

## Discipline Policy and Discipline Council

<http://www.eurisc.org/getfile/278/2>

### 1. General provisions

- 1.1. A pupil who fails to observe the school rules and general rules on communal life within the school shall be subject to disciplinary measures.
- 1.2. The Director ensures that disciplinary measures are coordinated and standardised.
- 1.3. Serious breaches of discipline shall be immediately reported to the Director or in his/her absence, the Deputy Director.
- 1.4. A written report shall be submitted to the Director by the member of staff who witnessed the incident, on the first working day following the incident.

### 2. Disciplinary measures

2.1. Disciplinary measures in the Primary cycle are as follows:

- 2.1.1. Exit the pupil from the classroom for the duration of the lesson;
- 2.1.2. Pupil writing an explanatory note on the template provided;
- 2.1.3. Reprimand by teacher or Deputy Director;
- 2.1.4. Detention;
- 2.1.5. Written warning from the Director;
- 2.1.6. Application of sanction approved by Director's order;
- 2.1.7. Temporary exclusion from any school activity in or out of the school during the school year;
- 2.1.8. Temporary exclusion from the school for a maximum 7 (seven) working days.

2.2. Disciplinary measures in the Secondary cycle are as follows:

- 2.2.1. Exit the pupil from the classroom for the duration of the lesson;
- 2.2.2. Pupil writing an explanatory note on the template provided;
- 2.2.3. Extra work;
- 2.2.4. Reprimand by teacher or Deputy Director;
- 2.2.5. Detention;
- 2.2.6. Written warning from the Director;
- 2.2.7. Application of sanction approved by Director's order;
- 2.2.8. Temporary exclusion from any school activity in or out of the school during the school year;
- 2.2.9. Temporary exclusion from the school for a maximum 15 (fifteen) working days;
- 2.2.10. Expulsion.

2.3. The list of disciplinary measures does not mean that they can be imposed only in the order given. Detention in Primary shall not be longer than 1 hour. Detention in Secondary shall be from 1-2 hours. The teachers concerned shall furnish the detention supervisors with the required work to be completed during the detention period. This excludes their usual homework.

2.4. All disciplinary measures from reprimand onwards shall be entered in the pupil's personal file and kept for a maximum of three years.

2.5. In a serious case, involving a risk to safety or health in the school, the Director may, as a precaution, return a pupil to the care of his/her legal representatives pending the convening of the Discipline Council.

### **3. Levels of the disciplinary measures**

3.1. Disciplinary measures shall be taken at the following three levels:

3.1.1 The offence may be dealt with directly by the member of staff who witnessed the incident: reprimand.

3.1.2. Appropriate action by the teacher concerned in conjunction with the class teacher, and the Deputy Director: detention and/or extra work, both with notification of the pupil's legal representatives and information to the Director. Extra work implies work of a physical nature for 45 minutes.

3.1.3. Director's intervention: on the basis of a report submitted to him/her: the Director shall summon the pupil and may issue a warning or take disciplinary measures extending to a temporary exclusion of a maximum of three working days.

3.2. Director's intervention after consultation of the Discipline Council, which may propose any sanction, including temporary exclusion for more than three days up to expulsion. If the Director decides to bring the incident before the Discipline Council, he/she shall designate a rapporteur from amongst the teaching or educational support staff, with the exception of the members of the Discipline Council, charged with investigating the matter.

### **4. Discipline Councils**

4. 1. Two Discipline Councils shall be formed: one for the primary cycle and one for the secondary cycle.

4. 2. The Discipline Council's task shall be to examine serious infringements by pupils of school rules and general rules on communal life within the school.

4. 3. If a pupil with special educational needs receiving Intensive Support is liable to be called before a Discipline Council, the Director shall consult the Educational Support Committee beforehand.

4.4. Discipline Council duties are as follows:

4.4.1. To make proposal for giving a warning by the Director.

4.4.2. To make proposals for temporary exclusion from the school for a maximum of fifteen (15) working days.

4.4.3. To make proposal for expulsion from the school.

4.5. A pupil's expulsion shall not in principle entitle him/her to enrol at another school.

4.6. The pupil's legal representatives shall be informed of all disciplinary measures from reprimand by Deputy Director.

### **5. Composition of the Discipline Councils (Primary and Secondary)**

5.1. The Discipline Councils shall be composed of the:

5.1.1. Director,

5.1.2. Assisted by the Deputy Director (without voting rights);

5.1.3. School psychologist and/or SEN teacher;

5.1.4. Four teachers of different nationalities, including the level coordinator of the pupil concerned.

5.2. The teachers will be appointed by the Director according to the proposed list voted on by the Level Coordinators.

5.3. The Discipline Council shall be chaired by the Director. In his/her absence, the Deputy Director shall take the chair.

5.4. Attendance at Discipline Councils shall be compulsory, unless dispensation is granted by the Director on duly justified grounds.

## **6. Convening of Discipline Council hearings**

6.1. The members of the Discipline Council shall receive from the Director a notice convening the hearing, of which they must acknowledge receipt.

