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PARLIAMENT OF TASMANIA

**AUDITOR-GENERAL  
SPECIAL REPORT No. 41**

**KEEPING SCHOOLS SAFE**

**September 2002**

*Presented to both Houses of Parliament in accordance with the provisions of  
Section 57 of the Financial Management and Audit Act 1990*

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25 September 2002

President  
Legislative Council  
HOBART

Speaker  
House of Assembly  
HOBART

Dear Mr President  
Dear Mr Speaker

**PERFORMANCE AUDIT NO. 41  
KEEPING SCHOOLS SAFE**

This report has been prepared consequent to examinations conducted under section 44 of the *Financial Management and Audit Act 1990*, for submission to Parliament under the provisions of section 57 of the Act.

Performance audits seek to provide Parliament with assessments of the effectiveness and efficiency of public sector programs and activities, thereby identifying opportunities for improved performance.

The information provided through this approach will, I am sure, assist Parliament in better evaluating agency performance and enhance Parliamentary decision making to the benefit of all Tasmanians.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A J McHugh'.

A J McHugh  
AUDITOR-GENERAL



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## **Executive summary**

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## EXECUTIVE SUMMARY

Primary safety concerns in the school environment are abuse and harassment and substance/drug related issues. The Department of Education (DoE) has sought to address these concerns through policies that aim to foster a Supportive School Environment.

### *Scope*

The audit examined conformity to relevant departmental policy requirements at six schools in two districts. In addition the *Suspension Information Management System* was accessed in order to obtain statistics on suspensions resulting from behaviours that could be detrimental to others.

Definitive conclusions were drawn for non-negotiable requirements. However where implementation of policy statements was optional for schools, evidence gathered was interpreted in a persuasive manner.

### *Objectives*

- **Identify conformity to key criteria of DoE policies designed to address incidents of abuse and harassment in schools and outline future action to improve current practice;**
- **Identify conformity to key criteria of DoE policies designed to address substance/drug related issues in schools and outline future action to improve current practice; and**
- **Identify conformity to school immunisation record keeping requirements outlined in the Department of Health and Human Services (DHHS) *Public Health Act 1997*.**

### *Criteria - Prevention*

Six audit criteria were applied, for prevention of incidents of abuse and harassment and substance abuse, viz,

1 School policies	School policies address abuse and harassment and substance/drug related issues.
2 School procedures	School procedures underpin key policy requirements.
3 Early identification	Strategies are in place for early identification of students at risk.
4 Roles and responsibilities	Roles and responsibilities of school staff have been determined.
5 Liaison and support	Liaison and support is effective between schools, the DoE and outside agencies.
6 Monitoring and evaluation	Monitoring and evaluation of programs is undertaken.

## Criteria - Intervention

Seven audit criteria were applied, for intervention of incidents of abuse and harassment and substance abuse, viz,

1 Incident management	Incidents are managed appropriately at the school level.
2 Suspension	Use of suspension is in accordance with the departmental guidelines.
3 Exclusion/exemption	Use of exclusion is in accordance with departmental guidelines.
4 Expulsion/transfer	Use of expulsion is in accordance with departmental guidelines.
5 Police intervention	Police intervention is managed appropriately and in accordance with relevant guidelines.
6 Re-entry	Re-entry planning is undertaken for students who have been suspended.

## Audit Opinions

### Abuse and Harassment

We found that abusive behaviour manifested in the form of dangerous, violent and aggressive behaviour, was the primary safety issue in Tasmanian government schools. The DoE has recently responded to concerns relating to the challenging behaviour of students by development of the *Policy on Educational Provision for Students with Challenging Behaviour 2002*, and the underpinning strategic plan. The prevalence of such behaviour was difficult to quantify because data examined in the *Suspension Information Management System* represented only those incidents that resulted in suspension. However Tasmanian teachers have estimated that approximately 2% to 3% of secondary students require a program beyond that able to be provided by the school. The numbers in primary schools are lower but many teachers believe the numbers are increasing.

We found that while schools had developed and implemented preventive measures in accordance with departmental policy, they did exhibit a tendency to under-utilise discipline sanctions. This resulted in under-reporting to the DoE of the number of serious incidents in schools via the *Suspension Information Management System* and statistics of exclusion and expulsion. The practice of exempting rather than excluding students who posed a risk to the safety of others, typified the lenient approach adopted by most schools reviewed. It was also possible that a propensity to under-utilise suspension, exclusion and expulsion was an unintended effect from monitoring of these sanctions.

We also consider that in a number of cases violent students were returned to schools without effective re-entry strategies, and that this has resulted in lengthy records of dangerous behaviour for these students. As we did not have access to student files for the entire school life of any student case reviewed, it was likely that complete student behavioural records were significantly longer than those examined.

Introduction of some controls around the management of violent student behaviour should enable DoE to reduce the occurrence of dangerous incidents. Development of a *Behaviour*

*Tracking System* will facilitate more effective monitoring of behavioural records so that decision-making around behaviour management can be fully informed. In addition development of a formal risk assessment process based on the Australian Standard is likely to provide a more rigorous framework for determination of effective re-entry strategies.

### *Substance/drug-related Issues*

While substance abuse is less of a safety issue than abuse and harassment, the number of such incidents is still significant. In particular the high number of tobacco-related incidents in some schools is indicative of a need for increased support to be sought by these schools.

There is some evidence to suggest that taking of illegal drugs and alcohol is more widespread than suspension data would suggest. In order to ascertain levels of satisfaction with the effectiveness of drug programs there is a need to obtain more qualitative feedback from the school community.

The recently approved DoE drug policy *Management of Drug Issues and Drug Education in Tasmanian Government Schools and Colleges* provides a framework for the development of improved prevention and intervention policies in schools. We found that with support from the *National School Drug Education Project*, schools were making progress towards achievement of policy goals.

### *Immunisation records*

In order to address some shortcomings with the integrity of immunisation data, we believe there is a need for development of formal processes and increased automation surrounding the collection and maintenance of immunisation records.

Where information on the immunisation status of students was collected, we found the integrity of the data was largely dependent on the reliability of parental memory of vaccines given to their child. This was because prior to recent provisions for better record-keeping, parents have found it difficult to produce written proof of immunisation. Should a disease outbreak of Diphtheria, Tetanus or Hepatitis B occur, it is likely that careful screening of records would need to be undertaken in order to identify students who may be exposed.

### *Summary of recommendations*

The Tasmanian Audit Office has made the following recommendations to the Department of Education (DoE):

#### **Abuse and Harassment: Prevention**

- 1 The revised version of the DoE Induction Package should include references to duty of care requirements outlined in the *Guidelines for the Legal Liability of Teachers 1997*.
- 2 The DoE should give consideration to development of protocols for liaison and cooperation with other government agencies (and in particular Tasmania Police) where there is a perceived need for improved coordination.
- 3 The DoE should seek staff, student and parental perceptions on the prevalence of abuse and harassment in the school environment via a common school safety survey. Results should be collated and analysed at the school, district and central levels.

4 The DoE should consider developing a common school survey to ascertain the effectiveness of behavioural support strategies and alternative provisions to mainstream schooling used by District Support Services.

5 In order to avoid unintended effects from monitoring of key performance outcomes (such as a tendency to under-utilise sanctions), the DoE should ensure that a contextual understanding is acquired when analysing fluctuations.

#### **Abuse and Harassment: Intervention**

6 Schools should consider documenting a requirement for complainants and the parents of complainants to be advised of an investigation process subsequent to a suspension for abuse or harassment.

7 The *Students with Challenging Behaviour Strategic Plan* should direct resources to increased intervention and intensive support for schools identified as having higher numbers of students whose behaviour is detrimental to others.

8 The *Students with Challenging Behaviour Strategic Plan* should propose, trial and monitor strategies of prevention and intervention that are specifically targeted at achieving a reduction of dangerous, violent and aggressive incidents in schools.

9 The *Occupational Health & Safety Committee* should analyse suspension data on abuse and harassment of staff, students and others in order to inform policies, programs and practices.

10 Separate category codes for ‘possession’ and ‘use’ of weapons and other dangerous objects should be included in the *Codes for Recording Suspension Reasons*.

11 Schools should be encouraged to consider use of suspension to signal unacceptable behaviour, when a student has been the cause of an incident that is detrimental to the safety of others.

12 Guidelines for ‘send home’ arrangements should be developed to ensure that appropriate processes are in place for this strategy of behaviour management.

13 Schools should either record an incident report for a suspension or enter some contextual information with reason codes into the *Suspension Information Management System*.

14 The DoE should consider mandating the provision of comments and support details for incidents incurring a suspension of 10 days. Such data should then be used to inform the *Students with Challenging Behaviour Strategic Plan*.

15 The *Students with Challenging Behaviour Strategic Plan* should direct resources to increased intervention and intensive support for schools identified as having a higher number of students who pose a risk to the safety of others.

16 Schools should be encouraged to seek part-time exclusion rather than part-time exemption for students with multiple suspensions for abuse and harassment who pose a risk to the safety of others.

17 When seeking time-out and attempting to break a behaviour pattern for a student who poses a risk to the safety of others, schools should be encouraged to give consideration to the relevant exclusion guidelines.

18 In order to signal the seriousness of the problem, schools should consider use of exclusion when a student poses a risk to the safety of others.

19 Reasons for seeking exclusion and exemption should be collated to establish a better measure of the number of students with behaviours who pose a risk to the safety of others as well as to facilitate analysis of the use of these interventions.

20 Letters from District Superintendents to parents indicating approval for an exclusion or otherwise should always be forwarded to schools for appropriate filing.

21 The DoE should consider the sanction of expulsion in a review of the *Education Act 1994*. Such a review should address options for dealing with:

- Student behaviour that cannot be coped with in a school because it seriously interferes with the long-term safety and well-being of others;
- Respite and relief for a school from students whose behaviours pose a risk to the long-term safety of others; and
- Breaking of a severe behaviour pattern.

22 The DoE should consider documenting conditions and processes for provision of the transfer/‘fresh start’ of students to a new school who have a history of behaviours that pose a risk to the safety of others.

23 The DoE should monitor provisions of a ‘fresh start’ and transfers to a new school of students whose behaviour poses a risk to the safety of others where movements have been initiated by the District Office.

24 Reasons for seeking expulsion (or a new alternative sanction) and reasons for transferring students, should be collated so that a better measure can be established of students whose behaviours pose a long-term risk to the safety of others.

25 In the context of reviewing the *Education Act 1994* consideration should be given to the sanction of prohibition. Any revision of this sanction should address student behaviour that cannot be coped with in any State school because of an unreasonable continued risk to the safety, or well-being of any staff or students.

26 Police interventions for cases of abuse and harassment should be entered into the *Suspension Information Management System*. Data collected should be used to inform the *Students with Challenging Behaviour Strategic Plan*.

27 Rehabilitation strategies and alternative provisions should be reviewed as part of the *Students with Challenging Behaviours Strategic Plan* using evaluation techniques that consider all available data.

28 The DoE should consider adopting a risk management approach based on the AS/NZS 4360:1995 *Risk Management* to ensure that students with multiple suspensions for serious incidents are not re-introduced to schools without a rigorous risk assessment.

29 The DoE should endorse the development of an automated tracking report feature in the *Suspension Information Management System* for monitoring and analysis of students with multiple suspensions for abuse and harassment.

30 Schools should develop re-entry proformae that require documenting of explicit goals related to improved behaviour and support plans. The re-entry proformae should always be placed on student files.

**Substance/drug-related Issues: Prevention**

31 Schools should consider monitoring numbers of tobacco related incidents, where this is justifiable, in order to identify smoking trends in the school environment over time.

32 Consideration should be given to the development of a survey that could be used by schools (on a trial basis) to identify school community levels of satisfaction with the effectiveness of drug-related programs.

**Substance/drug-related Issues: Intervention**

33 Through the *National School Drug Education Project*, schools identified as having higher numbers of substance/drug related incidents, should be encouraged to apply for a grant to assist with improved prevention, intervention and support.

34 Reports published by the DoE on suspensions for drug-related incidents, should identify types of associated drug categories including tobacco, illegal drugs, alcohol or prescription drugs.

35 The names of illegal and prescription drugs should always be entered into the *Suspension Information Management System* by schools. This information should be used to inform the *National School Drug Education Project*.

36 Rehabilitation strategies found to be effective for assisting students with drug related problems, should be shared between schools to improve success rates.

37 Schools should develop re-entry proformae that require documenting of explicit goals related to improved behaviour and support plans for students involved in drug-related incidents. The re-entry proformae should always be placed on student files.

**Immunisation Records**

38 The DoE should document a formal process for recording immunisation data in SACS. The capacity for this data to be rolled over from primary to high schools should be outlined in the policy.

39 All schools should request written proof of immunisation from parents (as per the DHHS advice) when a child attends a school for the first time and the information is not available in SACS.

40 Advice should be sought from the *Information Management Branch* with regard to automation of a follow-up process for obtaining statutory declarations where written proof of the immunisation status of students has not been provided.





## **Introduction**

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## INTRODUCTION

### Primary issues

There are many aspects to school safety ...

There are many aspects to the school environment that can impact upon the safety of those within the school community. These include abuse and harassment, substance/drug related issues, the physical condition of the classroom or the playground, ultra-violet exposure, transport to and from school, excursions, infectious diseases, poor nutritional quality of canteen food and numerous other factors. Consideration and prioritisation of a range of school safety issues was undertaken in the planning stage of this audit in order to identify areas of primary concern. A preliminary review of documentation indicated that abuse and harassment and substance/drug related issues were of foremost concern for school safety in Tasmania.

The Department of Education (DoE) records suspensions for behaviours that are likely to be detrimental to the health, safety or welfare of students and others in the *Suspension Information Management System*. The following chart shows a breakdown of reasons for which such suspensions were incurred in 2001:

but primary issues of concern are ...

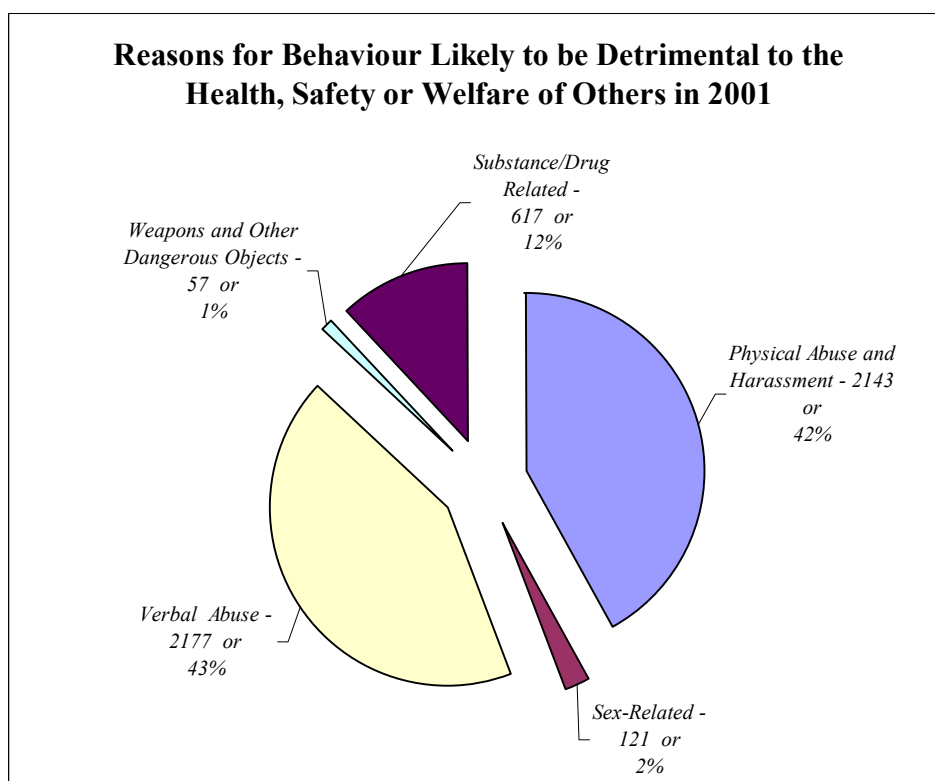


Figure 1: Suspension reasons/cases of behaviour likely to be detrimental to others in 2001

...abusive behaviours and substance abuse.

From the total of 5 115 reasons or cases for behaviours that were likely to be detrimental to others, 42% involved physical abuse and harassment and 43% involved verbal abuse. Cases with substance/drug related reasons, represented 12% of the total, forming the next greatest number of behaviours likely to be detrimental to others.

3 480  
suspensions  
for behaviours  
detrimental to  
others

In terms of total suspensions for behaviours likely to be detrimental to others, the DoE has advised that 3 480 suspensions were made for this purpose up until 26 November 2001 (when the suspension database was provided to the Tasmanian Audit Office). This corresponds to a suspension rate of 4.8% for the total student population (for behaviours that could affect the health, safety and well-being of others). Physical abuse and harassment was cited as a reason for 1 719 or 49% of these 3 480 suspensions, and substance/drug related issues was cited as a reason for 546 or 16% of the 3 480 suspensions.

In recognition of the risks arising from these areas the DoE has developed policies that seek to enhance the health, safety and welfare of those in the school community as well as reducing liability to the government as result of failure to meet duty of care requirements.

### *DoE policies: Abuse and harassment*

Abuse and harassment within Tasmanian government schools is addressed through four DoE policies. The *Equity in Schooling Policy 1995* seeks to ensure that all students have equitable access to the benefits of education and this is underpinned by three other inter-related policies - the *Supportive School Environment Policy 1990*, the *Anti-Discrimination and Anti-Harassment Policy 1995* and the *Policy on Educational Provision for Students with Challenging Behaviour 2002*. This latest policy outlines a range of preventive and responsive provisions to be adopted by Tasmanian educational districts, for the purpose of assisting students with challenging behaviours.

### *DoE policies: Substance/drug-related issues*

Since June 2000 substance/drug related issues within Tasmanian government schools have been addressed through the National School Drug Education Strategy 1999 and the National Framework for Protocols for Managing the Possession, Use and/or Distribution of Illicit and Other Unsanctioned Drugs in Schools 2000. This has lead to the development of a draft Tasmanian drug policy that will supersede the current reference document for school drug related matters - *Drugs and Education: Guidelines for Tasmanian Schools and Colleges 1996*.

### *Schools and districts*

Schools in Tasmania are located within 6 regional districts. A District Superintendent is responsible for overseeing and coordinating regional activity across schools from the District Office. A District Support Service, headed by a Support Service Manager, is also located within each district for the purpose of providing additional support to schools where this is required for students with higher educational and behavioural needs.

## *Education Act 1994*

Intervention for unacceptable behaviour is addressed in the *Education Act 1994* under *Division 4 – ‘Discipline’*. *Section 36* defines unacceptable behaviour as:

‘...likely to be detrimental to the health, safety or welfare of the staff or other students of that school.’

*Sections 37 to 39* address sanctions that may be applied or sought if a student has behaved in an unacceptable manner. A principal may suspend a student on a full or part-time basis for up to a period of two weeks if of the opinion that a student has behaved unacceptably. If a principal believes that behaviour of a student justifies a suspension of more than two weeks, exclusion may be sought from the Secretary (or his or her nominee) on a full or part-time basis or alternatively expulsion may be sought. If the Secretary considers that a student’s behaviour cannot be coped with in any school despite all measures that have been taken then the Secretary may prohibit the student from attending any state school.

## *Discipline Guidelines 1996*

The DoE *Discipline Guidelines 1996* specify processes that must be followed where sanctions listed in the *Education Act 1994* are applied or sought. The guidelines seek to ensure that school communities are provided with an explicit statement of disciplinary sanctions and procedures. They also require that sufficient and suitable documentation of disciplinary action is made and kept.

Recommended conditions for the seeking suspension, exclusion, expulsion and prohibition of students whose behaviour is considered to be detrimental to others, are outlined in the guidelines. A Principal may suspend a student from school for up to a maximum period of 10 days without seeking approval from the District Office. However approval must be sought from the District Office if a Principal wishes to exclude a student for a longer period. Expulsion (or permanent removal) of a student from a particular school can also only occur with approval of the District Office. Prohibition from attendance at any school requires the approval of the Secretary of the DoE.

## *Enrolment and Attendance Guidelines 1996*

The DoE *Enrolment and Attendance Guidelines 1996* outline conditions for full or part-time exemption of students from attendance at school. The guidelines state that exemption of students should not be used as a discipline sanction. However there is provision within the guidelines for use of part-time exemption as a strategy for assisting students who are unable to cope with full time schooling.

## *Guidelines on the Legal Liability of Teachers 1997*

The DoE *Guidelines on the Legal Liability of Teachers* outline the responsibilities of principals and teachers arising from their primary role in caring for students. When an injury occurs to a child at school, a parent on behalf of the child has the right at common law to sue anyone whose act or omission contributed to the injury. The duty of care that teachers owe to their students requires them to take reasonable care to avoid acts or omissions which could expose students to a reasonably foreseeable risk of injury. The school (through the Principal) has the same duty, but with wider responsibilities extending to such areas as adequate supervision and safe premises.

## *Immunisation records*

Although Government responsibility for immunisation of children is assumed by the Department of Health and Human Services (DHHS), schools are responsible for maintaining records detailing the immunisation status of students. Section 58 of the *Public Health Act 1997* states that:

‘A person in charge of a school or child-care facility is to maintain a record of all information relating to the immunisation of each child at that school or facility in accordance with any relevant guidelines.’

An outbreak of a preventable disease is not currently considered to present a safety risk. However in order to provide some assurance in relation to record keeping of immunisation details it was appropriate to examine a sample of records at schools as part of the audit fieldwork.



## **Audit framework**

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## AUDIT FRAMEWORK

### *Standards applied*

This audit has been performed in accordance with Australian Auditing Standard AUS 806 (*Performance Auditing*) which states that:

‘The objective of a performance audit is to enable the auditor to express an opinion whether, in all material respects, all or part of an entity’s activities have been carried out economically, and/or efficiently and/or effectively.’

The primary aim of the audit was to identify conformity to DoE policy in the areas of abuse and harassment and substance/drug related issues. While it was possible to draw definitive conclusions for non-negotiable policy requirements this was not always the case where implementation of policy statements or supporting guidelines was optional for schools. In these cases evidence gathered was interpreted in a persuasive rather than a definitive manner. Establishment of conformity to record-keeping requirements in relation to the immunisation status of students was undertaken by reviewing relevant documentation.

