the available options.

The Committee also considers the state to have a responsibility for those students in the over 15 year age group who are expelled from the education system. The Committee believes that the Department of School Education should support expelled students by assisting them to identify options for their future. The Committee recognises that in such cases, the student retains the discretion as to what post-expulsion options are pursued.

RECOMMENDATION 81

That the Minister for Education ensure decisions to recommend the expulsion of students are made by the principal in consultation with school welfare and discipline committees, and parents/care-givers.

RECOMMENDATION 82

That the Minister for Education recognise the right of students to receive an education by ensuring:

- **appropriate alternative education options for those students expelled from the state education system who are less than 15 years of age; and**
- **appropriate liaison with agencies offering education and training options to inform young people expelled from the state education system who are aged 15 years or over of their options.**

■ Declaration of Place Vacant

Principals also have the option to declare a student's place vacant. This option is usually reserved for non-serious students of post-compulsory age on the grounds of poor attendance and/or other non-compliance with Board of Studies requirements for the award of the School Certificate and Higher School Certificate. Before a place can be declared vacant all appropriate student welfare strategies and discipline options must be applied and documented, and at least two formal cautions provided to the student. A register of such declarations must be maintained by the school, and be available to the Director of Schools on request. Students have a right of appeal to the Director of Schools. It is the student's responsibility to negotiate re-enrolment or enrolment at another school (Department of School Education, 1994a:5-6).

The Committee believes that every effort must be made to seek contact with and provide counselling and other support from relevant agencies for such students so that children represented in this group are not abandoned by the education system. The Committee believes that a review of the reasons for declaration of place vacant should be undertaken.

RECOMMENDATION 83

That the Minister for Education commission an independent review of the declaration of place vacant option, including the reasons underlying such declarations, to assess the appropriateness of this option.

■ Legal and Administrative Issues and Informal Procedures

The Director of the National Children's and Youth Law Centre contended that only the Minister for Education was legally authorised to expel students from the state education system, under provisions of the *Education Reform Act*. However, he suggested that the actions of principals in excluding students from individual schools and declaring places vacant amount to a de facto expulsion. The Committee heard that information provided to schools regarding exclusion and the declaration of places vacant was therefore invalid:

I understand that exclusions and declarations of place vacant are both illegal ... and breach the standards of fairness ... because the school principal should not be prosecutor and judge in the same court I believe the Act has it right but I believe the circular [to principals] has it wrong (Ludbrook Evidence, 01.11.93).

Another witness suggested that

The schools in fact are setting up a separate judicial system for dealing with people, and a series of laws, without having a consistent legislative support and framework (Marsden Evidence, 01.11.93).

This claim of illegality regarding principals excluding students from individual schools and declaring places vacant was subsequently rejected by the Department. Section 35 of the *Education Reform Act* provides the Minister with powers to control and regulate student discipline, including the power to expel students from the education system. Section 119 of the Act also provides that any of the Minister's functions under the Act may be delegated to any person or body. The power to dismiss students from one individual school has effectively been delegated to principals and termed exclusion to differentiate it from the Minister's power to expel students from the entire system.

In England and New Zealand the principal is the prosecutor in cases of proposed expulsion, and compiles information as to the reasons why an expulsion is considered appropriate. The principal then appears before a school board which consists of parents, teachers and a student representative, who make the final decision (Ludbrook Evidence, 01.11.93).

The Committee heard that any procedures for dealing with suspensions and expulsions need to be accessible. Young people consulted in the preparation of the National Children's and Youth Law Centre's submission suggested that just and fair processes for expulsions should be implemented in response to violence with full information being provided to students and parents (Submission 26). The Executive Director of the Federation of Parents' and Citizens' Associations stated that the Department's current policy on suspension, exclusion and expulsion needs to be revised and simplified:

when parents and children are asked to go through the processes in that document it is usually at time of crisis ... it is very easy for them not to understand what is happening simply because of the various categories -long suspension, short suspension, declaration of place vacant, exclusion, expulsion (Johnson Evidence, 08.11.93).

The Committee believes that the guidelines should be accessible for students and parents.

The Committee has also heard that focusing on statistics and procedural concerns relating to expulsions and exclusions may be misdirected, as students may simply be asked to leave by school staff:

What happens generally in schools with difficult kids is that they don't get expelled, because if they do get expelled they have to go through a long process of justifying that expulsion, so what happens in probably 99% of cases ... [is] they are asked to sign out if the young person wants to complain about being kicked out of the school, there is no possibility of doing that, because they are merely told to leave, they are not expelled. In his 15 years of youth work, I don't know one young person who had actually been expelled, but I know hundreds who have been kicked out (Brown Evidence, 25.10.93).