6.2. The pupil who is alleged to have committed an offence and his/her legal representatives shall receive from the Director a notice convening the hearing sent by registered letter at least one week before the scheduled date, except in an emergency.

6.3. The notice convening the hearing shall contain as follows:

6.3.1. Pupil's name and class;

6.3.2. The date, time and place of the meeting;

6.3.3. Set out the alleged offences;

6.3.4. Inform the pupil and his/her legal representatives that they may consult the file documenting the alleged offences in the School's office and in accordance with the arrangements indicated by the latter, make written observations;

6.3.5. Be assisted by a teacher from the school and/or a representative of the Student Council in the discussions as an observer. In that case, it is up to the pupil's legal representatives to invite these persons to attend the hearing, ensuring that the Director is informed thereof.

6.4. The pupil concerned, his/her legal representatives and, where applicable, a person belonging to the teaching staff with assisting him/her in mounting his/her defence. The assisting people may request permission from the Director to scrutinise the complete file documenting the alleged offences. They may consult it on the spot in the School's office, free of charge, or request a full or partial copy, at their own expense.

## **7. Conduct of the proceedings before the Discipline Council.**

7.1. The order of the proceedings shall be as follows:

7.1.1. Checking of presences. The Chair shall check that the designated members of the Discipline Council who have not been granted a dispensation for duly substantiated reasons are present. In the event of absences, the Chair may decide to defer the hearing.

7.1.2. Designation of the secretary to the hearing. The Chair shall designate the office manager as the secretary to the hearing. The minutes shall be signed by the Chair and the secretary to the hearing.

7.1.3 Reading of the inquiry report. After the pupil, his/her legal representatives and, where applicable, a person belonging to the teaching staff charged with assisting him/her in mounting his/her defence and

the representative of the Student Committee have been introduced, the rapporteur designated by the Director on a case by case basis, shall present the inquiry report on which the appearance before the Discipline Council of the pupil against whom the case has been brought is based.

7.1.4. Hearing of the persons summoned. The Discipline Council shall hear all the persons summoned by the Director to appear in the case concerned. The hearing shall be held in camera.

7.1.5. Deliberation and decision. The Discipline Council shall deliberate in the presence of its members. The deliberations shall be confidential.

## **8. Voting procedures.**

8.1. The Discipline Council shall decide on its proposals by a simple majority of the members present. In cases where temporary exclusion or expulsion is proposed, a two-thirds majority of the members present shall be required. Abstention shall not be permitted.

8.2. Voting shall not be secret.

8.3. The Director and each other member of the Discipline Council shall have one vote.

8.4. The Chair shall have the casting vote in the event of a tie. If an exclusion or expulsion proposal fails to produce a two-third majority, the Discipline Council shall be invited to vote a second time.

8.5. The proposals thus adopted shall be collegiate. Should the Discipline Council not make a proposal, the Director may decide to impose a sanction under his/her sole authority, stating the specific grounds on which the decision is based.

8.6. The offence, the disciplinary measure proposed, the result of the vote and the main arguments and grounds for the proposed disciplinary measure shall be recorded in the minutes of the hearing and appended to the decision.

8.7. At the end of the hearing the secretary shall draft the Discipline Council's proposal, which must mention the result of the vote and the grounds for the disciplinary measure proposed.

## **9. Notification of the decision**

9.1. The Director shall notify the pupil concerned and his/her legal representatives orally of the decision which he/she has taken on the basis of the Discipline Council's proposal.

9.2. In the event of exclusion, the date of entry into force shall be specified.

9.3. The decision will be kept in the pupil's file for three years.

9.4. The Director's decision shall be confirmed by written notification.

9.5. The decision shall come into effect on the morning after the sending of the registered letter – the postmark being taken as proof – or the sending of any other form of written communication to the addressee.

9.6. The decision of the Discipline Council shall be final.

9.7. In the case of a transgression of a legal nature, the matter will be referred to the relevant authorities which may include the Estonian National Police Services or Childcare Services.

9.8. Written warnings from the Director and temporary exclusions shall be noted on the report card of the pupil concerned.

### 10. Description of the Procedure:

Nr	Action	Person responsible for	Due date / duration
<b>1. Reporting of a disciplinary breach</b>			
1.1	In case of a serious breach of discipline immediate report to the Director or in his/her absence, the Deputy Director	The member of staff who witnessed the incident	Immediately
1.2	A written report shall be submitted to the Director	The member of staff who witnessed the incident	On the first working day following the incident
<b>2. Disciplinary measures</b>			
2.1.	Exit the pupil from the classroom for the duration of the lesson;	Teacher giving the lesson	Immediately
2.2	Pupil writing an explanatory note on the template provided;	Staff member witnessing the incident	Immediately
2.3	Reprimand by teacher or Deputy Director;	The member of staff who witnessed the incident	Immediately
2.4	Detention and extra work with notification of the pupil's legal representatives and information to the Director;	The teacher concerned in conjunction with the class teacher, and the Deputy Director	On the first working day following the incident
2.5	Written warning from the Director; Director shall summon the pupil and may issue a warning or take disciplinary measures extending to a temporary exclusion of a maximum of three working days.	Director	On the basis of a report submitted to the Director
2.6	Application of sanction approved by Director's order; Director's intervention, which may propose any sanction, including temporary exclusion for more than three days up to expulsion.	Director in conjunction with the Discipline Council	After consultation of the Discipline Council
2.7.	Temporary exclusion from any school activity in or out of the school during the school year;	Director in conjunction with the Discipline Council	After consultation of the Discipline Council
2.7	Temporary exclusion from the school for a maximum 7 (seven) working days;	Discipline Council	With the decision of the Discipline Council
<b>3. Convening of Discipline Council hearings</b>			
3.1	1. A notice convening the hearing, to be sent to the members of the Discipline Council, of which they must acknowledge receipt.	Director	At least one week before the scheduled date, except in an emergency