### *Audit objectives*

- **Identify conformity to key criteria of DoE policies designed to address abuse and harassment in schools and outline future action to improve current practice;**
- **Identify conformity to key criteria of DoE policies designed to address substance/drug related issues in schools and outline future action to improve current practice; and**
- **Identify conformity to school immunisation record keeping requirements outlined in the DHHS *Public Health Act 1997*.**

### *Scope*

Six schools were visited

The scope of the audit encompassed a review of conformity to DoE policies within three schools (two high schools and one primary school) within each of two districts. As District Support Services perform an advisory role in terms of formulating management and support strategies for students involved in abuse and harassment and substance/drug related issues, conformity to policy was also examined for these offices. District offices have ultimate responsibility for decision-making in terms of the application of higher level discipline sanctions and input was sought from District Superintendents in this regard in the final stage of the audit.

A case study approach

Schools were selected on the basis of suspension data within the *Suspension Information Management System* for 2001. In order to



obtain a broadly representative sample, schools with a range of high, medium and low suspension rates were selected. A case study approach was adopted to review the management of four students within each school, in terms of support strategies and discipline sanctions applied. Where possible examination was undertaken of the management of two students involved in each of abuse and harassment and substance/drug related issues. The immunisation status of the enrolment forms of the four students selected at each school was also checked in order to identify compliance to record keeping requirements.

### *Criteria for abuse and harassment and substance/drug-related issues*

We developed audit criteria drawn solely from DoE policy to examine strategies for the prevention and intervention of incidents involving abuse and harassment and substance/drug related issues. Within these broad categories specific sub-criteria addressed the following areas:

#### *Prevention*

- School policies;
- School procedures;
- Early identification;
- Roles and responsibilities;
- Liaison and support; and
- Monitoring and evaluation.

#### *Intervention*

- Incident management;
- Suspension/'send home' arrangements;
- Exclusion/exemption;
- Expulsion/transfer;
- Prohibition;
- Police intervention;
- Rehabilitation; and
- Re-entry.

### *Criteria for immunisation records*

We also undertook a review of immunisation records according to the following criteria:

- Immunisation status;
- Written proof; and
- Statutory declarations.

### *Audit methodology*

Data was gathered as a result of visits to six schools and two District Support Services. Interviews were held with each Principal and Support Service Manager with regard to measures of prevention that were in place. All documentation on student files at each of the schools and support services was examined for the review of intervention strategies.

### *Stakeholder input*

In line with the Audit Office's established practice for the conduct of performance audits, an advisory committee was convened to seek stakeholder views. The committee provided input to the audit's methodology and reviewed the draft report upon its completion. The Auditor-General oversaw the committee and its members were drawn from the following areas:

- DoE;
- University of South Australia;
- The Commonwealth Department of Education, Training and Youth Affairs; and
- Tasmanian Audit Office.

### *Timing*

Planning for the performance audit commenced in October 2001. Field-testing commenced in December 2001 and was completed in March 2002 with the report being finalised in June 2002.

### *Resources*

The total cost of the audit excluding report production costs is estimated at \$92 000.

### *Mandate for the audit*

Under the provisions of *Section 44(b)* of the *Financial Management and Audit Act 1990* the Auditor-General may:

‘carry out examinations of the economy, efficiency and effectiveness of Government departments, public bodies or parts of Government departments or public bodies’.

The conduct of such audits is often referred to as performance auditing.

### *Reviews and audits in other jurisdictions*

No audit on the topic of school safety was identified in other jurisdictions.



## **Abuse and harassment: Prevention**

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## 1.0 ABUSE AND HARASSMENT: PREVENTION

### 1.1 SCHOOL POLICIES

**‘Policies and programs are designed to provide support to students in ways appropriate for that school, its community and the resources available.’ – *Supportive School Environment Policy 1990***

The DoE requires schools to develop a range of policies and procedures to ensure a safe learning environment. The DoE *Discipline Guidelines 1996* require a school discipline policy to make standards of acceptable and unacceptable behaviour explicit. Such standards were found to be well defined in behavioural policies of all schools reviewed. Policies often took the form of student discipline plans, codes of conduct, or statements of rights and responsibilities. In all cases schools had simplified policy content so that students could retain an understanding of behavioural requirements.

All schools had developed policies

In addition schools were found to have developed supportive school environment policies that took various forms. These addressed a range of areas including student support, social skills, community involvement and occupational health and safety. For three out of the six schools where specific supportive school environment policies had not been developed the intent of a supportive school environment was achieved through policies with other titles.

The DoE *Anti-Discrimination Anti-Harassment Policy 1995* also requires unacceptable forms of discriminatory and harassment behaviour to be addressed in school policies. Four out of the six schools had developed a policy specifically addressing either harassment or bullying and three schools had developed various anti-discrimination policies including gender equity, student assistance or inclusion policies.

### 1.2 SCHOOL PROCEDURES

**‘The school has procedures in the event of an allegation and these are understood by staff and students.’ – *Anti-Discrimination Anti-Harassment Support Materials 1995***

Procedures exist in various forms

DoE *Anti-Discrimination Anti-Harassment Support Materials* (that underpin the 1995 policy) propose schools develop procedures that are understood by staff and students in the event of an allegation. Two of the six schools had specific anti-harassment programs/procedures that were used to resolve allegations of harassment. Those schools without specific harassment policies advised that discipline procedures could be readily applied for this purpose. Quite often it was the role of the assistant principal and the grade supervisors to investigate and resolve incidents with the principal overseeing the management of more serious

incidents. Incidents of a discriminatory nature were managed in the same way as incidents of harassment and schools considered it unnecessary to document separate strategies for management of this type of behaviour.

Definition of detention

As discussed above student behaviours involving abuse and harassment could also be managed in accordance with school discipline procedures. The *Education Act 1994* defines a ‘detention’ as any short period when a student is either detained at school in ‘non-class’ time or excluded from particular classes (time-out). The DoE *Discipline Guidelines 1996* require guidelines for detentions to be made explicit in a school’s discipline policy.

All schools had discipline procedures

All schools made extensive use of documented time-out procedures (and/or relocation of a student to another class) to address a range of behavioural problems including harassment. Further, all schools required records of incidents resulting in time-out or relocation, to be placed on student files. At two high schools, students were required to complete a re-entry contract before returning to class. At other schools, ‘action to be taken’ was recorded on a student behaviour proforma.

### 1.3 EARLY IDENTIFICATION

#### **‘Attention is given to all students’ varied personal and social needs and their special characteristics.’ – *Supportive School Environment Policy 1990***

Student support committees

The *Supportive School Environment Policy 1990* notes the need for establishment of a student support or welfare committee to review student needs. Such a committee had been developed in one form or another by all schools visited, and weekly meetings were held for early identification or monitoring.

Pastoral care groupings

The *Supportive School Environment Policy 1990* proposes that pastoral care groupings of students, vertical groupings or grade supervisors also be used to counsel students and coordinate the student support efforts of all staff. As well as pastoral care groups, all high schools were found to have staff structures in place where grade supervisors and teams facilitated early identification of students at risk. Use of grade teams in this manner served to prevent harassment across grade levels.

Separation of students

One high school had separate geographical locations (including toilet facilities) for all year levels. Staff grade teams at this school remained with the same students over four years of high school - physically moving with the students from one designated grade area to the next at the end of each year.

## 1.4 ROLES AND RESPONSIBILITIES

**‘Teachers must not lose sight of the fact that their duty of care is not merely a duty to instruct, supervise and maintain discipline...if a risk is identified they must consider what steps must be taken to reduce the risk.’ - *Guidelines on the Legal Liability of Teachers 1997***

Playground supervision	<p>The above named guidelines require principals to assign adequate staff to playground supervision and make and enforce rules relating to the use of playground areas. It also requires teachers to intervene and put an end to or modify any dangerous or potentially dangerous student behaviour as soon as they become aware of it.</p>
Walkie-talkies and binoculars	<p>All schools had responded to the need to ensure adequate playground supervision using a variety of innovative techniques. As well as devising duty rosters and designated playground boundaries, principals had ensured rostered staff were equipped with walkie-talkies, mobile phones and binoculars. Card systems were also used to alert non-duty staff to a need for assistance in the playground.</p>
Staff induction	<p>While principals indicated that experienced staff were aware of the legal requirement to demonstrate vigilance with students exhibiting behavioural problems, three noted that induction processes alerting new teachers to the specific duty of care requirements of the <i>Guidelines for the Legal Liability of Teachers 1997</i> were inadequate. This was partly because the DoE <i>Induction Package</i> made no mention of the <i>Guidelines for the Legal Liability of Teachers 1997</i> and there was insufficient time at the beginning of the year for new teachers to be advised of all the important aspects of induction including duty of care. Some principals were also unaware of the availability of this package on the departmental website. As the current package is under review it may be appropriate for the new version to include references to key duty of care requirements contained within the <i>Guidelines for the Legal Liability of Teachers 1997</i>.</p>

### **Recommendation 1**

**The revised version of the DoE Induction Package should include references to duty of care requirements outlined in the *Guidelines for the Legal Liability of Teachers 1997*.**



## 1.5 LIAISON AND SUPPORT

**‘Links should be made between student support policies and programs and related whole school and community initiatives.’ – *Supportive School Environment Policy 1990***

### *Links with outside agencies*

Professional  
development

It is the responsibility of principals to promote the *Anti-Discrimination Anti-Harassment Policy 1995* and the *Supportive School Environment Policy 1990* with regard to the professional development needs of teachers. All schools made use of *Individual Professional Learning Programs* that were devised from submissions of prioritised professional development needs. These provisions ensured teaching staff were able to access appropriate professional development in a range of areas including behaviour management, inclusion, aboriginality, professional assault response, poverty and adolescence.

A practical  
knowledge base

Several principals expressed concern that the DoE policy-base was created without sufficient consultation with schools. The DoE was perceived as being too remote and a need for increased face-to-face contact was expressed if policy makers were to determine strategic direction from a practical knowledge base. It was considered that a loss of touch on the part of DoE senior management with the grass roots level within schools had resulted in too much deliberation about educational issues rather than action taken to address problems.

Behavioural  
policy

According to some principals ‘remoteness’ was exemplified in the development of the *Policy on Educational Provision for Students with Challenging Behaviour 2002*. There was a perception that the policy would have a focus on the provision of professional development of staff in the area of behaviour management. The principals considered that even teachers who possess high-order skills in behaviour management need respite from the increasing proportion of students with a violent and aggressive disposition.

Consultation  
with schools

The DoE has advised that the working group responsible for developing the policy included classroom teachers and principals from all sectors. According to the DoE the group also met on many occasions over a 12 month period as well as holding forums that were open to all teachers in each region. In addition the Australian Education Union was represented on the group to bring forth the views of the Union membership. Further DoE has indicated that the emphasis on professional development was a recommendation that the entire working group believed in very strongly.

Community  
group projects

As well as effectively coordinating resources within the DoE, the *Supportive School Environment Policy 1990* urges schools to adopt a planned and coordinated approach in the use of resources available from external agencies and local communities. Most schools indicated

Models of coordination

that they had participated in community group projects of various forms. Some of these had been organised in conjunction with the local council while others had been facilitated through charity organisations such as Anglicare and the Salvation Army.

However, several principals did express concern about a fragmented relationship on the part of schools and the DoE with other government agencies because of ineffective models of coordination. One concern with regard to the referral of students to *Community Youth and Family Services* in *Department of Health and Human Services* related to the implementation of shared protocols between the two agencies. DoE has advised that this concern was in the process of resolution through recent discussions.

Protocols for Police involvement.

Other concerns documented by the *Tasmanian Secondary Principals Association* related to the lack of an appropriate inter-agency agreement to support schools and principals in dealing with major incidents in schools – particularly those involving police response and follow-up to violent incidents. Moreover the association considered that an agreement with Tasmania Police that outlined protocols for dealing with incidents, was necessary. The *Guidelines on the Legal Liability of Teachers 1997* contains a section on *Police Assistance to Teachers Requiring Restraining Orders* however, this did not address a protocol for dealing with incidents. The DoE has advised that as the timing of a police response is determined on a priority basis, incidents in schools may not always be addressed within the desired timeframe.

### **Recommendation 2**

**The DoE should give consideration to development of protocols for liaison and cooperation with other government agencies (and in particular Tasmania Police) where there is a perceived need for improved coordination.**

Availability of support service staff

### *District support*

The *Supportive School Environment Policy 1990* requires regional staff, including superintendents and officers from support services, to be available to assist schools in their development of coordinated approaches to student support. All principals had concerns about the availability of support staff due to a perceived lack of resources for support services. Two of the comments to this effect were:

- The current district structure places an extremely heavy workload on both district office personnel as well as support service staff and as a result they are not always able to provide the required level of support; and
- There is currently insufficient support time allocated to each school particularly in the areas of speech pathology, guidance and social work.

Unable to cater for all high-needs students	<p>One school with a high Educational Needs Index (a measure of educational need for a school based on socio-economic data) had an associated support facility that was considered to have enormous potential in terms of assisting students with behavioural difficulties. However, because teaching staff were required to perform administrative duties the facility was unable to cater for all high-needs students at the school.</p>
Behaviour Support Team	<p>Guidance officers and social workers are distributed to schools according to a historical distribution pattern that has not been modified in recent years but is roughly per capita based. According to the DoE, there is an annual allocation of \$50 000 to districts specifically for initiatives addressing students with challenging behaviour. Also the new <i>Behaviour Support Team</i> established in 2002 for the <i>Policy on Educational Provision for Students with Challenging Behaviour 2002</i>, will consist of a state-wide manager and one officer per district (and 2 in the larger Esk district). In addition DoE has advised that Districts are benefiting from funded initiatives detailed in the <i>Students with Challenging Behaviours Strategic Plan</i>.</p>
Increase in staff for behavioural support	<p>Support staff can also be deployed to assist schools with students exhibiting challenging behaviour. For this purpose, the DoE is increasing the overall number of staff available for the <i>Managing &amp; Retaining Secondary Students at School Program</i> (MARSSS) in the context of the DoE 2002 – 2003 budget.</p>

## 1.6 MONITORING AND EVALUATION

**‘The DoE and schools should review current attempts to meet students’ personal and social needs and use the information from such reviews to plan and provide comprehensive and coordinated programs of student support.’ – *Supportive School Environment Policy 1990***

### *Monitoring and Evaluation in Schools*

Review of bullying and harassment	<p>All schools visited had participated in a <i>School Improvement Review</i> process. Where bullying/harassment concerns had been identified these were addressed in the <i>Equity</i> component of <i>Partnership Agreements</i> with the school community. Two of the schools visited had made use of a commercially available anti-bullying survey tool, although at the time of the audit, conclusions had not been drawn from the data collected. For the most part, schools tended to make use of anecdotal review to evaluate the success of programs addressing social needs. This was undertaken by planning groups or by those with responsibilities for programs.</p>
Attending to the evaluation cycle	<p>All six schools had operational plans with associated budget provisions. One school indicated that the school council assisted with the development of this plan through consideration of report recommendations arising from evaluation of programs. Some schools</p>

reported difficulty attending to the full evaluation cycle because of competing demands on staff time. This was especially so with respect to documenting program outcomes for use in collaborative decision-making.

Staff, student  
and parent  
surveys

The *Best Practice Indicators 2001* and the common parent and staff surveys recently developed by the Office of Educational Review for use as part of the *School Improvement Review* should assist schools with evaluation of the effectiveness of their supportive school environment. However, in their current form these surveys do not fully explore stakeholder satisfaction regarding perceptions of school safety. The current staff survey does not include any indicators addressing school safety and the *Best Practice Indicators* only include indirect safety indicators that address *Provision of Special Assistance*. The parent survey does include two direct indicators that seek to obtain an opinion as to whether: ‘The school has a safe and secure environment’ and ‘This is a caring school’.

Identification of  
safety issues

As the *Best Practice Indicators* and the common staff survey are used for comparative analysis, the DoE does not consider that modification (or additions) to items on these forms is appropriate. However if such information was collected in a consistent manner from each school using a newly developed survey, and then collated and analysed at the school, district and central levels, identification of safety issues arising from abuse and harassment should be possible.

Student views  
should be sought

Seeking of student opinions on issues associated with the school environment is optional under the new review process. Students are a significant stakeholder group in the school community, and routine use of the current optional student survey to obtain opinions about abuse and harassment, would also assist with monitoring perceptions on this issue.

### **Recommendation 3**

**The DoE should seek staff, student and parental perceptions on the prevalence of abuse and harassment in the school environment via a common school safety survey. Results should be collated and analysed at the school, district and central levels.**

### *Monitoring and evaluation and the support services*

Unlike schools, support services are not subject to an accountability review framework. The recent DoE report *Report and Recommendations on Alternative Provision for Students with Challenging Behaviour* notes there is no evaluative data on how well current models of alternative provision are working. Also the opinions of young people on the effectiveness of such models have not been sought.

Support services perform a critical role

Support services perform a critical role in assisting schools to manage students with challenging behaviour and effective support is required to ensure the safety of others when a student is behaviourally volatile. In this sense support services are accountable to schools for providing a relief mechanism in the form of effective alternative provisions to mainstream schooling. To achieve best practice in this respect, a formal accountability mechanism, based on school perceptions of support provided, would be useful.

Effectiveness of support

Support services currently undertake self-evaluation of support programs as well as internal monitoring of district suspension data. The *Behaviour Plan* for each district (to be produced as part of the *Students with Challenging Behaviour Strategic Plan*) is to be monitored by District Superintendents. These processes will provide for a review of practices from an internal perspective. Nonetheless, districts may also benefit from external results of a survey seeking the views of schools on the effectiveness of support provided. If a common survey was used for all district support services then the results could also be used to inform higher-level decision-making on behaviour management strategies.

#### **Recommendation 4**

**The DoE should consider developing a common school survey to ascertain the effectiveness of behavioural support strategies and alternative provisions to mainstream schooling used by District Support Services.**

#### *Monitoring and evaluation and the DoE*

Key performance outcomes of the Students with Challenging Behaviours Strategic Plan 2002-2003 are as follows:

Key performance outcomes

- The rate of suspensions in Category 1 – behaviour likely to be detrimental to the health, safety or welfare of the staff or other students of the school will be reduced from the level in 2001;
- The number of times that a student is suspended on more than 3 occasions in any school year will be reduced;
- The rate of exclusion will be reduced from the number in 2001; and
- The part-time and full-time exemption rate will be reduced from the level in 2001.

The Department of Treasury and Finance Publication, *Performance Information for Management and Accountability Purposes 1997* seeks to increase awareness of unintended results from the monitoring of performance with indicators. The following excerpt is from this publication:

Unintended effects

‘A key issue for senior management is how the system for managing performance information copes with important but unintended results. When judgements of success and failure are based only on pre-determined statements of objectives and targets, unintended results may be ignored, even though they may be more significant than those intended.’

Any reluctance on the part of schools or districts to use the discipline sanctions in order to meet targets might cause an unintended effect from monitoring of the key performance outcomes. Compromised student and staff safety could represent an unintended effect resulting from under-utilisation of the sanctions when appropriate. According to the DoE, it would be naïve to assume that alternative processes would not sometimes be used instead of processes subject to monitoring. For this reason, the DoE is monitoring exemptions as well as disciplinary sanctions as a check on the use of exemptions as an alternative to exclusions and expulsions.

Need for a contextual understanding

District-level data is discussed with district superintendents and school-level data is discussed with principals. The DoE has noted that it would be unwise to use data on suspensions, exclusions, expulsions and exemptions as a single indicator of performance of principals and district superintendents. A rise in disciplinary sanctions may be a positive measure indicating a concerted attempt to address behavioural difficulties in a school or district. Alternatively, it may be negative if there is overuse without alternative programs and remedial initiatives being put in place. In order to avoid misinterpreting key performance outcomes a contextual understanding associated with fluctuations needs to be acquired.

**Recommendation 5**

**In order to avoid unintended effects from monitoring of key performance outcomes (such as a tendency to under-utilise sanctions), the DoE should ensure that a contextual understanding is acquired when analysing fluctuations.**

**1.7 CONCLUSION**

The DoE has responded to concerns relating to the challenging behaviour of students by development of the *Policy on Educational Provision for Students with Challenging Behaviour 2002*, and the underpinning strategic plan. We found that schools had developed and implemented appropriate preventive measures to address these concerns.

We also found that support services were performing a pivotal preventive role, the effectiveness of which was partially limited by a lack of resources for behavioural support. In order to better inform the policy addressing challenging behaviour we consider that increased

monitoring of abusive behaviours and support strategies would be beneficial.





## **Abuse and harassment: Intervention**

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## 2.0 ABUSE AND HARASSMENT: INTERVENTION

### 2.1 INCIDENT MANAGEMENT

**‘The Principal of a State school, if satisfied that a student has behaved in an unacceptable manner, may impose a detention on that student.’ – *Education Act 1994***

#### *School discipline procedures*

As noted in the *Discipline Guidelines 1996*, a ‘detention’ is any relatively short period when a student is

- Detained at school, or in a particular class, in a student’s ‘non-class’ time; or
- Excluded from normal classes, or from a particular class, pending negotiated conditions for re-entry (time-out).

All schools visited were found to apply these early intervention sanctions through use of ‘time-out’ procedures, relocation to another class or internal suspension where the student concerned would work apart from others. Typically, time-out procedures adopted tended to reflect the attitudes of the school community. At two schools it was standard procedure for parents to be contacted after a student had been sent to the time-out room or relocated. At one of these schools, if referral to time-out occurred on more than three occasions, parents were requested to attend a case conference. There was a high level of involvement and support from the parental community of this school.

‘Time-out’  
procedures

At another school, students were suspended for two days if sent to the time-out room on more than four occasions. The parental community of this school had not been found to be particularly supportive and the school did not consider it feasible to hold a parental conference following routine discipline procedures, particularly as the number of referrals was high. Parents of students at this school were therefore contacted when a pattern of problematic behaviour had become evident.

We found that the setting of additional tasks as detentions varied across schools. Some high schools tended not to make use of this form of detention because staff often found it difficult to gain student cooperation, and high levels of stress could be experienced in achieving task completion. However, some principals noted that when ‘hands-on’ detention activities were allocated successful task completion was more likely.