Apart from this evidence from the Co-ordinator of South Sydney Youth Services, the Committee heard no other information on this practice. The Committee believes, however, that the Department of School Education should examine these allegations. The Committee is concerned that these actions may be taken outside the formal procedures, and urges school personnel to recognise young people's right to an education. While recognising the need to minimise disruptions to the education of the majority of students, the Committee believes that the small minority of students who may be violent or aggressive must be dealt with through the existing formal channels available to schools.

RECOMMENDATION 84

That the Minister for Education ensure procedures for suspension, exclusion and expulsion are:

- **written in plain English;**
- **distributed widely to students and parents; and**
- **available in community languages.**

RECOMMENDATION 85

That the Minister for Education instruct the various regional offices of the Department of School Education to examine and report on the allegations that many young people have been removed from schools through means other than the formal mechanisms of expulsion, exclusion and declaration of place vacant.

8.4 CONCLUSIONS AND FINDINGS

- Schools should not be seen as the focus of the problem of youth violence nor should they be solely responsible for addressing the problem. The community as a whole must share the responsibility for its young people, and collaboration between schools, parents, the community and government is therefore essential.

However, the **role of the school** in this collaborative approach is fundamental. The use of schools for community-based programs and services, especially for initiatives providing support, training and leisure activities for young people, should be encouraged and extended. Schools should involve youth workers in the development of school based strategies to prevent and respond to violence at school.

- **Parenting programs**, both within the Department of School Education and in conjunction with other government agencies, are important strategies supporting young people in the crucial early years of their lives, and demonstrate the pivotal role of the school in a co-operative approach to social problems. Interagency policies and protocols should be developed, and resource material produced outlining the roles and responsibilities of agencies that contribute to confronting youth violence.
- The **nature of the school** is also relevant to addressing youth violence. Opportunities for the school community to participate in decision-making should continue to be extended. The number of home-work centres should be increased. Peer support programs linking Year 6 students to secondary schools should be extended. Mechanisms promoting the full participation of all cultural and socio-economic groups in supporting the education of young people are required. Schools should be assisted them in the development and introduction of a policy for a non-violent school.
- **Specialist staff** are also vital in reducing youth violence. The appropriateness of **school counsellor** staffing levels should continue to be monitored to ensure that student needs are met. Suitably qualified psychologists who have the necessary skills and abilities to fulfil the requirements of the position should be able to be appointed to the positions. A policy regarding the operation and protocols of the school counselling service should be introduced, with students advised of the availability of school counsellors and support teachers. School counsellors should have access to telephones and accommodation within schools to ensure privacy and confidentiality.

The role of teachers is also fundamental. Behaviour management training should be an integral part of pre-service teacher training.

- In recognising that authoritarian schools tend to have discipline problems, **students** should be included in the development of anti-violence initiatives and decision-making processes in schools. Programs aiming to build self-esteem and mutual respect in students, such as peer support, are important violence prevention strategies.

The use of physical pain and humiliation by an adult to correct or comment on behaviour of a child is a blatant example of how not to resolve issues which arise from conflict or misunderstanding. **Corporal punishment** should be removed as a disciplining option in government schools.

The Committee recognises that all students have a right to receive an education. However, this involves balancing the rights of a minority who may be disruptive with the rights of the majority of students to have a safe and harmonious learning environment.

Definitions of the types of violence that should lead to **suspension** would be of benefit to principals in using their discretionary powers. The welfare and behaviour needs of suspended students must be met. The Committee is encouraged by the range of strategies developed to address the behaviour of students at risk of, or with a history of, suspension, and supports their expansion. Appropriate programs should be offered to all students **excluded** from school or at risk of exclusion for behavioural problems. Appropriate alternative strategies are required for schools in isolated areas.

Recommendations to **expel** students should be made in consultation with welfare and discipline committees. The right of students ages less than 15 years to receive an education is fundamental and the State has a responsibility to provide this education in the most appropriate way. The Department of School Education should support students in the over 15 year age group by assisting them to identify options for their future.

- During visits to schools, the Committee found that they had responded to their problems by introducing positive, proactive strategies, and perceived a strong sense of school and personal pride and self-esteem. Schools invariably had comprehensive Student Welfare Policies and clearly defined rules on expected student behaviour.