Nr	Action	Person responsible for	Due date / duration
	2. A notice convening the hearing sent by registered letter to the pupil who is alleged to have committed an offence and his/her legal representatives.		
3.2	<p>The notice convening the hearing shall content as follows:</p> <p>Pupil's name and class;</p> <p>The date, time and place of the meeting;</p> <p>Set out the alleged offences;</p> <p>Inform the pupil and his/her legal representatives that they may consult the file documenting the alleged offences in the School's office and in accordance with the arrangements indicated by the latter, make written observations;</p> <p>Be assisted by a teacher from the school and/or a representative of the Student Council in the discussions as an observer. In that case, it is up to the pupil's legal representatives to invite these persons to attend the hearing, ensuring that the Director is informed thereof.</p>	Director	At least one week before the scheduled date, except in an emergency
3.3	<p>The assisting people may request permission from the Director to scrutinise the complete file documenting the alleged offences. They may consult it on the spot in the School's office, free of charge, or request a full or partial copy, at their own expense.</p>	<p>The pupil concerned, his/her legal representatives and, where applicable, a person belonging to the teaching staff with assisting him/her in mounting his/her defence.</p>	Before the hearing of the Discipline Council
<b>4. Conduct of the proceedings before the Discipline Council</b>			
4.1	<p>Checking that the designated members of the Discipline Council who have not been granted a dispensation for duly substantiated reasons are present. In the event of absences, the Chair may decide to defer the hearing.</p>	The Chair	At the hearing of the Discipline Council
4.2	<p>Designation of the secretary to the hearing. The Chair shall designate the office manager as the secretary to the hearing. The minutes shall be signed by the Chair and the secretary to the hearing</p>	The Chair	At the hearing of the Discipline Council
4.2	<p>Introducing the pupil, his/her legal representatives and, where applicable, a person belonging to the teaching staff charged with assisting him/her in mounting his/her defence and the representative of the Student Committee.</p>	The Chair	At the hearing of the Discipline Council
4.4	Reading of the Inquiry report	The rapporteur designated by the Director	At the hearing of the Discipline Council

Nr	Action	Person responsible for	Due date / duration
4.5	Hearing of the persons summoned. The hearing shall be held in camera.	The Chair	At the hearing of the Discipline Council
4.6	Deliberation and decision. The Discipline Council shall deliberate in the presence of its members. The deliberations shall be confidential.	The Discipline Council	At the hearing of the Discipline Council
<b>5. Voting procedures</b>			
5.1	The Discipline Council shall decide on its proposals by a simple majority of the members present. In cases where temporary exclusion or expulsion is proposed, a two-thirds majority of the members present shall be required. Abstention shall not be permitted.	The Chair	At the hearing of the Discipline Council
5.2	Voting shall not be secret.	The Chair	At the hearing of the Discipline Council
5.3	The Director and each other member of the Discipline Council shall have one vote.	The Chair	At the hearing of the Discipline Council
5.4	The Chair shall have the casting vote in the event of a tie. If an exclusion or expulsion proposal fails to produce a two-third majority, the Discipline Council shall be invited to vote a second time.	The Chair	At the hearing of the Discipline Council
5.5	The proposals thus adopted shall be collegiate. Should the Discipline Council not make a proposal, the Director may decide to impose a sanction under his/her sole authority, stating the specific grounds on which the decision is based.	The Chair	At the hearing of the Discipline Council
5.6	The offence, the disciplinary measure proposed, the result of the vote and the main arguments and grounds for the proposed disciplinary measure shall be <b>recorded in the minutes</b> of the hearing and appended to the decision.  At the end of the hearing the secretary shall draft the Discipline Council's proposal, which must mention the result of the vote and the grounds for the disciplinary measure proposed.	The Secretary	At the end of the hearing
<b>6. Notification of the decision</b>			
6.1	Notification of the pupil concerned and his/her legal representatives orally of the decision which he/she has taken on the basis of the Discipline Council's proposal.	The Director	At the end of the hearing

Nr	Action	Person responsible for	Due date / duration
	In the event of exclusion, the date of entry into force shall be specified.		
6.2	The Director's decision shall be confirmed by written notification	The Office Manager	At the following work day after the hearing
6.3	The decision shall come into effect on the morning after the sending of the registered letter – the postmark being taken as proof – or the sending of any other form of written communication to the addressee.	The Office Manager	At the following work day after the hearing