#### *Informing complainants*

The *Anti-Discrimination and Anti-Harassment Support Materials 1995* advocate that complainants be advised of the investigation process

Informing parents

following an incident of harassment. Harassment procedures for one school required the parents of a recipient of harassment as well as the alleged harasser to be notified of the concern. This requirement was not recorded in documentation obtained from the other five schools.

**Recommendation 6**

**Schools should consider documenting a requirement for complainants and the parents of complainants to be advised of an investigation process subsequent to a suspension for abuse or harassment.**

**2.2 SUSPENSION/‘SEND HOME’ ARRANGEMENTS**

**‘The principal of a State school, if satisfied that a student has behaved in an unacceptable manner may suspend the student full-time or part-time from that school for a period of 2 weeks or less’ – Section 37 Education Act 1994**

*Use of suspension by schools*

The following chart, Figure 2, shows the use of suspension by schools in 2001 for abuse and harassment (physical and verbal).

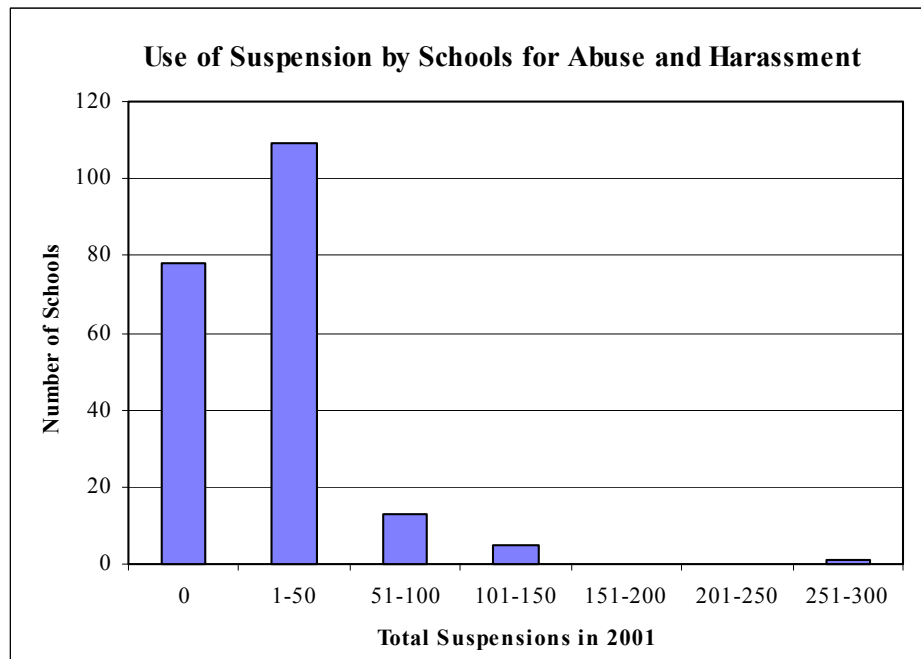


Figure 2: Use of suspension by schools for abuse and harassment

Figure 2 shows that while 78 schools did not use suspension at all for abuse and harassment, the majority of schools using suspension for this purpose (109) did so between 1 and 50 times. A lesser, but nonetheless significant number (13) used suspension for this purpose between 51 to 100 times and a lesser number again (5) used suspension for this purpose between 101 to 150 times. One school used suspension on 288 separate occasions for abuse and harassment.

Over 100 suspensions in some schools

Support required  
for schools with  
a higher need

From this data it is apparent that there is a small proportion of schools that contributes significantly to the total number of suspensions for physical and verbal abuse and harassment. For example, the six schools with over 100 suspensions in 2001 contributed to 869 out of 2 897 or 30% of all suspensions for physical or verbal abuse. These figures suggest that there may be a need for the *Students with Challenging Behaviours Strategic Plan* to focus improved prevention strategies, increased intervention and intensive support on schools with higher numbers of suspensions for abuse and harassment.

Determining  
need

The DoE has advised that while suspension numbers can be an indicator of behavioural problems at the school level, it should not be used as the only measure. According to the DoE, a school could acquire a higher suspension number for a range of other reasons including a tendency to over-utilise this sanction. In determining the number of students whose behaviour is likely to be detrimental to others and the corresponding need in terms of increased support for a school, other factors such as the views of district staff should also be taken into consideration.

**Recommendation 7**

**The *Students with Challenging Behaviour Strategic Plan* should direct resources to increased intervention and intensive support for schools identified as having higher numbers of students whose behaviour is detrimental to others.**

### Types of abuse and harassment

The types of abuse and harassment for which suspension was incurred can be analysed according to several categories including physical, verbal and sex-related abuse. A comparison of the proportion of reasons for suspension in each of these categories for 2001 is shown in Figure 3 below.

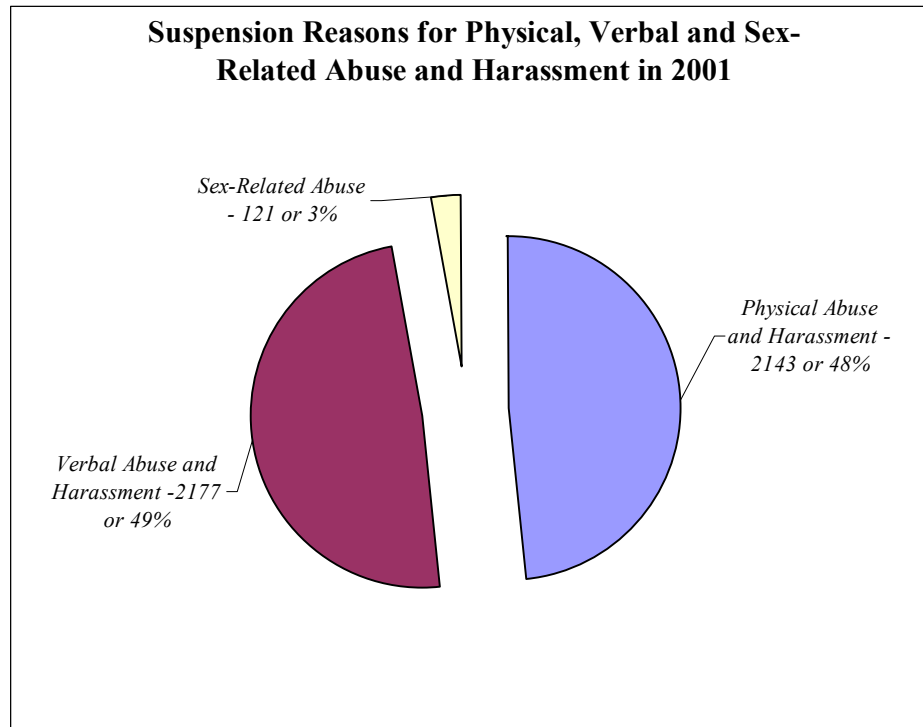


Figure 3: Suspension reasons/cases for physical, verbal and sex-related abuse and harassment in 2001

Comparison of suspension reasons/cases for verbal and physical abuse shows that cases occurred in approximately the same proportions, with 2 143 reasons cited for physical abuse and harassment and 2 177 reasons cited for verbal abuse in 2001. Many suspensions for abuse and harassment were incurred as a result of both physical and verbal abuse. As in the broader community, DoE considers physical abuse and harassment in schools to be more serious than verbal abuse. There were relatively few cases of sex-based incidents that resulted in suspension.

Given that the number of cases of physical abuse and harassment resulting in suspension are significant it would seem that any strategies developed as part of the *Students with Challenging Behaviours Strategic Plan* should specifically address physical abuse and harassment. Suspension records examined as part of the case study component of the audit, frequently referred to reasons of dangerous, violent and aggressive behaviours that presented a risk to the safety of others. This finding is supported by numerous comments related to dangerous, violent or aggressive behaviours in the *Suspension Information Management System*.

Physical and verbal abuse

Dangerous, violent and aggressive behaviours

A sample of some typical comments to this effect were:

- Can't see that we can keep up with this – this student is a danger to others!;
- Child assaulted another student with a dangerous object; and
- Pushed and grabbed Assistant Principal in a violent and aggressive manner.

Targeted interventions may be useful...

One school indicated that staff had undergone *Professional Assault Response Training* to acquire skills needed to manage children with violent behaviours. DoE has advised that while such training can be helpful if properly applied it can result in injury if used inappropriately. DoE is of the view that while specially selected targeted interventions to address aggressive behaviours may be useful, the role of preventive measures in reducing the numbers of these types of incidents should not be overlooked.

...but preventive measures are also needed.

The DoE draft report *Student Absence from School and Juvenile Crime Project* discusses a strategy of police presence in schools to help provide a safe atmosphere. According to the report, by gaining trust and establishing a rapport with students as well as through an authoritative presence rather than punitive measures, a police presence can create an environment in which bullying, assault and other undesirable behaviour is less likely to thrive. As noted in the report, however, a recent attempt to implement such an initiative in one school has stalled.

The measures of prevention and intervention described above are just two examples of strategies identified for addressing incidents that represent the extreme end of the violence continuum. We consider there is a need for the DoE to adopt a range of strategies that specifically target dangerous, violent and aggressive incidents in schools.

#### **Recommendation 8**

**The *Students with Challenging Behaviour Strategic Plan* should propose, trial and monitor strategies of prevention and intervention that are specifically targeted at achieving a reduction of dangerous, violent and aggressive incidents in schools.**

### Recipients of abuse and harassment

The chart below, Figure 4, shows the proportion of suspension reasons for abuse and harassment (physical and verbal) against students, staff and others in 2001.

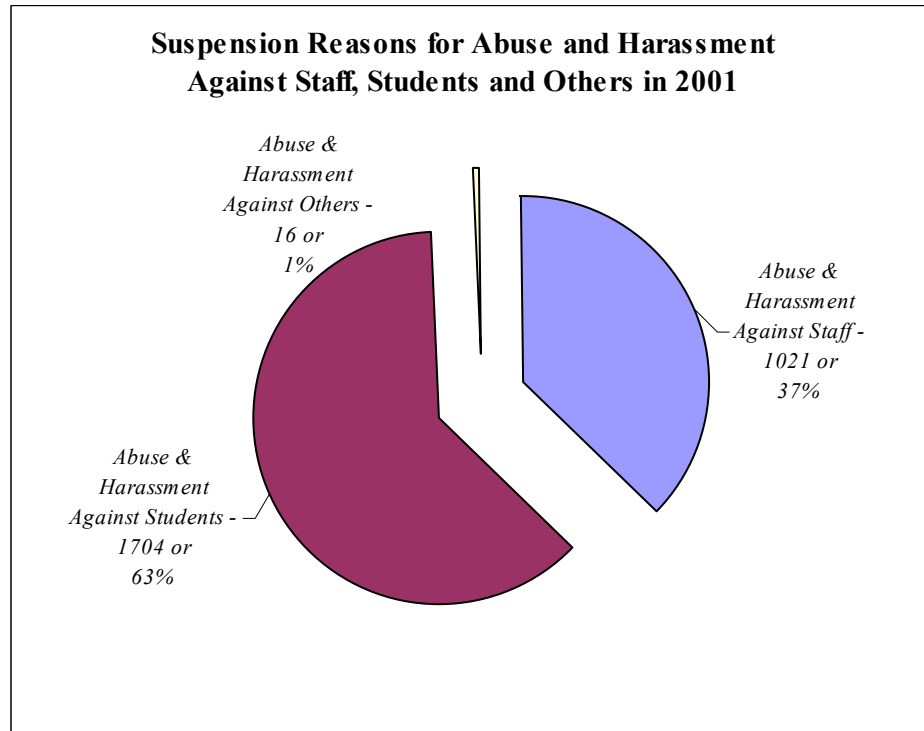


Figure 4: Suspension reasons/cases for abuse and harassment against staff, students and others in 2001

An analysis of these proportions according to suspension reasons reveals that most cases of physical abuse and harassment were against students (1442), although a noteworthy number of suspension reasons/cases (176) or 11% were against staff. The number of cases of verbal abuse and harassment against staff (845) was significantly greater than the number of cases against students (262). Very few cases of abuse and harassment were against 'others' in the school community.

The DoE *Occupational Health, Safety and Welfare Policy 2000* states that it is policy to promote and maintain the highest degree of health, safety and well-being of all employees, students and clients by:

- Designing an occupational environment which minimises the possibility of accidents and work-related ill effects;
- Placing and maintaining employees in an occupational environment designed to satisfy their needs for health, safety and well-being at work.

Most incidents are between students

Occupational Health and Safety

The DoE has indicated that the *Occupational Health and Safety Committee* currently does not receive suspension data to inform policies, programs and practices. Nevertheless, the issue is often discussed in the context of worker's injuries (i.e. stress and physical

injury) and worker's compensation. We consider there is a need for provision to this committee of suspension data relating to abuse and harassment of staff and others.

**Recommendation 9**

**The Occupational Health & Safety Committee should analyse suspension data on abuse and harassment of staff, students and others in order to inform policies, programs and practices.**

*Weapons and/or other dangerous objects*

Cases of possession or use of weapons and other dangerous objects are categorised separately from cases of abuse and harassment in the *Suspension Information Management System*. Nevertheless as incidents involving weapons or other dangerous objects potentially represent a safety risk to others it is considered appropriate to review reported cases.

Figure 5 below, shows the number of suspension reasons in 2001 reported for possession or use of weapons including explosives, knives and guns and other dangerous objects.

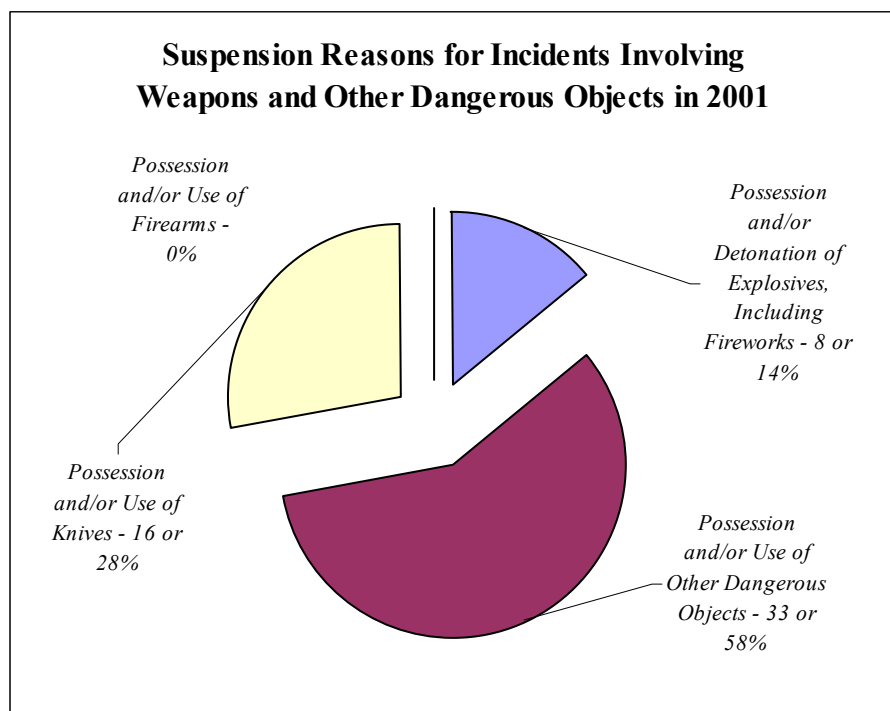


Figure 5: Suspension reasons/cases for incidents involving weapons and other dangerous objects in 2001

The severity of the safety risk associated with cases involving weapons or other dangerous objects is difficult to establish from the data provided because of the 'possession and/or use' classification. Clearly, 'use' of such an implement is more of a threat to safety than is 'possession'. 'Possession' could, however, be a threat if a student with a history of aggressive behaviour were to have a weapon or dangerous object at school. From the comments included in the *Suspension*

Distinction between 'possession' and 'use'



*Information Management System* two serious incidents (one involving a knife and the other involving fire) were detected. The prevalence of other incidents of this level of severity could not be readily determined although 8 suspensions were incurred for the maximum of 10 days for possession and/or use of a weapon and/or other dangerous objects.

**Recommendation 10**

**Separate category codes for ‘possession’ and ‘use’ of weapons and other dangerous objects should be included in the *Codes for Recording Suspension Reasons*.**

*Signalling behaviour that cannot be managed*

The *Discipline Guidelines 1996*, state that the purpose of suspension is to:

‘Signal that the student’s behaviour is not acceptable and cannot be managed within the school community.’

Examples of some of the types of incidents for which suspensions were incurred by the 24 student cases are provided below:

- Punching and spitting on another student;
- Threatening to ‘smack principal in the mouth’;
- Continuing to stomp on student’s head;
- Physical abuse/violence towards another student;
- Igniting a student’s hair; and
- Threatening to assault class teacher.

The number of incidents of abuse and harassment that were recorded by schools but that did not result in suspension varied for the 24 student cases reviewed. Typically, however, the number of these types of incidents tended to be greater for primary schools than for high schools, with more than 30 incidents of abuse and harassment being reported for some primary school students. Some of the more serious types of incidents for which incident reports were completed but for which suspensions were not incurred are listed below:

- Threatening to kill a child;
- Placing teacher in a dangerous threatening situation;
- Physical sexual harassment;
- Possession of a home made weapon;
- Screaming swear words;
- Threatening to hit and knock teacher down.
- Vicious punching;
- Throwing chair at teacher and student;
- Punching child in jaw;
- Swinging a child around until he fell over in tears;

Not all serious incidents result in suspension

- Throwing computer equipment hard at a wall;
- Kicking student while teacher tried to pull away.

Suspension statistics understate levels of abuse

It would seem that there were a number of incidents that could be classified as behaviours that were likely to be detrimental to the safety of others, but that were not signalled to the system via suspension. It therefore follows, that suspension statistics are likely to understate the prevalence of this type of behaviour. For this reason a conservative interpretation should be adopted when reviewing suspension rates for the *Students with Challenging Behaviour Strategic Plan*.

Signalling unacceptable behaviour

While principals are not required to suspend students for unacceptable behaviour, a tendency to not do so for more serious incidents may mean that the extent of a problem is not brought to the attention of the DoE. In order to ensure the department is aware of behaviours that are likely to be detrimental to others, schools should be encouraged to use suspension for more serious incidents.

**Recommendation 11**

**Schools should be encouraged to consider use of suspension to signal unacceptable behaviour, when a student has been the cause of an incident that is detrimental to the safety of others.**

'Send home' arrangements for volatile students

**'Send Home' arrangements**

Management of behaviourally volatile students via 'send home' arrangements was used for 6 out of 24 or 25% of the student cases examined. References to 8 separate cases of 'send home' arrangements were also identified in the 'support' field of the *Suspension Information Management System*. Provision of this type of arrangement as a behaviour management strategy was not found in any of the legislation or guidelines examined. This may suggest that guidelines for this practice (which is endorsed by the DoE) should be developed.

**Recommendation 12**

**Guidelines for 'send home' arrangements should be developed to ensure that appropriate processes are in place for this strategy of behaviour management.**

### *Suspension documentation*

The *Discipline Guidelines 1996* require the following documentation to be on the school file, the student file and the District Support Service file for suspensions:

Documentation  
required

- Letter to parents containing facts and details of suspension including dates,
- Responsibilities of parents and a request for a parental conference; and
- A full report written by the principal on the reasons for the suspension with the period clearly specified.

Suspension letters to parents were found in all cases but the majority of letters from one school did not include a request for a parental conference on return of the student. The reason given for this was that there would be insufficient time to accommodate all the conferences that would need to be held.

Most schools had prepared reports with sufficient detail on reasons for suspensions and these were recorded either in suspension letters or on incident reports. Some schools used the *School Administration Computer System* to store this information making it readily retrievable (although administrators at these schools indicated that inputting relevant details could be time consuming).

The context  
should be  
recorded

However, two schools did not always record reasons for a suspension in the form of a full report. Instead, use was only made of the *Codes For Recording Suspension Reasons* in some suspension letters with no additional contextual information being recorded. The only available information on reasons for suspensions was therefore limited to phrases such as ‘verbal abuse’, ‘physical abuse’ or ‘unacceptable behaviour’. It is questionable as to whether parents or any other interested party would perceive such descriptions as being sufficiently informative of the reasons for a suspension.

#### **Recommendation 13**

**Schools should either record an incident report for a suspension or enter some contextual information with reason codes into the *Suspension Information Management System*.**

### *Comments and the suspension information management system*

Entering of comments is not mandated...

An examination of the comments field within the *Suspension Information Management System* revealed that schools did not always make use of this provision to submit details behind reasons for suspension. As inputting of comments is not mandatory, it is not possible to undertake a system-wide analysis of the seriousness of incidents due to a lack of contextual information. Although entering of support information is also not mandatory, written remarks detailing interventions trialed, preventative to follow and interventions requested had been inputted for the majority of suspensions.

... but should occur for serious incidents.

If the *Students with Challenging Behaviour Strategic Plan* is to be fully informed in terms of the prevalence of dangerous, violent and aggressive incidents, there may be a need for the provision of comments to be mandatory for serious incidents incurring suspensions of 10 days. In order to protect privacy, names of students should not be included in data provided for analytical purposes.

#### **Recommendation 14**

**The DoE should consider mandating the provision of comments and support details for incidents incurring a suspension of 10 days. Such data should then be used to inform the *Students with Challenging Behaviour Strategic Plan*.**

## 2.3 EXCLUSION/EXEMPTION

**‘The Secretary if satisfied that the behaviour of a student justifies it, may exclude the student full-time or part-time for a period exceeding two weeks.’ – Section 38 Education Act 1994**

### *Use of exclusion and 10-day suspension by schools*

When a principal believes that a student should be excluded from school he or she first suspends the student for the maximum period of two weeks. A letter is then sent to the student’s parents indicating that exclusion from the school is being recommended. The District Superintendent then accepts or refuses the application for exclusion after consultation with all relevant parties.

In 2001, 102 applications for exclusion were approved. However as state-wide data on the use of exclusion by individual schools was not obtained an analysis of the use of 10-day suspensions was undertaken as a proxy for exclusion. This analysis was done because 10-day suspensions always precede an application for exclusion. In interpreting this data however it should be remembered that not all 10-day suspensions resulted in an application for exclusion.

Exclusion is preceded by a 10-day suspension

The following chart, Figure 6, shows the distribution of the use of 10-day suspensions by schools for abuse and harassment.

