

[Act 1995 No 93]



New South Wales

Education Reform Amendment (School Discipline) Bill 1995

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Education Reform Act 1990* in relation to the discipline of students in government and non-government schools and, in particular, to ensure that official school policies relating to discipline do not permit corporal punishment of students in those schools.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides that the proposed Act will commence 12 months from the date on which the Governor assents to it.

Clause 3 gives effect to Schedule 1, which amends the *Education Reform Act 1990*.

Schedule 1 Amendments

Schedule 1 [1] provides a definition of *corporal punishment*. It makes it clear that corporal punishment does not include the use of force to prevent a student from injuring persons (including the student) or damaging or destroying property.

Schedule 1 [2] amends a provision of the *Education Reform Act 1990* relating to student discipline in government schools. The amendment provides that any guidelines prepared by the Minister, and any fair discipline codes adopted by schools, must not permit corporal punishment of students. The amendment also makes it clear that the guidelines and codes may permit other reasonable forms of punishment or correction of those students, including requiring students to perform any reasonable work or service for the school.

Schedule 1 [3] makes it a registration requirement for non-government schools that any official school policy relating to student discipline does not permit corporal punishment of students in the school.

Schedule 1 [4]–[6] contain amendments of a savings and transitional nature. They make it clear that the changes to the registration requirements for non-government schools extend to schools that are already registered.