

9 September, 2013

Ms Rosemary Menkens MP
Chair
Education and Innovation Committee
Parliament House, George Street
BRISBANE QLD 4000

Dear Ms Menkens and Committee

In my role, I work closely with many School Leaders in my Region and readily hear of the challenges they experience regarding student behaviour and discipline. One of the most common issues raised – is balancing the need for maintaining high behavioural standards in schools whilst also recognising that some students present as both very challenging but also very disadvantaged and sometimes “damaged” – and in need of support. I manage a team of trained specialists and a range of support programs that support schools and Principals in their endeavours to address these issues.

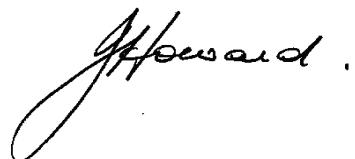
Thank you for the invited opportunity to comment on the Education (Strengthening Discipline in State Schools) Amendment Bill 2013. In doing this, I have considered the Transcript of Proceeding of the Public Briefing, 28 August 2013 and the factsheets and webinars produced by DETE in 2013. Rather than a critique, please consider the following as points for discussion/consideration.

1. It is admirable that Queensland is cognizant of the importance of student behaviour management and the need to examine State Law and Policy.
2. It is agreed that the current processes and requirements for a Principal to implement Student Disciplinary Absence (SDA) are complex and time-consuming and needing review. It is also agreed that School Leaders require a level of flexibility so that any decision making regarding SDA can be considerate of individual circumstances of the student and the circumstances of the behavioural event/s of concern.
 - However, it is recommended that the concept of “**natural justice**” is not de-emphasised during this process of change.
3. In some more **remote geographic areas**, excluded students do not have many options for moving to a different school. In some instances, local schools have to repeatedly “swap” students or the student disengages. These schools may need help with alternative options for student support. What are the legal obligations regarding compulsory attendance for students and schools in this situation?
4. Allowing for **Community Service Interventions, Discipline Improvement Plans and Detention out of school hours** – is likely to have an impact on the behaviour of students with “usual” or less serious behavioural concerns.
 - However, it is unlikely that students with intensive and complex behaviour concerns will respond constructively to these interventions and this does need to be considered.
 - These students tend to have life factors that contribute to their presentation at school – that may not be “fixable” by discipline (or discipline alone). These students may have (for example) significant issues with emotional self-regulation or serious mental health concerns. They can be under Child Protection orders or can be living in homes affected by poverty, domestic violence, parental mental illness, abuse or neglect.

- These are the students most at-risk of SDA and disengagement from schooling and they can represent some of our most vulnerable groups in society.
 - Students can present with these issues at any stage from Prep to Year 12.
 - At times, the school can be the only safe haven for such students and excluding disciplinary responses can further exacerbate efforts to both address their concerns and enhance their access to education.
 - If the issues for these students are not addressed during the school years, evidence suggest that the future parenting behaviours of these young people may lead to another generation of children with equally concerning behaviours.
 - Discipline is only part of the answer and law, policy development and resourcing decisions need to also consider the more complex issues underlying student behaviour from these groups.
5. Has consideration been given to the **monitoring of Community Service intervention and non-school day detentions?**
- Who is staffing these interventions? Who is monitoring them? What happens if a student or students' family refuse to engage in these interventions? Is this going to lead to another considerable work load for Principals to follow up and manage?
6. **Expanding the grounds for suspension and exclusion to include conduct occurring outside the school** may lead to complex management issues for Principals. For example, the amount and type of cyber or party behaviour (particularly with adolescent cohorts) that is occurring may lead to significant increases in SDA rates – if this type of discipline becomes more the “norm” for this type of behaviour outside of school.
7. Has there been consideration regarding the potential clash between the Strengthening Discipline strategies and **Disability Discrimination** legislation? A considerable number of students who present with behaviour challenges are also diagnosed with a disability (e.g. ASD) – that has a behavioural component.
8. It is agreed that there is a significant need to increase student access to **alternative education** provisions and that consideration also needs to be given to more **rural and remote areas** of our state.
- The type of student who truly needs access to such programs also tends to be the type of student who is very likely to be repeatedly suspended or excluded – if alternative programs are not available.
9. Currently, DETE funds a Behaviour Support resource to each Region – which provides a skilled, trained staff and a broad range of programs to support students, families and schools. Of particular concern is the current move towards decommissioning this service (aligning with the move to Independent Public Schooling).
- The “Whole School Support -Student Learning Resource Model” (including the Behaviour Services Resource) is proposed to be pooled and then re-distributed as an extra funding provision to be managed by individual schools - according to perceived needs and priorities.
 - As this change is occurring at the same time as changes associated with the Strengthening Discipline Agenda – it is possible that schools’ capacity to maintain some of these more challenging and disadvantaged student groups might be lessened – which could further exacerbate SDA rates and resulting social concerns.
 - Is there a need for further thought regarding maintaining a Regional Behaviour Support service to minimise such concerns?

Overall, it is hoped that the State and the DETE carefully consider the outcomes of these changes in law and the potential impact on schools and the more behaviourally challenged students from complex backgrounds. Merely reinforcing or strengthening disciplinary responses is only part of the answer and there is an ongoing need to focus (also) on other evidenced-based approaches to addressing the student behaviours of concern. It is acknowledged that discipline and behaviour management are not simple concepts and are needing of a considered and informed departmental and school response.

Yours sincerely

A handwritten signature in black ink, appearing to read "Howard".

Dr Judith Howard

A large rectangular area of the document has been completely redacted with black ink, obscuring the signature and any accompanying title or position information.