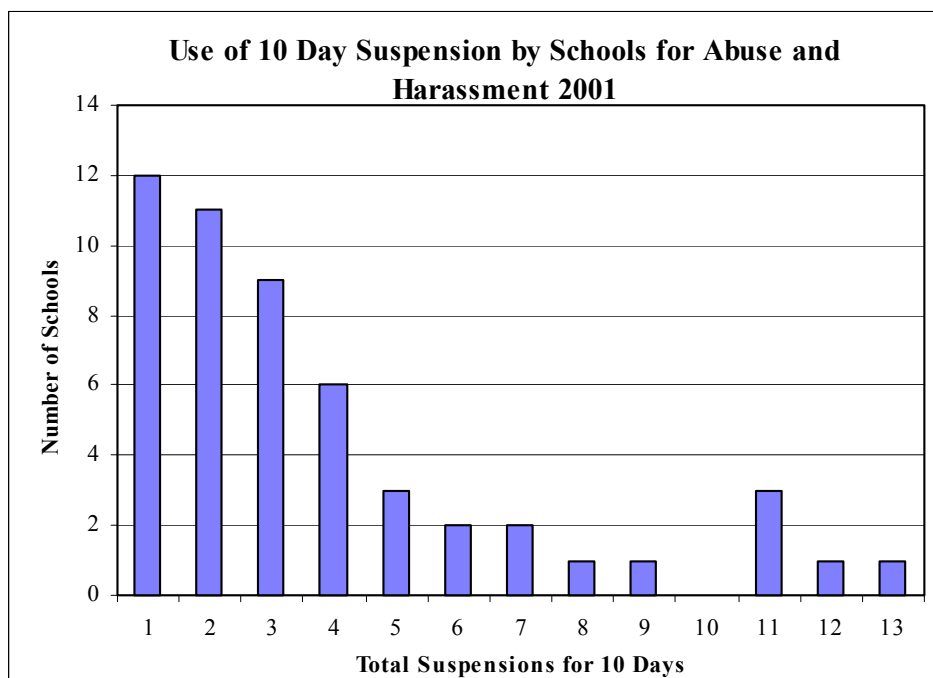


Figure 6: Use of 10-day suspension by schools for abuse and harassment in 2001

Only 52 schools out of 206 or approximately 25% of schools made use of the maximum 10-day period for a suspension. As for the use of suspension generally, it was apparent that there was a small proportion of schools that contributed significantly to the total number of 10-day suspensions for physical and verbal abuse and harassment. This was the

Over eleven 10-day suspensions in some schools

case because five schools using 10-day suspensions 11 or more times in 2001 contributed to 58 out of 201 or 30% of all 10-day suspensions for physical or verbal abuse. Three of these schools did not rate in the 6 schools with the highest number of suspensions for abuse and harassment.

Intensive support is required for schools with a higher need

This may suggest a need for a review (as part of the *Students with Challenging Behaviour Strategic Plan*) of schools with higher numbers of more serious incidents resulting in 10-day suspensions. Further analysis should be conducted by DoE to accurately ascertain the extent to which the schools with higher numbers of 10-day suspensions also contributed significantly to the total number of exclusions in 2001. Where schools are identified as having a higher number of students who pose a risk to the safety of others (determined from the numbers of serious incidents resulting in exclusion as well as the views of district offices) then increased intervention and intensive support should be provided.

#### **Recommendation 15**

**The *Students with Challenging Behaviour Strategic Plan* should direct resources to increased intervention and intensive support for schools identified as having a higher number of students who pose a risk to the safety of others.**

#### *Risk to the safety of others*

With regard to the seeking of exclusion, the *Discipline Guidelines 1996* state that:

‘Exclusion is recommended when the seriousness of behaviour poses a risk to the safety of other students. Re-entry therefore requires substantial planning.’

Use of part-time exemption

Nine out of the 24 student cases examined, whose behaviour appeared to pose a risk to the safety of others, were exempted on a part-time basis under the *Enrolment and Attendance Guidelines 1996*. Some were exempted without exclusion being sought, some were exempted following the rejection of applications for exclusion and some were exempted prior to applications for exclusion being sought.

An examination of the interventions applied (suspensions, exclusions and part-time exemptions) for two indicative cases out of the 9 student cases exempted was therefore considered relevant. Timelines showing dates of suspension and exemption for each of these students are provided below:

### Exclusion/Exemption: Student Timeline 1

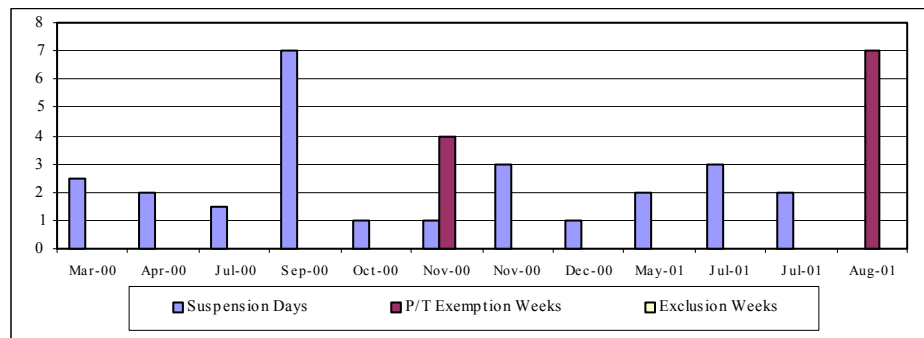


Figure 7: Exclusion/exemption: Timeline 1 of interventions

The student had multiple suspensions

It was apparent that 6 suspensions for abuse and harassment were incurred for this student prior to the seeking of an application for part-time exemption for 4 weeks. Another 5 suspensions were then incurred before a period of part-time exemption was again sought for 7 weeks in 2001. Early in 2000 a strategy had been devised by the school and support service whereby the student was to be suspended for 1-2 days for extreme violence. Some of the incidents for which suspension was incurred included:

- Threatening to kill others;
- Threatening to harm a staff member;
- Physical abuse; and
- Threatening a child with a knife.

The following comments made by the school about the safety of others prior to the seeking of part-time exemption have been paraphrased from documentation obtained:

There was concern for the safety of others

- The school is concerned for the safety of other children in the student's class;
- There have been a number of suspensions due to the use of violence and the school is still concerned about the safety of other children.

In August 2001 the principal cited a range of reasons for seeking part-time exemption including the following:

- The student has a history of aggressive, violent and dangerous behaviour; and
- The student has been violent and assaulted some school children and threatened others.

Part-time exclusion was not sought

Despite these concerns for the safety of others neither an application for full-time nor part-time exclusion was sought. Rather, two applications for part-time exemption were sought and approved after a number of suspensions. This decision appears to be inconsistent with the course of action recommended by the *Discipline Guidelines 1996* for students posing a risk to the safety of others. The reason provided for this was that the length of the school week created many of the behavioural issues for the student.

### Exclusion/Exemption: Student Timeline 2

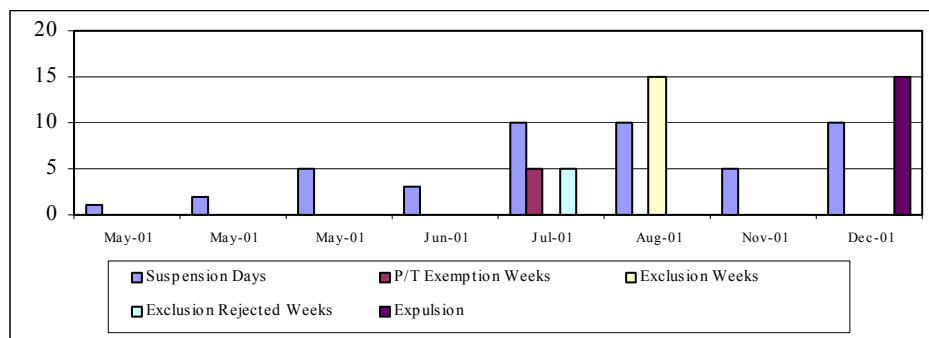


Figure 8: Exclusion/exemption: Timeline 2 of interventions

This student was suspended five times prior to the seeking of a five-week period of exclusion in July 2001. Instead of approving the application, though, a decision was made to seek a part-time exemption. The next month, following an incident resulting in a 10-day suspension, exclusion was again sought. The application was approved this time but the period initially requested (until the end of year) was reduced. Upon return to the school, the student was subsequently suspended twice more and at the time of the second suspension an application for expulsion was sought. This application was approved in late December 2001.

A range of interventions were sought

Some of the incidents for which this student was suspended included:

Concerns for teachers' health

- Hitting another student;
- Physical abuse/harassment of a teacher;
- Widespread disruption of the school program – police intervention required; and
- Ongoing persistent and consistent psychological harassment of a teacher.

Exclusion was sought initially in July 2001 because:

- The school could no longer cope with the persistent aberrant behaviour of the student; and
- There was concern for the future of the school should the teachers' health continue to decline.

The student could become disconnected

Despite these concerns, the application for exclusion was not approved by the district office because it was considered that exclusion might serve to disconnect the student further from school. By contrast the school was advised to seek a part-time exemption and a program was to be negotiated that would maximise the student's involvement with successful aspects of schooling.

The student continued to offend

This attempt to mitigate against the risk posed by the student did not appear to be successful because the student re-offended and a reduced period of exclusion was approved. The degree of risk posed by the student was highlighted again when the student re-offended twice upon returning to the school on a trial basis after the period of exclusion. It was at this point that a decision was made to seek an application for



Use of part-time exemption is common	<p>expulsion because of violent behaviour that was severely affecting the welfare and safety of students and staff.</p>
Purpose of part-time exemption	<p>There were 7 other cases out of the 24 reviewed for whom part-time exemption was sought. All of these students had incurred a number of suspensions for behaviours likely to be detrimental to others. Further, a review of comments in the <i>Suspension Information Management System</i> revealed that use of part-time exemption as a management strategy was common for students incurring suspensions for behaviours likely to be detrimental to others. In all, there were over 100 references to the use of part-time exemption or a part-time timetable as a strategy for managing students responsible for the abuse and harassment of others.</p>
A case management approach	<p>District offices have advised that the application of the <i>Discipline Guidelines 1996</i> is seen within the broader context of the <i>Equity in Schooling Policy 1995</i>. To this end, emphasis is given to ensuring a supportive learning environment for every student. Exemption or part-time exemption is considered suitable where the diagnosed behaviour disorder or other disorder/situation of the student means that the student is not capable of attending a full week of school. However in relation to safety, we found on examination of all sets of guidelines, that the only explicit reference to the 'safety of others' could be identified in the <i>Discipline Guidelines 1996</i>.</p>
Part-time exclusion also offers flexibility	<p>District offices consider that use of part-time exemption instead of exclusion, is consistent with a case management, problem solving approach to attempt to break a pattern of behaviour. This approach can provide a mechanism for problem solving and strategy development for breaking a behaviour pattern in the same way as an exclusion would, but without the risk of alienating the student and the student's family.</p> <p>Despite these reservations about the use of the exclusion, the <i>Discipline Guideline 1996</i> do offer flexibility to adopt a supportive stance in assisting students who pose a risk to the safety of others. There is provision in the exclusion guidelines for part-time exclusion to be sought where some contact with the school is considered appropriate for the student. Further, there is also provision for an excluded student to receive educational instruction and support while excluded.</p>
Exemption is not a discipline sanction	<p>The DoE has advised that as stated in the <i>Enrolment and Attendance Guidelines 1996</i>, part-time exemption is not to be seen as a discipline sanction. It is appropriate though, to use part-time exemption as a pre-emptive, proactive measure within the context of making appropriate provision for each student. The need for the system to be able to make provision for flexible, supportive arrangements outside the disciplinary framework is considered by the DoE to be important.</p>
	<p>The DoE is of the view that while some of the student cases reviewed might suggest that processes are being used interchangeably in some instances, that does not reduce the need for the provision of the</p>

Exclusion is preferable to exemption for students who pose a safety risk

supportive option of ‘exemption from full-time attendance’. Against this there may be a need to remind appropriate parties of the purposes of the different processes. This will be required if the DoE is to be able to distinguish responses for behaviours that pose a risk to safety from responses adopted for other reasons.

**Recommendation 16**

**Schools should be encouraged to seek part-time exclusion rather than part-time exemption for students with multiple suspensions for abuse and harassment who pose a risk to the safety of others.**

*Time-out from the student*

Since a number of the students granted a part-time exemption had previously incurred multiple suspensions resulting in non-attendance for a considerable number of school days, it was apparent that conditions for exclusion related to ‘time-out’ and breaking of a behaviour pattern had also been met. These conditions outlined in the *Discipline Guidelines 1996* are as follows:

When time out is required

‘Exclusion is recommended when the school requires a substantial period of ‘time out’ from the student.’

‘Exclusion is recommended when a more substantial break from the school is needed to break a behaviour pattern.’

As the periods of part-time exemption were of the order of four or more weeks in a number of cases the goal of providing schools with a substantial period of time-out during these times was therefore achieved without exclusion being sought.

**Recommendation 17**

**When seeking time-out and attempting to break a behaviour pattern for a student who poses a risk to the safety of others, schools should be encouraged to give consideration to the relevant exclusion guidelines.**

*Signalling the seriousness of the problem*

The *Discipline Guidelines 1996* state that the purpose of exclusion is to:

The seriousness of a problem

‘Ensure that the system is aware of the seriousness of the problem and of the need to provide support and advice beyond the resources of the school.’

Exclusion was sought for 9 of the 24 student cases examined. Usually, the seeking of exclusion by a principal was precipitated by a serious incident of abuse against another student or a teacher. Examples of some of the types of incidents for which exclusion was incurred by the 24 student cases are provided below:

- Intimidating physical manner to teacher;
- Violent altercation with a student;
- Physical harassment of a teacher;
- Threatening behaviour involving a knife;
- Threatening to burn school down; and
- Ongoing persistent psychological harassment of teacher.

Some of the more serious types of incidents for which suspension was incurred and for which system resources had been sought, but for which exclusion had not been sought, are listed below:

Serious incidents

- Violently assaulting another student in an unprovoked attack. Urgent medical attention required;
- Defiance and disobedience. Removed from school by Police;
- Repeated physical abuse of another student;
- Viciously assaulting another child by knocking him down and continually jumping on him and kicking him in the side;
- Involved in a violent physical attack on another student;
- Ongoing bouts of physical and verbal abuse resulting in a situation where a large number of the school community is at considerable risk.

Not all serious incidents result in exclusion

In each of the above cases the students concerned had a history of incidents and multiple suspensions for abuse and harassment. There was therefore a number of suspensions, not resulting in exclusion that could not be managed within the school community without seeking more resources. The exclusion rates for incidents that do pose a risk to the safety of others should therefore be seen as a minimum estimate of the prevalence of this type of behaviour. A conservative interpretation should therefore be adopted when examining exclusion rates for the *Students with Challenging Behaviour Strategic Plan*.

#### **Recommendation 18**

**In order to signal the seriousness of the problem, schools should consider use of exclusion when a student poses a risk to the safety of others.**

### Trends in exclusion and exemption

The chart in Figure 9 below, shows that the numbers of exclusions in 2000 had returned to (and slightly exceeded) the levels of 1997 after an apparent dip in the intervening years.

The number of exclusions has remained steady

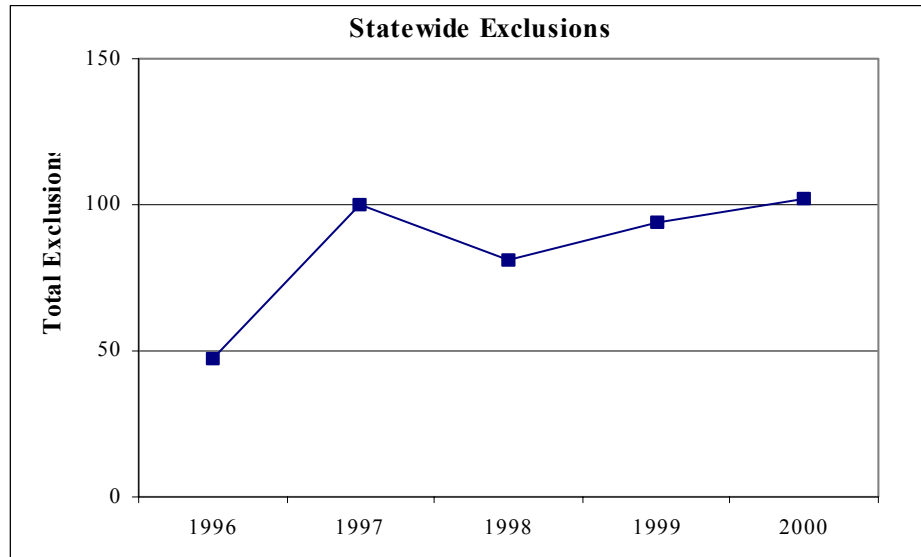


Figure 9: State-wide exclusions from 1996 to 2000

As shown in Figure 10 below, there has been an increase in the number of exemptions in 1996 after a dip in 1998. Notably the number of exemptions granted has more than doubled from 1998 to 2000. A significant proportion of these are for part-time exemptions.

The number of exemptions has doubled

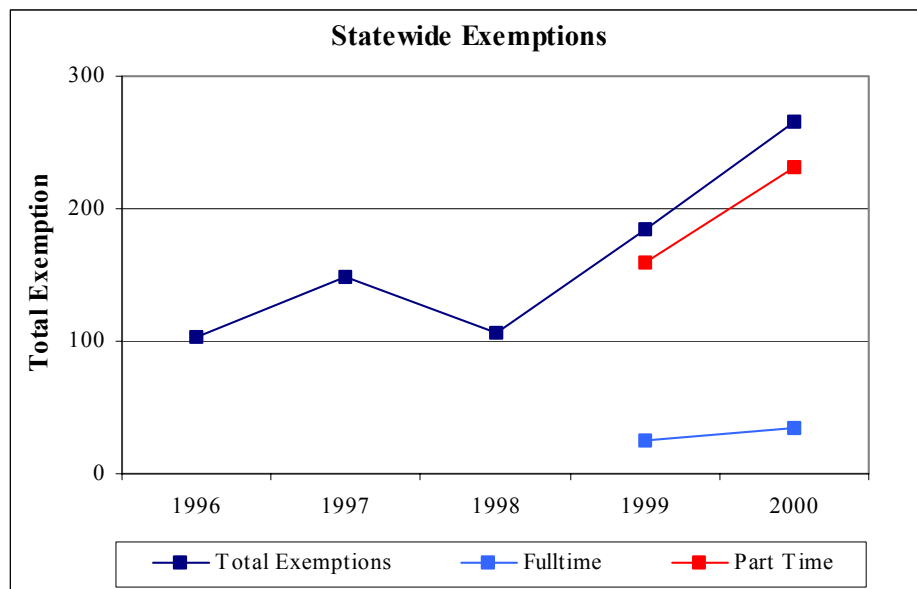


Figure 10: State-wide exemptions from 1996 to 2000

As student populations vary from year to year it is advisable to consider rates of exclusion and exemption per 100 students enrolled when examining trend data. The following table shows the exclusion and exemption rates per 100 students where this information had been published by the Office of Educational Review:

Exclusion and exemption rates

Year	Exclusion Rate/100	Exemption Rate/100
1996	0.07	0.15
1997	0.14	Not published
1998	0.11	0.14
1999	0.13	Not Published
2000	0.14	0.37

Table 1: Exclusion and exemption rates

Data in the table above indicates that trends in exclusion and exemption rates appear to be the same as those for numbers of exclusions and exemptions shown in Figures 9 and 10 above. Thus it is valid to conclude that the use of exclusion has remained steady and there has been an upward trend in the use of exemption from 1996 to 2000.

Many students who pose a risk to the safety of others may have been exempted

The DoE has not been able to identify a reason for the increase in the number of exemptions granted other than to surmise that schools and support services are utilising all available options to meet the broad range of student needs and situations. Given that part-time exemption had been granted for many of the student cases reviewed, and numerous references were made to part-time exemption in the *Suspension Information Management System* for students suspended for abuse and harassment, it is likely that a proportion of the increase in exemptions was for students whose behaviour posed a risk to the safety of others. However without data on reasons for seeking exemption and exclusion it is not possible to accurately determine the extent to which part-time exemption was used for this purpose.

**Recommendation 19**

**Reasons for seeking exclusion and exemption should be collated to establish a better measure of the number of students with behaviours who pose a risk to the safety of others as well as to facilitate analysis of the use of these interventions.**

*Exclusion documentation*

The *Discipline Guidelines 1996* require the following documentation to be on the school file, the student file and the District Support Service file for exclusions:

Exclusion documentation required

- A letter to the District Superintendent indicating that a period of exclusion is being sought; and
- Letter from District Superintendent to parents informing of period of exclusion or that the student should return to school at the end of the suspension.

Letters to the District Superintendent indicating that a period of exclusion was being sought were found in the majority of cases. While these were not always on student files they were maintained on school

Letters of approval

or support service files. On the other hand letters from the District Superintendent indicating whether exclusions had been approved could not be found on student files or school files for the majority of the student cases reviewed. In order to ensure there is a complete record on the student file of the interventions used to manage student behaviour letters of approval or otherwise for exclusion should be placed on this file.

**Recommendation 20**

**Letters from District Superintendents to parents indicating approval for an exclusion or otherwise should always be forwarded to schools for appropriate filing.**

## 2.4 EXPULSION/TRANSFER

**The Secretary if satisfied that the behaviour of a student justifies it, may expel the student from the school – Section 38 Education Act 1994**

### *Use of expulsion*

When a principal believes that a student should be expelled he or she first suspends the student for the maximum period of two weeks. A letter is sent to the student's parents or guardian indicating that expulsion from the school is being recommended. The District Superintendent then accepts or refuses the application for expulsion after consultation with all relevant parties.

Expulsion is rarely used

Statewide data on the use of expulsion by schools in 2001 was not obtained. However, published figures on expulsion from previous years indicated this sanction was used infrequently, and only one case of expulsion was identified through the audit.

### *Long-term safety and well-being of students and staff*

With regard to the seeking of expulsion the *Discipline Guidelines* state that:

‘The purpose of expulsion is to signal that a student's behaviour cannot be coped with in a particular school because it seriously interferes with the long-term safety and well-being of other students and staff.’

A range of interventions were tried

As discussed above, only one of the 24 student cases reviewed had been expelled from school. However there were three other students for whom the conditions for expulsion appeared to be met but for whom expulsion was not sought. An examination of the interventions applied for two indicative cases of these three students, was therefore considered appropriate. Interventions for these students could include suspension, exclusion, part-time exemption, use of another educational institution, change of school or police intervention. Timelines

indicating dates of suspension, exclusion and other alternative interventions are shown in Figure 11 for one student case reviewed.

**Expulsion/Transfer: Student Timeline 1**

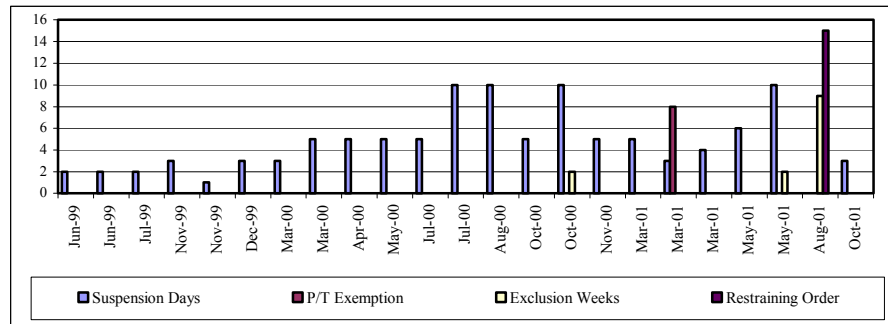


Figure 11: Expulsion/transfer: Timeline 1 of interventions

Exclusion was not sought until the 15<sup>th</sup> suspension

This student was suspended 15 times for abuse and harassment prior to the seeking of a two-week period of exclusion in October 2000. Three more suspensions were then incurred for abuse and harassment and the student was granted a part-time exemption around March 2001. The exact date on which the part-time exemption was sought, and the period of the exemption, were unknown because neither the application nor the certificate for the exemption were found on the student file. Instead, estimates of the date of the application and the period of exemption were inferred from references in other documentation.

In all the student incurred 22 suspensions

During the next three months, the student incurred three more suspensions for abuse and harassment after which exclusion was again sought. Owing to a serious assault against another student outside of school hours as well as previous abuse of the student during school hours, a restraining order was taken out against the student and the period of exclusion was extended another 9 weeks. Upon return to a school facility for students with behavioural difficulties, after the extended period of exclusion, the student then incurred another suspension in October 2001. We were advised that alternative provision had been made for the student’s education for the rest of 2001.

Some of the incidents for which this student was suspended included:

Physical violence

- Physical violence. Harassed and bullied another student;
- Repeatedly involved in physical altercations with other students;
- Sex-based harassment of another student;
- Involved in the physical harassment of a number of students; and
- Made threatening motions to a teacher with a dangerous object and then forcefully punched the object in the door.

A pattern of aggressive and violent behaviour

Exclusion was sought twice because:

- The incidents followed a pattern of aggressive, violent and disruptive behaviour that was of concern to staff and students; and

- There had been an ongoing campaign of threats to another student as well as attempts to assault this student at school.

Expulsion would have further disconnected the student

It appeared that the student represented a long-term risk to the safety of others for a number of reasons. The student had physically assaulted others in the school community on numerous occasions over a three year period, the student had been charged with assault, and the student had been subject to a restraining order. Despite this record of behaviour, expulsion was not sought and efforts to have the student enrolled in another school were unsuccessful. The District Office have advised that this student did not pose a safety risk to the school community after May 2001 as the student was not at school due to exclusions and alternative provisions. The District Office has advised that an expulsion would have only served to disconnect the student further from the school system, and as a consequence diminish the possibility of ameliorating the student’s difficult behaviour.

**Expulsion/Transfer: Student Timeline 2**

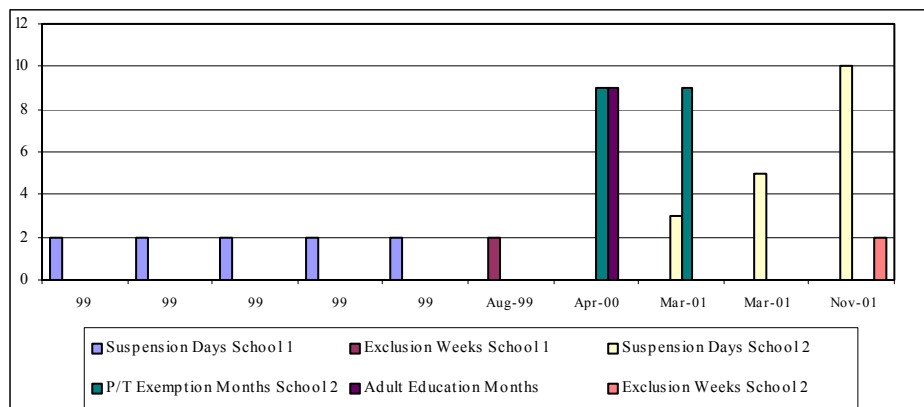


Figure 12: Expulsion/transfer: Timeline 2 of interventions

This student was suspended 5 times for abuse and harassment prior to the seeking of a 2-week period of exclusion in August 1999. The period of each of these suspensions was unknown as they occurred at another school and this information was not available on files examined. A default of two suspension days was therefore assumed for each suspension.

Tension made re-entry impossible

At the time of seeking the first exclusion from the original school the parent of the student indicated that tension at the school between staff and the student would make re-entry impossible. The parent therefore indicated a preference to pursue an enrolment at a new school and the district considered that a negotiated entry to a new school might be an alternative to returning to the original school. A part-time exemption was granted for the student in the new school with the student also attending Adult Education on a part-time basis.

Involvement in dangerous behaviour at the new school

During the second year of the student’s schooling at the new school while still attending on a part-time basis, three more suspensions were incurred. In May 2001 the school also requested that the student be kept at home because of involvement in bullying and harassment and



dangerous behaviour. The combination of these incidents resulted in an exclusion being sought by the school for an unspecified period.

A report of the student's behaviour at the first school indicated that the student had been involved in the following behaviours at this school:

Aggressive behaviour

- Aggressive behaviour (physical) to staff e.g. hitting staff;
- Harassing other students e.g. hitting them; and
- Threatening behaviour e.g. picked up a chair and threatened to throw it at a staff member.

Some of the incidents for which this student was suspended at the new school included:

- Unacceptable behaviour towards a staff member;
- Offensive behaviour; and
- Open defiance.

Exclusion was sought at each of the schools because of:

- Disturbing behaviour that poses significant threats to the safety of students and staff; and
- Ongoing difficulties in managing the student's behaviour.

A long-term safety risk

The student appeared to represent a risk to the long-term safety of others because of numerous suspensions incurred for abuse and harassment and two exclusions in two schools over a number of years. A provision to transfer a student with behavioural difficulties from one school to another is outlined in the expulsion section of the *Discipline Guidelines*. According to the District Office, the enrolment of this student in another school did not constitute a transfer.

Appropriate use of transfer

However, DoE has advised that transfer of a student from one school to another may be a desirable outcome that is in the long-term interest of a student and their peers, when a case for expulsion does not yet exist. The transfer is negotiated with the parents and is not classified as a disciplinary action. According to the DoE the transfer of students is unlikely to be used for students who pose a long-term safety risk to students and staff. It is more likely that transfer will be discussed if the risk to the other students is in relation to their educational progress. In the case cited above though, there were clear concerns about the risk to the safety of others that were again realised when the student was enrolled in the new school under whatever process.

Improved regulation required

While definitive conclusions cannot be drawn as to the appropriateness of the actions taken in the above cases, due to their complexity, the responses do suggest a need for consideration of the types of behaviours that might invoke expulsion. In particular in order to ensure transparency around the reasons for enrolment of a student in a new school, improved regulation is required, when the student has a history

of suspensions and exclusions for behaviours that pose a risk to the long-term safety of others.

Expulsion no longer appropriate

The DoE has advised that it no longer views expulsion as the preferred intervention for students with behaviours that pose a long-term risk to the safety of others. Consequences of the use of expulsion can be significant for the student concerned. In addition, an expelled student may continue to pose a risk to others when enrolled in a new school.

An alternative sanction to expulsion is required

The DoE considers that use of a sanction involving long-term removal from the school, as well as alternative provisions, for a student who pose a long-term safety risk, may be a more suitable intervention. The student could then be re-introduced to their original school when and if it is considered they no longer pose a threat to the safety of others. As the *Education Act 1994* is currently under review, and the *Discipline Guidelines 1996* are based on provisions within the Act, it may be appropriate for the full range of sanctions including the expulsion guidelines to be reviewed and modified accordingly.

### *Respite and relief for the school*

The *Discipline Guidelines 1996* state the following in relation to respite and relief for the school and the breaking of severe inappropriate behaviour patterns:

‘The purpose of expulsion is to give an opportunity to respite and relief to a school that has done everything in its power to support the student.’  
‘The purpose of expulsion is to remove the student from an established environment in which severely inappropriate behaviour patterns have become entrenched.’

Respite was sought through alternative provisions

Considerable effort had been made by both the schools and the support services to support the students described above. Some of the numerous strategies applied are described in the section on ‘Rehabilitation’. For each of the student cases discussed above, respite and relief was sought for lengthy periods through enrolment in alternative forms of education. In one case, attempts were made to enrol the student in another school but these were unsuccessful.

It was apparent that while the conditions for seeking expulsion in each case had been met this sanction was not sought. As discussed above, the DoE considers that the intended effects of expulsion, including respite and relief for the school, as well as breaking of a severe behaviour pattern, should be achieved through development of a more appropriate sanction.

### Recommendation 21

**The DoE should consider the sanction of expulsion in a review of the *Education Act 1994*. A review of the *Education Act 1994* should also address options for dealing with:**

- **Student behaviour that cannot be coped with in a school because it seriously interferes with the long-term safety and well-being of others;**
- **Respite and relief for a school from students whose behaviours pose a risk to the long-term safety of others; and**
- **Breaking of a severe behaviour pattern.**

### *Signalling an inability to cope*

The *Discipline Guidelines 1996* also state that the purpose of expulsion is to signal that:

‘Expulsion signals that the student’s behaviour cannot be coped with, despite the best efforts of the school. ... (The exception to this is when the student’s behaviour has been so extreme, such as the committing of a serious illegal act, that an immediate expulsion is judged to be necessary.)’

As indicated previously expulsion was sought for one case out of the 24 student cases reviewed. This was sought because the student exhibited persistent violent and aberrant behaviour that was severely affecting the welfare and safety of students and staff. Police intervention had been sought on one occasion for this student.

However there were other students whose behaviour had either resulted in police intervention or whose behaviour appeared to constitute a criminal illegal act. Examples of some of these behaviours are listed below:

- Physical assault of a teacher - restraining order;
- Threats to student’s safety and attempts to assault student - restraining order;
- Maintained an assault upon a teacher;
- Extensive damage to a teacher’s property;
- Threatening a student with a knife; and
- Continual assaultive behaviour.

Extreme  
behaviours

Although these behaviours appeared to represent illegal acts and considerable effort had been made by the schools to support the students concerned (as discussed in the section on ‘Rehabilitation’) expulsion was not sought. The expulsion rates for extreme incidents that pose a risk to the long-term safety of others and which potentially represent illegal acts should therefore be seen as a minimum

Use of an alternative sanction

approximation of the prevalence of this type of behaviour. A conservative interpretation should therefore be adopted when examining expulsion rates for the *Students with Challenging Behaviour Strategic Plan 2002*. In order to signal that a student's behaviour has been extreme, schools should be encouraged to use an alternative sanction to expulsion to be developed, when a student's behaviour poses a risk to the long-term safety of others.

### *Transfer guidelines*

The *Discipline Guidelines 1996* note in the section dealing with expulsion that:

‘Transfer of students from one school to another may be arranged without invoking expulsion, and may prove far more expedient. Transfer is at the discretion of the district superintendents and the principals involved, and must be negotiated with the student and parents.’

‘District superintendents will oversee all expulsion procedures, including the enrolment of expelled students in a new school, and will maintain close liaison with district principals as a group to ensure that transfers of difficult students are distributed fairly across the district.’

One District Office has noted that students with difficult behaviour may be moved to another school (with parental consent) in any of the following circumstances:

- The student's difficult behaviour is connected to one or more individuals in a particular school setting (and therefore it would not be anticipated that this behaviour would be evident in the new school setting);
- When relationships in a particular school become very strained, making it difficult for school staff to consider the educational needs of a child without prejudice; and
- When following significant remediation, it is judged that a student is ready for a ‘fresh start’ and this could be facilitated in a new environment.

A request to transfer a student would be granted if:

- The principal agrees to enrol the student and the school has room and resources to accommodate the student;
- It is considered that the new school community can provide a ‘fresh start’ for the student;
- The student has the capacity to make a fresh start; and

The transfer provision was used in one district...

- It is not considered that the student will be dangerous to staff and students in their new school.

... and provision of 'fresh start' was used in another

Another District Office indicated that transfer of students from one school to another usually occurred when a family relocated from one area to another and hence the student moved schools. Nevertheless, provision of a 'fresh start' in another school could occur by mutual agreement of all stakeholders (usually the case management team) and the district office. Often, but not exclusively, the decision to arrange a 'fresh start' was due to behavioural issues. If the family had not relocated then an out-of-area enrolment process would be facilitated by the district office.

In this district the granting of a 'fresh start' was also dependent upon:

- Case management team consensus recommendations;
- Supportive School Environment policies of schools involved;
- Behaviour management policies of schools involved; and
- Medical issues.

Conditions for transfer should be documented

Currently, processes and conditions for the movement of difficult students between schools are not centrally documented. Despite this, districts appear to have developed practical guidelines for this eventuality. However, in order to offer a reference for the transfer/'fresh start' of students it may be appropriate for the DoE to document conditions and processes for this provision based on current best-practice.

#### **Recommendation 22**

**The DoE should consider documenting conditions and processes for provision of the transfer/'fresh start' of students to a new school who have a history of behaviours that pose a risk to the safety of others.**

#### ***Monitoring of transfer/fresh start provision***

A history of behavioural difficulties

We examined another student case for whom a transfer application had been lodged by the student's parent because the student had been experiencing 'problems inside and outside of school hours'. In the new school the student subsequently incurred three suspensions for abuse and harassment including one suspension for an extremely violent attack that resulted in the victim receiving medical attention. The student was also involved in 30 other incidents of abuse and harassment that were recorded on school incident reports.

We identified two other cases of school changes having occurred where the student changed address and a history of behavioural difficulties in

the previous school had been noted. Each of these students had also incurred multiple suspensions for abuse and harassment in their new schools.

Behaviour in the new school is monitored

One district indicated that two students had been provided with a ‘fresh start’ from 1999 to 2001 for behaviours likely to be detrimental to others. Each of these students again incurred suspensions for similar behaviours in their new schools. Another district indicated that while central records were not kept of students transferred, it was estimated that approximately 10 students would be moved each year with the involvement of the support service. The behaviour of these students had been closely monitored in their new schools. Where difficult behaviour had resumed the district indicated that this had been managed. Each district indicated that a case management approach was adopted to mitigate against risks to the safety of others when students were transferred or provided with a ‘fresh start’.

A review of the comments within the *Suspension Information Management System* indicated that there were a number of references to a change of school for students with behaviours likely to be detrimental to others. Some of these were as follows:

- Suggest a change of school;
- Suggest transfer to another school;
- Behaviour has regressed to the pattern that caused such concern at the previous school;
- Numerous (strategies tried) both here and at previous schools including behaviour contracts, case conferences, referral to support service;
- It was revealed that there is a long history of this (behaviour) at previous school;
- The student has been relocated from another school where a range of strategies had been employed;
- Fresh start, needs serious consideration as staff support and morale are very compromised despite long-term support; and
- The student has a history of criminal activity and multiple suspensions from other schools. The school believes the student was excluded in 2000.

Suggestions of transfer

Transfers should be monitored

As the prevalence of this behaviour management strategy is not monitored it is not possible to give an accurate figure of its usage. The DoE has advised that although the transfer provision appears in the expulsion section of the guidelines it does not constitute an expulsion. Since the practice can have the same effect as expulsion (ie removing a student from the school environment) without being recorded as such, it would seem that its usage when initiated by district offices, should be monitored state-wide.

**Recommendation 23**

**The DoE should monitor provisions of a ‘fresh start’ and transfers to a new school of students whose behaviour poses a risk to the safety of others where movements have been initiated by the District Office.**

*Trends in expulsion*

The chart in Figure 13 below shows that the numbers of expulsions in 2000 had risen after a steady decline from 1996 to 1999.

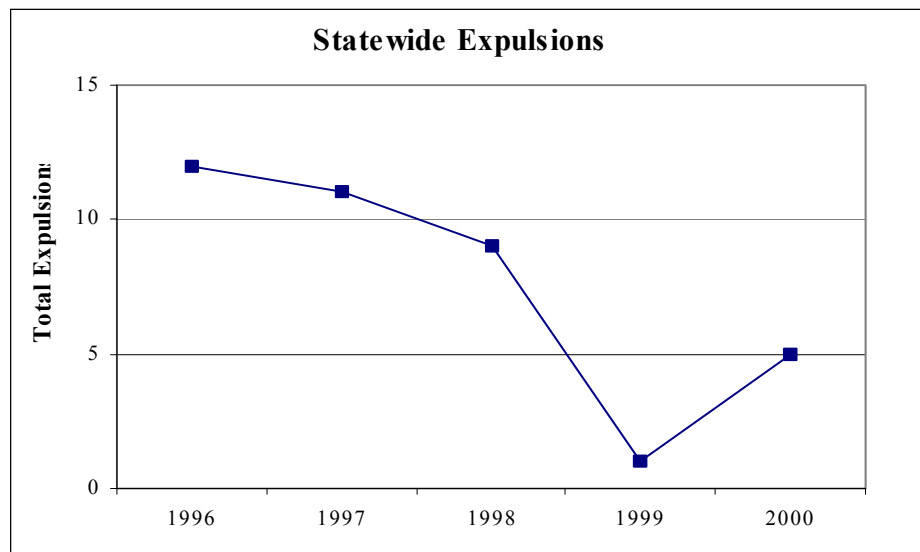


Figure 13: State-wide expulsions from 1996 to 2000

Reasons should be analysed

At present information on reasons for seeking expulsion is not published and state-wide data on the transfer of students to a new school is not available. Thus it is not possible to determine the extent to which expulsion rates accurately portray prevalence of behaviours in schools that are likely to pose a long-term risk to the safety of others.

**Recommendation 24**

**Reasons for seeking expulsion (or a new alternative sanction) and reasons for transferring students, should be collated so that a better measure can be established of students whose behaviours pose a long-term risk to the safety of others.**

**2.5 PROHIBITION**

**‘The Secretary if satisfied that the behaviour of a student justifies it, may prohibit the student from attending any state school.’ – *Section 38 Education Act 1994***

The *Discipline Guidelines 1996* state that the purpose of prohibition is to:

The purpose of prohibition

‘Protect the right of teachers and students to work in a safe environment without being threatened by unduly disruptive or dangerous behaviour from a student’

‘Signal to the system, the student and the student's parents or guardian that the student's behaviour cannot be coped with in any State school, despite all the measures that have been taken.’

Prohibition may be recommended when the student:

‘Has acted in a manner which constitutes an unreasonable continued risk to the safety, or well-being of any staff or students at the school’

‘Has acted illegally or has been found guilty of a serious criminal offence’

‘Is violent or potentially violent’

Although prohibition has never been sought for any Tasmanian student, we did identify one student who was educated by alternative means on a full-time basis due to the threat posed to others by the student. The high school timeline for the student is presented in Figure 8 in Section 2.3.

The student made death threats

The DoE has advised that during the primary years, the student had undergone one change of school. External sanctions such as suspension and exclusion were not favoured strategies during these years as a more supportive approach involving a part-time learning program was preferred. However despite these strategies, the student intimidated a teacher with death threats and was removed from primary school in the final year.

According to the District Office, prohibition was not sought for the student in 2002 due to the student's young age. Instead a decision was made to keep the student connected with an alternative educational program with the option of connecting the student to a mainstream school setting in the future.

Prohibition is unlikely to ever be used

The DoE has indicated that prohibition is unlikely to ever be sought for extremely dangerous and violent students because of a preference for use of long-term alternative provisions for such students. Given this position, development of an alternative sanction to prohibition is considered appropriate as part of the review of the *Education Act 1994*. Such an alternative sanction should provide for signalling to the system of a student's behaviour that cannot be coped with in any State school, because of an unreasonable continued risk to the safety of any students or staff.

### **Recommendation 25**

**In the context of reviewing the *Education Act 1994* consideration should given to the sanction of prohibition. Any revision of this sanction should address student behaviour that cannot be coped with in any State school because of an unreasonable continued risk to the safety, or well-being of any staff or students.**



## 2.6 POLICE INTERVENTION

**‘Where the student’s behaviour may be illegal, the principal, if he or she judges it to be appropriate, should contact the police to ensure that appropriate action is taken.’ – *Discipline Guidelines 1996***

Police charges,  
restraining  
orders, statutory  
declarations

Police intervention, in one form or another, had been sought for 6 out of the 24 or 25% of the student cases reviewed. Police charges and restraining orders had been sought for two students. For one of these students a teacher and a principal had completed statutory declarations indicating a preparedness to attend court if necessary following threats of physical violence when the student was on school grounds contrary to the restraining order. For three of the other cases the students had been removed from the school by the police due to the threat their behaviour posed to the safety of others and due to widespread disruption of school programmes. As a result of a violent attack by the last of the 6 students a police statement was sought from the victim, the principal and a teacher.

An examination of the *Suspension Information Management System* indicated that some cases of police involvement in 2001 had been entered as comments with suspension notifications. Some of the comments made in relation to police involvement were as follows:

Other references  
to police  
intervention

- Counselling the Grade to minimize the effect of the students actions. Any further action on the student’s part will be referred to the police;
- The student’s suspension covers the remainder of the school year. The recent improvement in the student’s behaviour ended dramatically today with the assault of another student. I believe the parent may refer the matter to the police;
- Long term client of both the school support team and the support service - currently being dealt with by Police and Youth Justice;
- Awaiting outcomes of upcoming interventions by Police and Youth Justice; and
- Because of the nature of this assault this may ultimately end up with police involvement. Principal needs to be able to reassure parents and students that it is safe to have the student in the school.

Police  
involvement  
should be  
monitored

Police involvement represents a more serious form of intervention for dangerous students, and a review of the 24 student cases indicates that seeking of this form of intervention may not be uncommon. For these reasons it would seem that the number of incidents resulting in police intervention should be collated and analysed on a state-wide basis as part of the *Students with Challenging Behaviour Strategic Plan*. Provision of a field in the *Suspension Information Management System* would facilitate monitoring of this type of intervention to improve the comprehensiveness of the information base.

**Recommendation 26**

**Police interventions for cases of abuse and harassment should be entered into the *Suspension Information Management System*. Data collected should be used to inform the *Students with Challenging Behaviour Strategic Plan*.**

## 2.7 REHABILITATION

**‘The period of suspension, exclusion and expulsion is used to muster school and/or district resources and set in motion a plan for rehabilitation.’ – *Discipline Guidelines 1996***

Considerable effort was made to rehabilitate students	<p>Considerable effort had been made by schools and support services to rehabilitate students who had been suspended, excluded or expelled from school. Rehabilitation strategies tended to be pitched according to the degree of the challenging behaviour presented by the student. All students with challenging behaviours would initially be counselled by senior staff who would attempt to identify the cause of the problem. If the student was unable to cope with the mainstream academic program then the timetable of the student would be modified to provide extra time in subjects where success was more likely. Additional support in literacy and numeracy was also provided where the student was experiencing difficulty in these learning areas.</p>
Social programs	<p>The <i>Managing and Retaining Secondary Students at School Program</i> was provided for students experiencing social/behaviour related problems as well as learning difficulties. Schools also used a range of other programs aimed at improving relationships. These included a social skills program, a program titled <i>Exploring Together</i> (that sought to enhance parent-child relationships) and mentoring programs where members of community groups undertook a supporting role for individual students.</p>
Psychological assessment	<p>When the student was considered to have an aggressive disposition, counselling by either the guidance officer or the social worker could be provided and the student could undertake a course in anger management. Support teachers and teacher aides could also be provided to assist this type of student in the classroom. Where the student was considered to be psychologically disturbed an assessment from either the school psychologist, the senior district guidance officer or a psychiatrist would be sought. When an additional professional opinion was required this was sought from Child and Adolescent Mental Health Services or Clare House.</p>
Case conferences	<p>Case conferences involving senior school staff, support service staff, the student and the parents of the student were held when a suspension for a serious offence had occurred and/or when the student had developed a pattern of problematic behaviour. These meetings sought to achieve agreement on a course of action and in most cases parents</p>

attended. Occasionally, action would be determined in the absence of parents who did not attend despite being advised of meeting times and locations.

For a number of the student cases reviewed these strategies did not appear to be successful as was evidenced by the multiple suspensions and exclusions incurred by these students for abuse and harassment. Schools made several comments in relation to the ineffectiveness of behaviour management strategies. A sample of some of these were as follows:

Rehabilitation strategies were often ineffective

- The student has had a 'rewards system' developed and implemented in an endeavour to provide positive reinforcement but it has not worked;
- Attempts to enrol the student in the Alternative Education Program failed because the student had been unprepared to attend meetings;
- This displays an ongoing pattern of uncooperative, defiant and dangerous behaviour despite counselling and modifications to the student's timetable;
- Despite extensive counselling and careful monitoring the student continues to place the health and safety of others in the school at risk; and
- Despite extensive effort by the school and the support service to deal with the student (counselling, case conferences, modified timetable, send-home arrangement and others) the student's behaviour has not improved.

It should be noted though, that after three and a half years of behavioural difficulties with one student some improvement was noted:

The behaviour of one student did improve

- This student did settle in term 3 and there were very few issues. The student's behaviour did improve and the part-time enrolment, maturity, some individual attention coupled with transitional arrangements all contributed to a better than might be expected outcome.

The proportion of positive and negative comments in the *Suspension Information Management System* relating to the success or otherwise of behaviour management strategies was found to be similar. There were numerous comments expressing concern about the lack of success of strategies trialled. A sample of some typical comments were as follows:

Numerous strategies were tried to no avail...

- The student has had every possible intervention tried, to no avail;
- Everything known has been tried with this student;
- Who knows. We've tried everything;
- Everything possible has been tried with this student, right through to organising special programs, alternate programs, work placements, counselling anger management;
- Relocation, time out, part time enrolment, intervention of District Support Staff, positive re-inforcement - just about everything!;
- The student has had numerous individual programs at the school. These have met with little or no success.

- The student has had case workers, counselling, Clare House support, District support. All to no avail;
- All strategies available have been exhausted including literacy/numeracy support, part-time timetables, alternate timetables, MARSSS; and
- Counselling, alternative programs. The student comes to school if the student feels like it and openly flaunts authority. No sanctions or special programs have ever proved successful.

Relatively few comments were identified that referred to the success of strategies tried. One identified was as follows:

..but occasionally rehabilitation was successful

- Everything known to humankind has been tried with this student. His personal case manager has successfully intervened to modify his behaviour. There is no doubt that great strides have been achieved.

Evaluation of rehabilitation strategies

In determining a direction for the *Students with Challenging Behaviours Strategic Plan* there would appear to be a need for a review of the effectiveness of current support strategies. As noted in the *Report and Recommendations on Alternative Provision for Students with Challenging Behaviour 2001* there is no evaluative data on the effectiveness of current models of alternative provision. The DoE does not consider that use of the comments within the *Suspension Information Management System* to evaluate rehabilitation strategies is advisable, because of a tendency for schools to vent frustrations through this medium. Nonetheless along with formal evaluations and the opinions of principals and district staff, it is one additional source of information (sought by the DoE) that could assist with determining the effectiveness of alternative provisions and other rehabilitation strategies.

**Recommendation 27**

**Rehabilitation strategies and alternative provisions should be reviewed as part of the *Students with Challenging Behaviours Strategic Plan* using evaluation techniques that consider all available data.**

## 2.8 RE-ENTRY

**‘The period of suspension, exclusion and expulsion is used to establish a negotiation process for the student’s re-entry to the school based on the student achieving some explicit goals related to improved behaviour.’–  
*Discipline Guidelines 1996***

### *Multiple suspensions*

In the absence of any formal measures of success for re-entry strategies the number of students incurring multiple suspensions for abuse and harassment was examined on a state-wide basis using data from the *Suspension Information Management System*. Figure 14 below shows the total suspension days acquired (where this was greater than 20) for students who had incurred multiple suspensions for physical abuse and harassment.

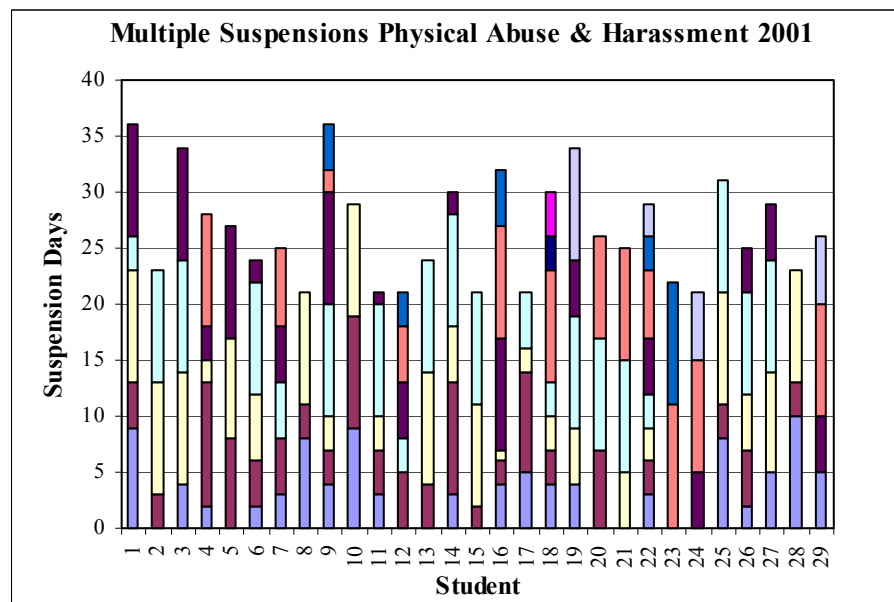


Figure 14: Multiple suspensions for physical abuse and harassment in 2001

Each discrete element of the stacked bars in the chart above represents a suspension for physical abuse. The number of suspensions for physical abuse and harassment for a given student is equivalent to the number of discrete components of the corresponding stacked bar. We found that there were 29 students who had incurred multiple suspensions totalling more than 20 days. Two of these incurred over 35 suspension days or over 7 weeks of suspension for physical abuse and harassment. Five incurred 30 to 34 suspension days or over 6 weeks of suspension for physical abuse and harassment. Of these seven students one had incurred three 10-day suspensions for physical abuse and harassment as well as another shorter suspension and six had incurred two 10-day suspensions for physical abuse and harassment as well as other shorter suspensions.

Seven weeks of suspension for physical abuse and harassment

Conservative representation

This representation of multiple suspensions is likely to be conservative because it does not show suspensions incurred prior to 2001. Examination of school documentation has shown that students suspended for physical abuse and harassment often have a history of this type of behaviour dating back a number of years.

Total suspension days acquired (where this was greater than 20) for students who had incurred multiple suspensions for verbal abuse are shown in the chart below.

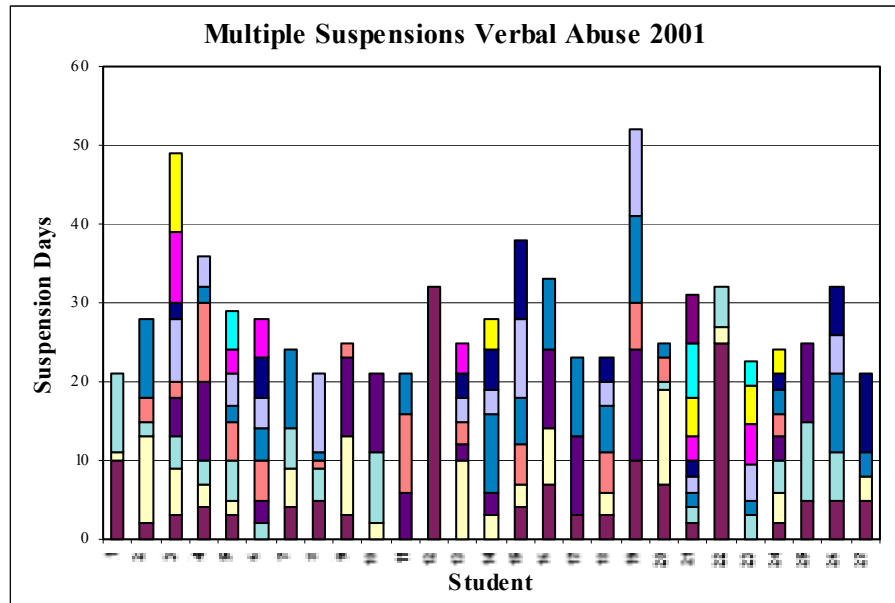


Figure 15: Multiple suspensions for verbal abuse in 2001

Eight weeks of suspension for verbal abuse

This chart should be interpreted in the same way as Figure 14 for physical abuse and harassment when determining the number of suspensions incurred for a given student. It is apparent that there were 27 students who incurred multiple suspensions totalling more than 20 days. Two of these incurred over 40 suspension days or over 8 weeks of suspension where verbal abuse was cited as a reason. Seven incurred 30 to 40 suspension days or over 6 weeks of suspension where verbal abuse was cited as a reason. As for physical abuse and harassment this representation is likely to be conservative as school documentation has shown that repeat offenders often have a long record of this type of behaviour dating back several years.

The current capacity for repeat offenders to be returned to school is of concern

The current capacity for repeat offenders to be returned to school several times in one year after having committed a number of prior acts of physical abuse and harassment (some of which had resulted in 10-day suspensions) is of concern. While physical abuse and harassment is considered to be more serious than verbal abuse in schools, as in the broader community, the failure of re-entry strategies to prevent a recurrence of verbal abuse is another concern.

8 weeks of suspension for verbal abuse

The purpose of the exclusion guidelines (as discussed in the section on exclusion) is to preserve the safety of other students by breaking behaviour patterns and providing ‘time-out’ to ensure there is

Adequate provision to break behaviour patterns

opportunity for substantial planning before re-entry. There is therefore adequate provision in the guidelines to break the patterns of behaviour evident in Figures 14 and 15. While a mechanism is in place to indicate to districts that a student has incurred three or more suspensions, this does not appear to have been effective in these cases.

Administrative processes are less for exclusion

The DoE has noted it is possible that the incidence of multiple suspensions could be higher than expected had principals chosen to suspend rather than exclude. According to the DoE an assumption can be made that principals choose to apply the mildest sanction in preference to the harsher penalty of exclusion. The administrative processes are simpler for exclusion as permission to suspend is not required beyond the school level. This probably accounts for the higher use of suspension than exclusion.

Use of a risk-management approach should be considered

Nevertheless, it would seem that failure to ensure successful re-entry for whatever reason, is impacting unnecessarily on the well-being of others in school communities. The need for a more full-proof mechanism for re-introducing repeat offenders to school is apparent. As the Australian Standard *AS/NZS 4360:1999 on Risk Management* is a leading reference for managing risk-related problems, consideration of risk assessment and treatment strategies proposed in this document is recommended.

Likelihood and consequences

As outlined in the Standard, risk can be analysed by combining estimates of likelihood and consequences. The objectives of a risk analysis are to separate the minor acceptable risks from the major risks and to provide data to assist in the assessment and treatment of risks. As the *Suspension Information Management System* contains data on previous suspensions for abuse and harassment an estimate of the likelihood of a student re-offending could be determined from this information. In addition, as there is information on the number of suspension days incurred for each suspension for abuse and harassment an estimate of impact could also be determined.

A possible assessment process

A pictorial representation of a **possible** assessment process in terms of number of suspensions (likelihood) and suspension days (impact) is shown in the following table. The likelihood of a student re-offending with one to three suspensions might be classified as low (**L**), while the likelihood of a student re-offending with 4 to 6 suspensions or 7 to 9 suspensions might be classified as medium (**M**) and high (**H**) respectively. Similarly the impact of a student re-offending might be classified as (**L**) low if the student had only incurred a total of 1 to 10 suspension days for abuse and harassment, or it might be classified as medium (**M**) if 11 to 20 suspension days had been incurred or it might be classified as high (**H**) if more than 20 days had been incurred.

Total Suspension Days – Impact (L,M,H)				
Number of Suspensions – Likelihood (L,M,H)		1-10	11-20	>20
	1	LL	LM	LH
	2			
	3			
	4	ML	MM	MH
	5			
	6			
	7	HL	HM	HH
	8			
	9			

Key: L - Low, M - Medium, H - High

Table 2: Possible risk management categories

Possible risk categories

Alerting staff to a high risk

Using these classifications the three students with 7 suspensions for physical abuse and harassment would be categorised as having a high likelihood of re-offending. Moreover because the total suspension days for each student is high (i.e. greater than 20) the impact of any subsequent offence would be likely to be high. Placement of these students in the **HH** category should alert district staff and principals to the high risk posed.

Treatment options

Pre-determined treatments options involving full-time removal from the school (e.g. long-term full-time alternative provisions, transfer, enrolment in Adult Education or the Tasmanian Open Learning Service), should then be given consideration for this category of student to ensure they are not re-introduced to schools without thorough planning and full support. Ideally however predetermined mitigation strategies (e.g. exclusion, part-time exemption) would have been effectively implemented for an appropriate period for these students while they were in the lower risk categories (ie **LL**, **LM**, and **ML**) to prevent the accumulation of a lengthy record.

Principals must retain discretion

It is important to note that as outlined in the *Discipline Guidelines 1996* principals must retain discretion in determining the most appropriate intervention for students who pose a risk to the safety of others. A risk management approach should therefore not be regarded as providing a prescriptive method for determining interventions for such students. Instead it should be regarded as an analytical tool to assist principals in making decisions that take full account of the risk posed by these students to others in the school community.



**Recommendation 28**

**The DoE should consider adopting a risk management approach based on the AS/NZS 4360:1999 *Risk Management* to ensure that students with multiple suspensions for serious incidents are not re-introduced to schools without a rigorous risk assessment.**

*Behaviour tracking system*

Current tracking provisions

As discussed in the previous section, students with multiple suspensions for abuse and harassment often have a history of previous offences in prior years from either their current or previous schools. The *Suspension Information Management System* has been operational since Term 2 2000 and tracking of student behaviour back to that date has been possible for district support service managers through the use of queries. The Office of Educational Review is currently developing a query that will enable the selection of students with a nominated number of multiple suspensions in both 2001 and 2002 to date. Use of these queries does however rely upon support service managers having the appropriate computer-related skills.

An automated feature is required

The DoE does consider that the provision of an automated tracking report feature in the *Suspension Information Management System* would assist with monitoring and analysis of multiple suspensions for abuse and harassment. The provision of wider access of such a feature to principals and district superintendents and other staff (as deemed appropriate) as well as to support service managers, would provide a comprehensive view of an individual student's behaviour over time.

Better informed decision-making

Such a feature should enable access to all of the information on the database for each student including comments describing the nature of each incident and previous interventions. Together with more detailed records that may be available through the school, including verbal comments from teachers, such information would better inform decision-making in relation to future interventions.

A business plan has been developed

DoE has advised that the Information Management Branch and the Office of Educational Review have jointly written a business plan that proposes the development of an electronic student profile. The profile will enable principals, support service managers, district superintendents and other nominated persons to have access to student suspension records over time, independent of the student's current school. The business plan is yet to be approved by the DoE.

**Recommendation 29**

**The DoE should endorse the development of an automated tracking report feature in the *Suspension Information Management System* for monitoring and analysis of students with multiple suspensions for abuse and harassment.**

### Re-entry plans

The number of suspensions incurred for abuse and harassment by the 24 student cases examined was variable with some repeat offenders incurring multiple suspensions over a number of years (rates for some students equated to an average of 8 suspensions per year). As records were only obtained for a limited number of years of schooling in each case, it is likely that some students had incurred multiple suspensions in prior years at previous schools as well.

A range of re-entry strategies was used.

As noted in the opening quote on re-entry, the *Discipline Guidelines 1996* require schools to use periods of suspension, exclusion and expulsion to establish a negotiation process for re-entry based on achievement of some explicit goals related to improved behaviour. This requirement was met in part by the use of a range of re-entry strategies within schools. These included verbal warnings about consequences, proposed re-entry strategies in suspension letters, behaviour contracts (these were not always on the student file), and strategies outlined in exclusion and part-time exemption applications as well as strategies devised from case conferences. Case conference outcomes were documented when support service staff involvement had been sought. However, often when parental conferences were held to plan a mutually acceptable re-entry, the outcomes were not recorded.

A re-entry proforma would be useful

We believe there would be benefit in development of a re-entry proforma for the purpose of consistently documenting aspects of re-entry. Such proformae should be used to document explicit goals related to improved behaviour and support plans and then placed on student files.

#### **Recommendation 30**

**Schools should develop re-entry proformae that require documenting of explicit goals related to improved behaviour and support plans. The re-entry proformae should always be placed on student files.**

## 2.9 CONCLUSION

The *Report and Recommendations on Alternative Provision for Students with Challenging Behaviour* notes Tasmanian teachers have estimated that approximately 2% to 3% of secondary students require a program beyond that able to be provided by the school. The numbers in primary schools are lower but many teachers believe the numbers are increasing.

The DoE has recognised the need for alternative provisions from mainstream schooling to be made available at the point of a student being identified as at risk without waiting for the behaviour to escalate to a point where intervention is more problematic.

We found that there is a critical need for earlier intervention if the worrying number of serious incidents of abuse and harassment is to be reduced. In particular a rigorous risk assessment should be undertaken before students with a dangerous, violent or aggressive disposition are returned to schools.



## **Substance/drug-related issues: Prevention**

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### 3.0 SUBSTANCE/DRUG RELATED ISSUES: PREVENTION

#### 3.1 SCHOOL POLICIES

**‘Ensure the school’s policy and intentions about the consequences of drug use within the school are clear and well communicated to students, in the context of codes of conduct or discipline policies.’ – *Drugs and Education: Guidelines for Tasmanian Schools and Colleges 1996***

Development of drug policies

The document *Drugs and Education: Guidelines for Tasmanian Schools and Colleges 1996*, requires all schools to have a policy or set of guidelines that cover their goals and strategies in relation to drugs. It is considered acceptable by the DoE for such a policy to be part of a more general document such as the *Supportive School Environment Policy 1990*. Three out of the six schools visited had drug-related policies outlining consequences for drug incidents and two schools were in the process of developing such a policy. Two schools indicated that their current drug policy was to be updated to reflect changes in the management of drug-related issues. Three schools had tobacco-related policies and these same schools had a policy specifically addressing alcohol consumption. Those schools without specific drug-related policies indicated that any incidents involving drugs could be addressed through school discipline procedures.

The National School Drug Education Project has the following objective:

‘In conjunction with students, families, related agencies and the broader community, develop initiatives, programs and guidelines to support students in matters related to drug use.’

40% of schools have a drug policy

As of June 2002, the *National School Drug Education Project* reported that across the state 40% of government schools either have a drug policy in place or they are currently developing or updating their policy. Across the regions, the north-west has a greater percentage of government schools (47%) who have completed or are progressing their policy. In the north, 34% of government schools have a policy or are in the process of updating it and in the south, 40% have a policy or are updating it. While other schools have opted to come ‘on line’ during the remainder of the Project close to half the schools across the State are already engaging with the Project.

### 3.2 SCHOOL PROCEDURES

**‘The responsibility to inform parents when their child is involved, or suspected to be involved, in a drug-related issue should be specified in the school’s drug policy.’ – *Drugs and Education: Guidelines for Tasmanian Schools and Colleges 1996***

Parents are always contacted

It was standard practice at all schools for parents to be contacted (either in writing or over the telephone) in relation to any incident involving illicit drugs. However, only the three schools with drug policies had documented this requirement. Four schools had developed procedures whereby parents were advised in writing of an initial smoking offence, and a two to three-day suspension was incurred for any subsequent offences. Two schools also had a disciplinary process for students who were caught associating with others who were smoking.

Procedures for drug-related critical incidents

The document *Drugs and Education: Guidelines for Tasmanian Schools and Colleges 1996* requires schools to develop procedures for dealing with drug-related critical incidents. We found that this had only been done in specific terms by one of the schools visited. Other schools advised that the medical section of school critical incident plans would be implemented in the event of a drug-related emergency. In relation to management of immediate health care issues involving syringes or body fluids all schools indicated they would observe the DoE protocols published on the web. All principals advised that blood kits and sharps disposal units were available at schools and a number of staff were trained in the appropriate usage of these items.

Referral of matters to the Police

The document *Drugs and Education: Guidelines for Tasmanian Schools and Colleges 1996* also requires schools to have processes in place for attending to the legal issues related to illicit drugs, including the referral of matters to the police. While all principals indicated that any incident involving illicit drugs would be referred to the police, only three schools had documented this requirement. Further, the procedures surrounding the referral process were not found to be clear at any school. In particular a procedure for a referral to police to be documented by school administration and placed on a relevant central file was not recorded at any of the schools visited. This meant that review of the number and nature of incidents resulting in referrals could not be readily undertaken.

The *National Framework* requires that:

‘Records of drug-related incidents are maintained to support monitoring and evaluation of intervention policies and procedures.’

The incident report form within the new DoE policy Management of Drug Issues and Drug Education in Tasmanian Government Schools and Colleges requires that the form be:

‘...placed on student file, and/or forwarded to District Office:

- Lack of a past procedure to file incident reports to be addressed
- Where the incident is considered very serious;
  - And/or if Tasmania Police are called; and
  - And/or if there is a suspension/exclusion involved.’

The lack of a procedure to centrally record drug-related incidents has therefore been addressed by the new policy.

### 3.3 EARLY IDENTIFICATION

**‘Implement a procedure for identifying students who are at risk of drug use and students who are thought to be using drugs. The context in which drugs are being used needs to be considered when assessing risk.’ – *Drugs and Education: Guidelines for Tasmanian Schools and Colleges 1996***

Support teams

As for abuse and harassment, all schools indicated that the effectiveness of the supportive school environment and the grade structure was seen as integral to identification of students who may be exposed to drug-related risks. The convening of weekly meetings of support teams (usually including the principal, assistant principal, grade supervisors and support staff) was the primary means by which students with potential drug-related problems could be identified. Students who were potentially at risk were recorded on a list that was regularly reviewed by support teams. Guidance officers and social workers would then spend additional time with those in need of assessment and counselling.

### 3.4 ROLES AND RESPONSIBILITIES

**‘Roles and steps to be taken are clarified in terms of student management, securing drugs and related paraphernalia, informing school administration, parents and police, liaising with other professionals and agencies and responding to the media.’ – *National Framework 2000***

Staff roles defined

Three schools had explicitly defined the roles of staff for the management of drug related incidents. At one school a detailed set of responsibilities of staff had been documented for classes of drugs including prescribed medication, analgesics, tobacco, alcohol and prohibited substances. Students were encouraged to manage their prescribed medication from home but when this was not possible they were to either retain appropriate quantities for one day or leave the medication with Teacher Aides. Also, school office staff were to prepare a student medical information list that was to be made available to all staff.

For tobacco-related offences, grade supervisors were to organise detentions which resulted in five recesses and lunchtimes being forfeited by the student concerned. During this time the student was to complete written worksheets regarding smoking and its effects. This



process was put in place to assist the student take a positive stance in relation to smoking and drugs.

Roles and steps  
at one school

If a student was found to be under the influence of alcohol, the Principal or a nominee was to be notified in order to initiate appropriate actions. Follow up action was to be initiated by the assistant principal or the principal and parents and could include counselling with the relevant support staff or with an outside agency or negotiation between the students parents, grade supervisor, assistant principal or the principal. Review of this policy was to be undertaken by the Health/Physical Education staff and any recommended changes were to be taken to the whole staff and the Parents and Friends Association.

Policies are  
shared

DoE has advised that project officers facilitate the sharing of existing policies between schools for policy development purposes. However, the DoE is reluctant to provide a prescriptive policy proforma to schools as consultation with the wider community is considered important for fully addressing local issues.

### 3.5 LIAISON AND SUPPORT

**‘Protocols for liaison and referral are established with relevant professionals and agencies to provide professional development for school staff, advice and resources for school staff, parents and students, medical and assessment and in particular, counselling and rehabilitation services for students involved.’ – National Framework 2000**

Professional  
development

All schools advised that they had been engaged, to varying degrees, in the *Health and Well Being Project* coordinated by the Equity Standards Branch. Participation in *Health and Wellbeing* workshops conducted as part of the *National School Drug Education Project* as well as use of the *Mind Matters* materials was seen as integral to addressing drug issues. Two schools advised that they had lodged an application for funding from the *National School Drug Education Project* in order to undertake a project addressing drug related issues.

Student referrals

Principals in one district indicated that students with substance/drug related issues could be referred to the *Drug and Alcohol Unit* after consultation with senior staff, the school social worker and/or the guidance officer. In another district, students with drug-related problems were referred firstly to the support service and from there they could be referred to *Clare House*. Some schools indicated that access to the QUIT program had been organised for students with an addiction to tobacco. Other schools felt that they could increase the number of students referred to this program.

### 3.6 MONITORING AND EVALUATION

**‘Records of drug related incidents at schools are maintained to support monitoring and evaluation of intervention policies and procedures.’ – *National Framework 2000***

#### *Monitoring of incidents involving tobacco*

The ‘Smoker’s Book’ was reviewed

While no schools reported they had a formal process for monitoring intervention policies and procedures for drug related incidents one school did indicate that the ‘Smokers Book’ was reviewed from time to time to identify fluctuations in tobacco related incidents. Two schools indicated that monitoring of tobacco related incidents would be useful for identifying trends in smoking over time.

Smoking is a socially-generated behaviour

However, such monitoring would not be an effective evaluation tool for anti-smoking programs because smoking is an addictive, complex, socially-generated behaviour that the school by itself cannot change. Such evaluation is best left to research experts who can examine the relevant variables.

#### **Recommendation 31**

**Schools should consider monitoring numbers of tobacco related incidents, where this is justifiable, in order to identify smoking trends in the school environment over time.**

#### *Monitoring of incidents involving prohibited substances*

DoE objective

The Tasmanian *National School Drug Education Project* has an objective to:

‘Observe community cultural protocols, and, in partnership with other stakeholders such as health and local government, engage families and the broader community in identifying areas of particular need, discussing the issues and developing possible strategies for dealing with local needs and targeted groups as well as for the broader involvement of young people with drugs.’

Identification of incidents

Most schools indicated that a formal process for monitoring incidents involving prohibited substances was not necessary because the number of these types of incidents was small and figures could be determined from suspension data. However, as the suspension data does not include undetected activity, or activity which was detected but did not result in suspension, it is probable that suspension data understates the prevalence of this type of activity. A recent draft report for the *Student Absence from School and Juvenile Crime Project* on illegal activities of a group of students, while not being representative, tends to support this contention.

It was noted that the above-named project found that a significant proportion of students reported taking illegal drugs (other than tobacco)

Project findings	<p>and alcohol while at school, and that more students reported involvement with drugs and alcohol while at this school than in committing an assault. Caution should be adopted in extrapolating these findings to the state student population because the project sampled only one school and focussed on students with a history of truanting.</p>
Use of a survey to identify perceptions of levels of usage	<p>Although the number of suspensions for taking illegal drugs and alcohol was relatively low, (the highest was 8 eight at one school visited) some schools were of the view that there might be value in conducting an anonymous survey of students and others to identify perceptions of levels of usage. However DoE was of the view that unless such an activity was done in the context of a whole school community deciding to explore drug use patterns with a view to working on them together then it would be gratuitous and time-wasting.</p> <p>The <i>National School Drug Education Strategy</i> proposes that the following performance indicator be monitored as part of State projects:</p> <p style="padding-left: 40px;">‘The increased level of satisfaction expressed by schools, systems, parents and the broader school community about the number and quality of additional programmes and strategies and the greater effectiveness of existing programmes’</p>
Satisfaction with drug education programs	<p>We could not identify where the Tasmanian <i>National School Drug Education Project</i> had addressed this requirement in the stated list of project outcomes. The Commonwealth has advised that this indicator may come under review in the near future. Nevertheless we consider that an indicator measuring the degree of success of the project would be useful. As a means of collecting data on levels of school community satisfaction with the effectiveness of drug education programs a common survey could serve this purpose.</p>
Measurable change will not be evident in the short term	<p>According to the DoE some schools have surveyed their community to better inform their approaches to drug issues in the future. However as a means of testing the effectiveness of programs the DoE considers it to be of dubious value because changes in drug use behaviour at school may not reflect drug use behaviour out of school. The DoE considers that such surveys would only reinforce the notion that schools can ‘fix’ young people’s social behaviours when drug use patterns are a community issue. The DoE is also of the view that while the structures and processes currently being put in place by the project will make a difference in the long-term, measurable change will not be evident in the short-term.</p>

**Recommendation 32**

**Consideration should be given to the development of a survey that could be used by schools (on a trial basis) to identify school community levels of satisfaction with the effectiveness of drug-related programs.**

### **3.7 CONCLUSION**

The recently approved DoE drug policy *Management of Drug Issues and Drug Education in Tasmanian Government Schools and Colleges* provides a framework for the development of improved prevention and intervention policies in schools.

We found that with support from the *National School Drug Education Project* schools were making progress towards achievement of policy goals. However there is a need for the project to direct increased effort to determining levels of satisfaction expressed by schools, systems, parents and the broader school community with the number and quality of drug-related programs.

## **Substance/drug-related issues: Intervention**

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## 4.0 SUBSTANCE/DRUG RELATED ISSUES: INTERVENTION

### 4.1 INCIDENT MANAGEMENT

**‘Responses consider the nature of the incident, the student’s school and family history, cultural background, mental health, intellectual development and any other relevant information.’ – *National Framework***

We found the following with respect to management of students who had been engaged in substance/drug related incidents:

Responses to drug related incidents

- Twelve out of the 24 student cases reviewed had participated in some form of substance abuse. Seven had been involved in more than one substance related offence;
- Four of these students had either used or were in possession of a prohibited substance. Three of these four students had also been involved in tobacco related offences;
- All incidents bar one involving a prohibited substance resulted in suspension;
- Of the students involved in tobacco related offences some had been given detentions on the harmful effects of smoking; and
- The parents of one student found selling cigarettes to others were provided with a letter advising of the powers under the *Public Health Act 1997* for a fine to be imposed for this type of offence.

A supportive stance is adopted

School’s management of incidents involving substance abuse was tailored to the circumstances of the student and to the seriousness of the offence. Evidence gathered suggested that responses were carefully considered with a supportive rather than a punitive approach being adopted in each case. As discussed in the section on ‘School Procedures’ all drug-related incidents were reported to parents.

## 4.2 SUSPENSION

**The principal of a State school, if satisfied that a student has behaved in an unacceptable manner may suspend the student full-time or part-time from that school for a period of 2 weeks or less – Section 37 Education Act 1994**

### *Use of suspension by schools*

Figure 16 below, shows the distribution of the use of suspension by schools for substance/drug related issues.

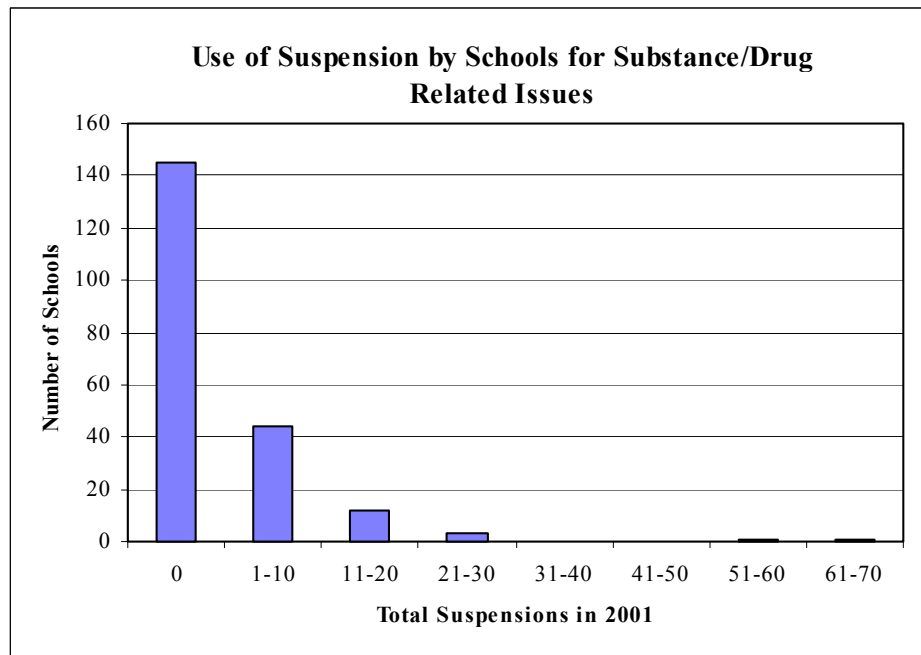


Figure 16: Use of Suspension by schools for substance/drug related issues

The chart shows that the majority of schools (148) did not use suspension at all for drug/related incidents. Approximately one fifth of all schools, (44), did use suspension for this purpose between 1 and 10 occasions. A lesser number, (12) used suspension for drug-related incidents between 11 to 20 occasions, and a lesser number again (3) used suspension for this purpose between 21 to 30 occasions. One school used suspension on 69 occasions for drug-related incidents.

From this data, it is apparent that there is a small proportion of schools that contribute significantly to the total number of suspensions for substance/drug related issues. For example, the five schools with over 20 suspensions in 2001 contributed to 128 out of 546 or over 30% of all suspensions for drug related issues. These figures may suggest that there is a need for the *National School Drug Education Project* to focus on improved prevention, intervention and support for schools with higher numbers of substance/drug related issues. As well as ascertaining the number of such incidents from suspension data, other sources of information such as the views of district staff could also be used.

Over 50 suspensions for drug related incidents in two schools

Intensive support is required for schools with a higher need

Lodging an application for a grant

The *National School Drug Education Project* is managed by cross-sectoral Regional Coordinating Committees with the capacity to make preferential decisions through approvals for school grants. However the capacity to direct resources to schools on a preferential basis is dependent upon schools acknowledging a higher rate of incidents and lodging an application for funding to address the concern. Where it is apparent through suspension data or other information, that schools are experiencing a higher incidence of drug related incidents and an application for a grant has not been lodged, it may be advisable for such schools to be encouraged to apply for funding.

**Recommendation 33**

**Through the *National School Drug Education Project*, schools identified as having higher numbers of substance/drug related incidents, should be encouraged to apply for a grant to assist with improved prevention, intervention and support.**

**4.3 TYPES OF SUBSTANCE/DRUG RELATED ISSUES**

Under the new DoE policy, *Management of Drug issues and Drug Education in Tasmania Government Schools and Colleges*, provision has been made for schools to forward to District Offices comprehensive information on drug-related incidents that result in suspension. To date DoE published reports on suspensions have not provided a breakdown of the different types of drugs involved. On the basis of the suspension information provided by schools, the proportion of suspension reasons cited for drug-related incidents is shown in the chart below.

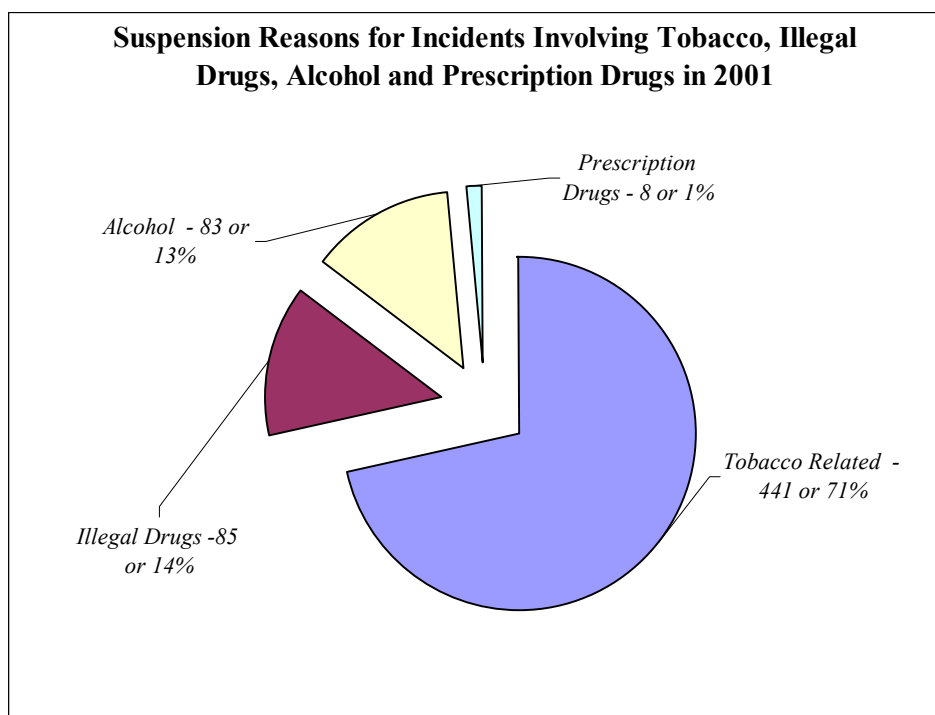


Figure 17: Suspension reasons/cases for incidents involving tobacco, illegal drugs, alcohol and prescription drugs in 2001



In order to ensure comprehensive reporting, it may be appropriate for the DoE to include numbers of drug-related incidents according to categories in published documents.

**Recommendation 34**

**Reports published by the DoE on suspensions for drug-related incidents, should identify types of associated drug categories including tobacco, illegal drugs, alcohol or prescription drugs.**

An emphasis on tobacco-related incidents is required

A comparison of cases of drug-related issues resulting in suspension shows that the majority, (441) were tobacco-related. There were approximately equal proportions of cases involving illegal drugs (85) and alcohol (83) with very few cases involving prescription drugs (8). Given that the majority of cases were tobacco related an emphasis on tobacco-related problems that is commensurate with the proportion of such incidents is required. The new DoE policy addressing drugs in schools has such an emphasis as indicated by the following excerpt.

An emphasis on drug use that is likely to occur

‘The emphasis of drug education programs should be on drug use likely to occur in the target group, and drug use which causes the most harm to the individual and society: Some drugs attract media attention and public concern but these may not necessarily be the most used nor cause the most harm. Generally, the focus will be on use of lawfully available drugs, and other drug use need only be addressed in particular contexts or sub-groups where it is significantly prevalent and harmful.’

*Selling, abuse and possession of drugs*

On the basis of information provided by schools, the number of suspension reasons cited for selling, abuse and possession of substances in 2001 are shown in Figure 18 below.

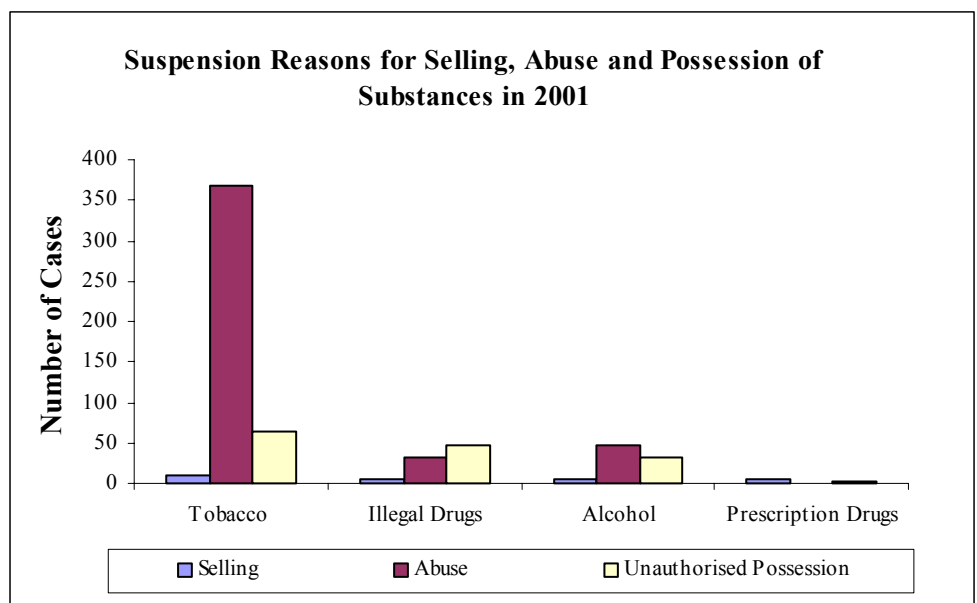


Figure 18: Suspension reasons/cases for selling, abuse and possession of substances in 2001

It is apparent that cases of tobacco abuse (368) were by far the major contributor to the number of cases involving substance/drug abuse that resulted in suspension. Relatively few cases (10) of the selling of tobacco were recorded although there were a significant number (63) involving the possession of cigarettes.

The names of illegal drugs should be entered

For the 85 cases involving illegal drugs (5 for selling, 32 for abuse and 48 for possession) it was not always apparent from comments in the *Suspension Information Management System* which drug was involved. The instructions for use of the *Suspension Information Management System* require schools to input the name of the drug concerned when it is a prohibited substance. However, for approximately half of the cases involving illegal drugs, cannabis was cited as the drug concerned and for the other half no information had been entered.

For the 8 cases involving prescription drugs (4 for selling, 1 for abuse and 3 for unauthorised possession) the name of a drug concerned had been entered for only one case (valium) even though the names of prescription drugs is required to be entered. Entering of the names of illegal and prescription drugs would be useful for informing the *National School Drug Education Project* of the prevalence of different forms of substance abuse in schools.

**Recommendation 35**

**The names of illegal and prescription drugs should always be entered into the *Suspension Information Management System* by schools. This information should be used to inform the *National School Drug Education Project*.**

*Incidents not resulting in suspension*

A total of 21 tobacco related incidents were identified for the 12 students involved in some form of substance abuse. Of these 21 incidents, 8 resulted in suspension and 13 were recorded only as incidents with students being sent to time-out in the majority of cases. Of the four incidents involving a prohibited substance, three resulted in suspension and only one was recorded as an incident.

The proportion of suspensions to numbers of incidents not resulting in suspension for tobacco related offences is consistent with the ‘time-out’ procedure adopted by schools discussed previously. This procedure requires students to be sent to ‘time-out’ for the first and sometimes second offences for a tobacco-related incident prior to a suspension being incurred for subsequent incidents.

Suspension data is a conservative estimate

Due to the large number of tobacco-related incidents not resulting in suspension the suspension data for this category should be seen as a conservative approximation of the prevalence of tobacco-related problems in schools. Only a small sample of cases involving prohibited substances was reviewed. However, as one of these did not result in

suspension this may suggest that suspension data for cases involving prohibited substances should also be seen as conservative.

#### 4.4 EXCLUSION/EXEMPTION

**‘The Secretary if satisfied that the behaviour of a student justifies it, may exclude the student full-time or part-time for a period exceeding two weeks.’ – Section 38 Education Act 1994**

Shorter suspensions used for drug-related incidents

No substance/drug related issues examined for the 24 student cases resulted in exclusion or exemption. From the *Suspension Information Management System* it was apparent that thirty 10-day suspensions were incurred on a statewide basis where substance/drug related issues were cited as a reason. It is unknown whether these suspensions resulted in exclusion. The relatively low number of 10 day suspensions for substance/drug related incidents (30 out of 546 or 5%) is consistent with the preference in schools for a supportive approach over punitive one for addressing drug related problems.

#### 4.5 EXPULSION/TRANSFER

**‘The Secretary if satisfied that the behaviour of a student justifies it, may expel the student from the school.’ – Section 38 Education Act 1994**

No substance/drug-related issues examined for the 24 student cases reviewed resulted in expulsion or transfer.

#### 4.6 PROHIBITION

**‘The Secretary if satisfied that the behaviour of a student justifies it, may prohibit the student from attending any state school.’ – Section 38 Education Act 1994**

No substance/drug-related issues examined for the 24 student cases resulted in prohibition.

#### 4.7 POLICE INTERVENTION

**‘All incidents concerning the possession, use, supply, selling, growing and/or manufacture of drugs or drug-related paraphernalia must be reported to Tasmania Police.’ – *Drugs and Education: Guidelines for Tasmanian Schools and Colleges 1996***

Evidence of police contact was not obtained for 4 incidents involving illegal drugs

Principals indicated that any incident involving illegal drugs would be reported to Tasmania Police. However, evidence of this having occurred was not obtained for any of the four cases involving prohibited substances that were reviewed. In order to ensure that there is a record of contact with the police having been made (as discussed in the section on ‘School Procedures’) all referrals will be documented and centrally filed under the new policy. However for review purposes where police intervention has been sought this should also be signalled

to the system by a comment or an indication to this effect in the *Suspension Information Management System*.

An examination of the *Suspension Information Management System* showed that referrals are only occasionally recorded in this system for incidents involving illegal drugs.

There were few comments alluding to police referral

- For the 85 cases involving illegal substances in 2001 only 6 comments on interventions tried were made regarding referral to the police; and
- Of the 9 reported cases of selling drugs (5 for illegal drugs and 4 for prescriptions drugs) only 3 comments were identified in the *Suspension Information Management System* in relation to police referral.

Failure to contact police is more likely to be an issue where students have been involved in the selling of illegal and prescription drugs due to the seriousness of the incident. Provision of a comment on interventions tried is optional and there is a possibility that police were contacted in more cases than indicated by the comments. However, the evidence gathered would suggest that contacting of police in relation to illegal drugs at school may not be occurring routinely. DoE has advised that under the new policy contact with police for illegal drug incidents will be obligatory and therefore it can be assumed that this has occurred. As indicated above though, we found that despite contact with police having been obligatory under the older policy, there was no evidence that this occurred for the cases reviewed.

#### **4.8 REHABILITATION**

**‘The period of suspension, exclusion and expulsion is used to muster school and/or district resources and set in motion a plan for rehabilitation.’ – *Discipline Guidelines 1996***

##### *Tobacco and alcohol*

Difficult to discourage smoking when it is acceptable at home

Rehabilitation for the 11 student cases involved in tobacco related incidents consisted of a range of strategies including discussions with parents, referral to the QUIT program, counselling with the school social worker and completion of activity work sheets on decision making/smoking during periods of detention. As the majority of the student cases involved in tobacco-related incidents re-offended it was apparent that the rehabilitation strategies were not always successful - at least in the short term. In cases where students were addicted to tobacco, schools pointed out that it was difficult to discourage smoking when this was regarded as acceptable in the home environment.

A review of the comments within the *Suspension Information Management System* for tobacco-related incidents found that the QUIT

Considerable effort had been made by schools

program was often accessed for rehabilitation. There were also some references to the use of patches in order to break a smoking addiction. As for the 11 student cases reviewed it was apparent that schools made use of a broad range of strategies to assist students with tobacco-related problems. A portion of the comments that illustrated the considerable effort made by schools were as follows:

- Videos, books, etc on harms of smoking;
- Continue with QUIT smoking education, seek counselling from Social Worker;
- Smoking mentor;
- Health program provided on danger and illegality of smoking; and
- Warning to student and phoned parent, internal suspension. Discussion re addiction - smoking/patches, nicotine gum.

Sometimes little more could be done

Despite the use of numerous strategies to rehabilitate some students a concern was sometimes expressed that little more could be done. Comments to this effect were as follows:

- Numerous. The student's smoking is a huge problem to the school and the student; and
- Every one in the book!.

No individual student cases involving alcohol-related incidents were reviewed as part of the audit. An examination of the comments within the *Suspension Information Management System* found that rehabilitation took much the same form for this type of drug-related offence as it did for tobacco-related problems.

### *Illegal drugs*

Rehabilitation for the four student cases reviewed involving illegal drugs consisted of the same strategies for tobacco-related problems as well as work placement and referral to the support service and external agencies such as the *Drug and Alcohol Unit*. Three of these students had also been suspended for tobacco-related incidents.

Rehabilitation strategies were many and varied

A review of the comments within the *Suspension Information Management System* for incidents involving illegal drugs found that for some students the incident recorded represented a first offence. As for tobacco related problems rehabilitation strategies were many and varied. Some of the comments entered that illustrated the observations made and strategies tried by schools were as follows:

- Health department and police, Guidance Officer;
- Chronic smoker, counselled and consequences. First time use of drugs at school to our knowledge;
- Re-entry meeting, police diversionary conference;
- As above. Student will be counselled by member of Drug Bureau; and

- Follow up discussion and offer of drug counselling on return.

As for tobacco-related problems, strategies to address incidents involving illegal substances were not always successful. This is evidenced by some comments entered into the *Suspension Information Management System* such as those listed below:

- Request assistance from support services. We have just about exhausted our supply of strategies to modify this student's behaviour;
- This student has had a long history of cigarette smoking at school. On this occasion the student was smoking marijuana as well as tobacco. The student was not interested in the QUIT Program. The student is a chronic smoker.

Evaluation of rehabilitation strategies

According to DoE, appropriate resourcing and expertise would be required to undertake formal evaluation of rehabilitation strategies. If acquired such resources could be used to review behaviour change in young people where this was instigated by schools. However, as rehabilitation is not core school business and serious 'rehabilitation' is only possible through referral to other agencies any evaluation of such strategies is likely to be based on anecdotal review.

### **Recommendation 36**

**Rehabilitation strategies found to be effective for assisting students with drug related problems, should be shared between schools to improve success rates.**

### *Prescription drugs*

Few suspensions for incidents involving prescription drugs

Although some student cases were reviewed where a diagnosis of Attention Deficit Hyperactive Disorder had been made, incidents involving misuse of prescription drugs were not identified as part of the review of the 24 student cases. In addition, suspension data indicated that the number of suspensions because of prescription drugs were few. However in the suspension database there were four reported cases of prescription drugs being sold and this is comparable with the five cases involving the selling of illegal drugs. Consideration of the management of this type of offence is therefore appropriate.

It was apparent from comments within the *Suspension Information Management System* that two students were involved in selling their own prescription medications to other students. Comments alluding to this practice were as follows:

Selling of prescription drugs

- The student has daily medication which the student takes under supervision. Every now and again the student manages to sneak one of the tablets into the student's hand instead of taking it. Short of literally placing the tablets in the student's mouth there is little else we can do; and
- Contact home has been made with parents. Students who have been pressurising the student have been followed up.

Closer supervision by staff in administering prescribed medication is likely to limit the occurrence of this type of incident. The DoE *Student Health Care Requirements* state the following in relation to administration of medication:

Guidelines for administration of prescription medication

‘When a school accepts responsibility for the administration of medication to students, the school will owe a **duty of care** to those students to ensure that reasonable care is taken. The duty is to ensure, in the absence of the parent/legal guardian, that the student is given the correct dosage of the correct medication at the correct time, according to prescribed instructions.’

‘Students requiring stimulant medication during school hours need to be supervised by school personnel. Most students with ADHD who require medication will not be able to self manage reliably. This will have an adverse impact on the success of their educational and behavioural management within the school environment.’

‘Also, students with ADHD who self-administer medication within school hours can pose a safety hazard. Such students may lose, give away their medication or be pressured to give or sell their medication to others.’

‘In the occasional case where a student self-manages medication reliably, this should be recorded in the medical action plan. Because of the safety issues, parents should be requested in writing to allow the student to have only **one-day’s medication** in his or her possession.’

Schools can do little more

Despite application of these guidelines it would seem that the selling of medication is still possible if students are determined.

## 4.9 RE-ENTRY

**‘The period of suspension, exclusion and expulsion is used to establish a negotiation process for the student’s re-entry to the school based on the student achieving some explicit goals related to improved behaviour.’ – *Discipline Guidelines 1996***

### *Multiple suspensions*

Figure 19 shows the number of students suspended a given number of times for tobacco related incidents. For reasons discussed previously these figures represent a conservative estimate of the number of tobacco-related incidents in schools.

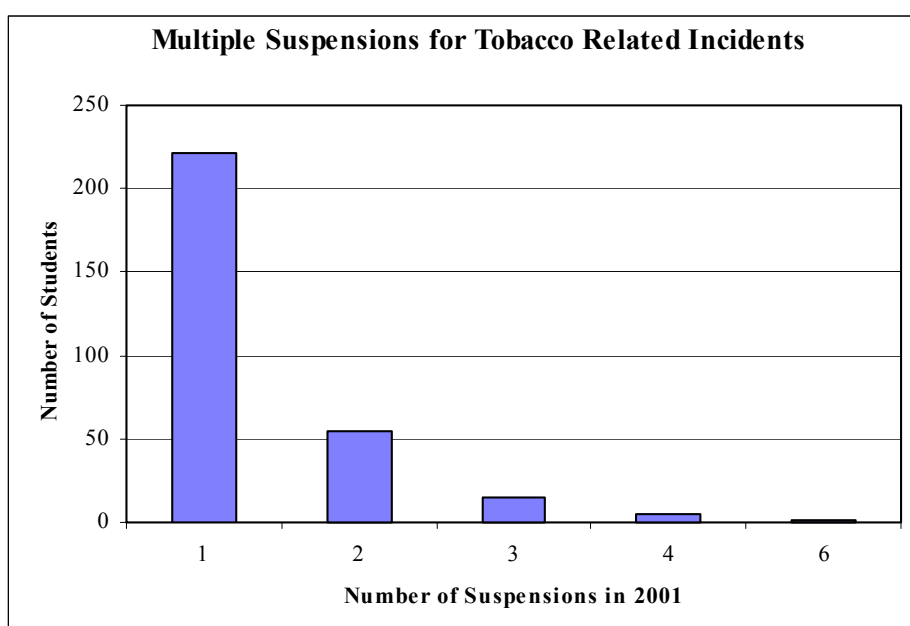


Figure 19: Multiple suspensions for tobacco related incidents

A review of Figure 19 shows that there was one student who was suspended a total of 6 times for tobacco related incidents in 2001. Four were suspended 4 times, fifteen were suspended 3 times and 55 were suspended twice. While the majority of students were suspended only once, the significant number of multiple suspensions highlight the difficulty faced by schools in the rehabilitation of many students with tobacco-related problems. There were only three cases identified within the *Suspension Information Management System* of multiple suspensions for incidents involving illegal drugs. However a number of students suspended for involvement in illegal drugs had also been suspended for tobacco-related incidents.

21 students  
suspended 3 or  
more time for  
tobacco related  
incidents

### *Re-entry plans*

The requirement for re-entry to be based on achievement of some explicit goals related to improved behaviour was met in part by the use of a range of re-entry strategies for the 11 student cases involved in drug-related incidents. As for abuse and harassment, these sometimes



Re-entry strategies took many forms

included verbal warnings of consequences, re-entry strategies recorded in suspension letters, behaviour contracts (these were not always on the student file) and case conferences with support service staff. Case conference outcomes were documented when support service staff involvement had been sought. Often when only parental conferences were held to devise a mutually acceptable re-entry plan, though, the outcomes of these were not recorded.

A re-entry proforma is needed

As for abuse and harassment, we consider there is a need for schools to develop a re-entry proforma for the purpose of consistently documenting aspects of re-entry following drug-related suspensions. Such proformae should always be placed on student files and they should be used to document explicit goals outlining the student's intention to refrain from involvement in substance/drug-related issues while at school. The proformae should also be used to document a student support plan.

**Recommendation 37**

**Schools should develop re-entry proformae that require documenting of explicit goals related to improved behaviour and support plans for students involved in drug-related incidents. The re-entry proformae should always be placed on student files.**

#### 4.10 CONCLUSION

We found that schools are providing appropriate support to individual students identified as being involved in drug related incidents. Nevertheless we believe that, schools with higher numbers of drug related incidents should be encouraged to seek increased resources for improved prevention, intervention and support. Data on substance/drug related issues in the *Suspension Information Management System* should be made available to appropriate staff for this purpose.



## **Immunisation records**

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## 5.0 IMMUNISATION RECORDS

### 5.1 IMMUNISATION STATUS

**‘A person in charge of a school or child-care facility is to maintain a record of all information relating to the immunisation of each child at that school or facility in accordance with any relevant guidelines.’ – Section 58 Public Health Act 1997**

Immunisation status is usually requested on enrolment forms

As well as maintaining records of immunisation, the *Public Health Act 1997* requires a person in charge of a school to request from parents of a child about to attend the school for the first time, information on the immunisation status of the child. Information relating to the immunisation status of students was requested on enrolment forms for five out of the six schools reviewed.

The Principal of the school that did not collect information on the immunisation status of students made the following suggestion:

- Given the capacity to roll over students from primary school to high schools through the *School Administration Computer System* it would seem sensible for immunisation information to be sent through that medium.

A formal process should be documented

The DoE has advised that immunisation records were stored in the *School Administration Computer System* (SACS) and that there was provision for immunisation data to be transferred to a new school or college when a child moved. While schools are trained in entering the data there is currently no formal process documented for recording the data in SACS.

#### **Recommendation 38**

**The DoE should document a formal process for recording immunisation data in SACS. The capacity for this data to be rolled over from primary to high schools should be outlined in the policy.**

### 5.2 WRITTEN PROOF

**‘A person in charge of a school or child-care facility must require the parent or guardian of a child about to attend that school or facility for the first time to produce, in respect of each notifiable disease specified by the Director –**

**(a) an immunisation certificate stating that the child –**

**(i) has been immunised against that disease; or**

**(ii) has not been immunised against that disease; or**

**(iii) has not been immunised against that disease because the person certifying the certificate believes on reasonable grounds that the child may suffer an adverse reaction to the immunisation; or**

**(iv) has not been immunised against that disease because tests indicate that the child has a natural immunity to that disease.’ – Section 58 Public Health Act 1997**

Inaccuracies for some immunisations

The need for provision of written proof of immunisation was apparent at the five schools collecting immunisation data from enrolment forms. At each of these schools discrepancies were identified in the information provided on the Adult Diphtheria and Tetanus and Hepatitis B immunisation status of a number of children. The Adult Diphtheria and Tetanus vaccination is given to students in Grade 10 however some parents had indicated that younger children had received this vaccination. In addition the Hepatitis B vaccination has not been available to children who were not in Grade 6 prior to May 2000. However, it was sometimes indicated that this vaccination had been given to these children. It is possible that these inaccuracies occurred because of a tendency on the part of parents to indicate that all vaccinations had been given to their child.

Parents find it difficult to provide written proof

Three out of the six schools reviewed, requested written proof of immunisation against vaccine preventable diseases. One of these schools indicated that parents found it extremely difficult to provide proof of immunisation and often they did not remember which vaccinations their children had received.

The DoE has indicated that information on immunisation status can be obtained in both electronic and paper forms from the Department of Health and Human Services (DHHS). The DHHS website *Immunisation Entry Requirements for School and Child Care* provides the following advice for parents wishing to obtain information on their child’s immunisation history:

- Obtaining immunisation details
- Use your child’s Personal Health Record as proof of immunisation, if for each vaccine administered, the doctor or council staff member has clearly signed and printed their name;
  - Ask your doctor or local council for signed information on a letterhead saying exactly which diseases your child has been immunised against and when this happened;
  - Contact the Australian Childhood Immunisation Register (ACIR) on freecall 1800 653 809. The ACIR may have information if your child was immunised after February 1996.

SACS should be checked

In order to assist parents to obtain their child’s immunisation history it may be advisable for schools to direct parents to the DHHS website on *Immunisation Entry Requirements for School and Child Care*. However

before requesting written proof schools should always check whether the information is available in SACS.

**Recommendation 39**

**All schools should request written proof of immunisation from parents (as per the DHHS advice) when a child attends a school for the first time and the information is not available in SACS.**

### 5.3 STATUTORY DECLARATIONS

**‘A person in charge of a school or child-care facility must require the parent or guardian of a child about to attend that school or facility for the first time to produce, in respect of each notifiable disease specified by the Director (in lieu of the above)–**

**(b) a statutory declaration stating that the parent or guardian has a conscientious objection to immunisation against that disease; or**

**(c) a statutory declaration stating that the parent or guardian believes that the child has been immunised against that disease but cannot produce any immunisation certificate or other proof of immunisation.’ - *Section 58 Public Health Act 1997***

Automation of a follow-up process

No schools visited were aware of any parents in 2001 with a conscientious objection to immunisation of their child. However two schools indicated that they had requested statutory declarations in lieu of written proof of immunisation. Following up on parents who did not provide written proof of immunisation was considered to be a resource-intensive task for school administrators. As discussed above in order to streamline the current ad hoc approach adopted by schools in following up on immunisation information, the process should be automated as far as possible. Advice to this end should be sought from the Information Management Branch.

**Recommendation 40**

**Advice should be sought from the *Information Management Branch* with regard to automation of a follow-up process for obtaining statutory declarations where written proof of the immunisation status of students has not been provided.**

## **5.4 CONCLUSION**

We found that where information on the immunisation status of students was collected, the integrity of the data was largely dependent on the reliability of parental memory of vaccines given to their child. This was because prior to recent provisions for more stringent record-keeping parents have found it difficult to produce written proof of immunisation. Should a disease outbreak of Diphtheria, Tetanus or Hepatitis B occur at present, it is likely that careful screening of records would need to be undertaken in order to identify those students who may be exposed.





## **Overall conclusion**

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## 6.0 OVERALL CONCLUSION

### 6.1 ABUSE AND HARASSMENT

We found that abusive behaviour manifested in the form of dangerous, violent and aggressive behaviour, was the primary safety issue in Tasmanian government schools. The DoE has recently responded to concerns relating to the challenging behaviour of students by development of the *Policy on Educational Provision for Students with Challenging Behaviour 2002*, and the underpinning strategic plan.

The prevalence of such behaviour was difficult to quantify because data examined in the *Suspension Information Management System* represented only those incidents that resulted in suspension. However Tasmanian teachers have estimated that approximately 2% to 3% of secondary students require a program beyond that able to be provided by the school. The numbers in primary schools are lower but many teachers believe the numbers are increasing.

We found that while schools had developed and implemented preventive measures in accordance with departmental policy, they did exhibit a tendency to under-utilise discipline sanctions. This resulted in under-reporting to the DoE of the number of serious incidents in schools via the *Suspension Information Management System* and statistics of exclusion and expulsion. The practice of exempting rather than excluding students who posed a risk to the safety of others, typified the lenient approach adopted by most schools reviewed. It was also possible that a propensity to under-utilise suspension, exclusion and expulsion may have been an unintended effect from monitoring of these sanctions.

We also consider that in a number of cases violent students were returned to schools without effective re-entry strategies, and that this resulted in lengthy records of dangerous behaviour for these students. As we did not have access to student files for the entire school life of any student case reviewed, it was likely that complete student behavioural records were significantly longer than those examined.

Introduction of some controls around the management of violent student behaviour should enable DoE to reduce the occurrence of dangerous incidents. Development of a *Behaviour Tracking System* will facilitate more effective monitoring of behavioural records so that decision-making around behaviour management can be fully informed. In addition development of a formal risk assessment process based on the Australian Standard is likely to provide a more rigorous framework for determination of effective re-entry strategies.

## 6.2 SUBSTANCE/DRUG-RELATED ISSUES

While substance abuse is less of a safety issue than abuse and harassment, the number of such incidents is still significant. In particular the high number of tobacco-related incidents in some schools is indicative of a need for increased support to be sought by these schools.

There is some evidence to suggest that taking of illegal drugs and alcohol is more widespread than suspension data would suggest. In order to ascertain levels of satisfaction with the effectiveness of drug programs there is a need to obtain more qualitative feedback from the school community.

The recently approved DoE drug policy *Management of Drug Issues and Drug Education in Tasmanian Government Schools and Colleges* provides a framework for the development of improved prevention and intervention policies in schools. We found that with support from the *National School Drug Education Project*, schools were making progress towards achievement of policy goals.

## 6.3 IMMUNISATION RECORDS

In order to address some shortcomings with the integrity of immunisation data, we believe there is a need for development of formal processes and increased automation surrounding the collection and maintenance of immunisation records.

Where information on the immunisation status of students was collected, we found the integrity of the data was largely dependent on the reliability of parental memory of vaccines given to their child. This was because prior to recent provisions for better record-keeping, parents have found it difficult to produce written proof of immunisation. Should a disease outbreak of Diphtheria, Tetanus or Hepatitis B occur, it is likely that careful screening of records would need to be undertaken in order to identify students who may be exposed.

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