

Support Guide for Management of Misconduct and Disciplinary Cases involving Students with SEN



Developed by the POLITE SEN Workgroup and
adapted for use in Temasek Polytechnic,
in consultation with Academic Affairs

What is this Support Guide for?

This Support Guide serves to assist in the fair and effective management of misconduct and disciplinary cases involving students with Special Educational Needs (SEN) at Temasek Polytechnic. SEN is defined by three broad categories of SEN as follows:

- Physical and sensory loss (e.g., cerebral palsy, muscular dystrophy, vision loss, hearing loss)
- Social and behavioural (e.g., ADHD and autism spectrum condition)
- Learning and language (e.g., dyslexia, language impairment)

Recognising the diverse needs of students with SEN, this guide aligns with the principles outlined in Temasek Polytechnic's [Student Disciplinary Policy](#). It emphasises the importance of a holistic approach to addressing misconduct, ensuring that students with SEN are provided with the appropriate support, accommodations, and understanding throughout the disciplinary process.

How to use the Support Guide?

When applying the discipline framework, the discipline committee takes into consideration relevant aggravating or mitigating factors such as:

- (1) extent of pre-meditation
- (2) use of dangerous weapons
- (3) likelihood of reoffending
- (4) social / psychological impairments
- (5) cooperation with investigation, etc.

This Support Guide serves to provide further guidance on factor (4), specifically on the consideration of special educational needs (SEN) as a mitigating factor. This document is

- For internal use
- To be read in conjunction with the existing disciplinary framework
- To elaborate on consideration of SEN as a mitigating factor, and to give SEN due consideration when applying the discipline framework
- A guide and not a directive
- To illustrate a process and not dictate the process (e.g., case studies)

Consideration of Special Educational Needs as a Mitigating Factor

This document provides answers to frequently asked questions related to the consideration of special educational needs as a mitigating factor.

#		Question	Answer
1	Introduction	What is the Consideration of Special educational Needs (CSN) as a mitigating factor?	<p>The purpose of CSN is to support the discipline committee with evidence(s) to consider the conditions of a student's special needs prior to meting out disciplinary action(s) that are deemed reasonable, appropriate, and nondiscriminatory.</p> <p>Such considerations extend the due-process protection to students with declared SEN (defined on page 1) when considering the disciplinary action(s) appropriate for the offence.</p>
2	Pre-Investigation	When does CSN take place?	<p>CSN is introduced to support students diagnosed with SEN during the disciplinary investigation and proceeding process.</p> <p>Guiding questions for the CSN process:</p> <ul style="list-style-type: none"> (1) Does the condition of the special needs warrant a CSN? (2) Does the student require an Accompanying Adult during the investigation process of the offence? (3) What are the steps to be taken to inform the Next-of-Kin? Would a case conference with the Next-of-Kin be required? (4) As part of the support for the student(s), would a care personnel member (e.g., SEN support officer or school counsellor) be required?

#		Question	Answer
3	During Investigation	What is the relevant information required for the disciplinary committee to apply CSN?	<p>Where available, the following information should be collected to aid the mitigation:</p> <ul style="list-style-type: none"> • Medical / Psychological report • Individual Learning Support Plan / School Transition Report • Past and present discipline / counselling record • Past and present teacher observations and feedback • Student interview • Victim / Eye-witnesses interview, when required • Parent input, if required
4	During Investigation	What happens during CSN?	<p>Review all information(s) gathered and consider:</p> <ol style="list-style-type: none"> a) Behavior subject to disciplinary action (include context/setting, antecedents, behavior, immediate consequences, and list witnesses and all relevant details). b) Appropriateness of current services and educational placement in polytechnic c) Student's ability to understand the impact of his/her behaviour and consequences. d) Student's ability to control his/her behaviour. <p>Determine if CSN as a mitigating factor can be applied, and document the causality factors that lead to student's behaviour.</p>
5	Post Investigation / During Discipline Committee Proceeding	What happens if the disciplinary committee determines that CSN cannot be applied to student with SEN?	<p>SSCS could be consulted as needed.</p> <p>Disciplinary action applicable to students without SEN may be applied to student with SEN.</p>

#		Question	Answer
6	Post Investigation / During Discipline Committee Proceeding	What happens if the disciplinary committee determines CSN can be applied to student with SEN?	<p>Discipline committee will determine appropriate disciplinary actions that is to be met out for student with SEN, if any.</p> <p>Student may be referred to SSCS to obtain additional support e.g., interventions to target skill gaps like social skills. For students with SEN, this might involve a review and refinement of their individual learning support plan as required.</p>
7	Post Investigation	What are the special circumstances that would permit school to exercise suspension (or appropriate actions) from school for student with SEN <u>without</u> regard to CSN?	<ul style="list-style-type: none"> • Carries or possesses a weapon at school. • Knowingly possesses, uses, sells, or solicits the sale of illegal drugs at school. • Has inflicted serious bodily injury upon another person at school. • Sexual misconduct, in accordance with the Joint-Poly Framework in dealing with Sexual Misconduct Offences. <p>If student may potentially cause harm to himself/herself or to others.</p>
8	Follow Up Support	What are the support and supervision for the student(s) following the outcome of the discipline case?	<p>For students where CSN is applied, appropriate support is implemented along with appropriate disciplinary actions for student with SEN.</p> <p>SSCS could support in the following:</p> <ol style="list-style-type: none"> (1) Review and refine / Develop and implement individual learning support plan. (2) Referral for socio and emotional counselling if required.

Case Study 1

Alex is a 17-year-old student in his second year of studies with diagnosed ADHD and autism. Recently, Alex engaged in a disruptive incident in the classroom, where he became agitated and threw a chair, narrowly missing another student. This incident led to concerns regarding the safety of other students that prompted the school to convene an investigation.

Pre-Investigation – During this phase, use the Guiding questions for the CSN process to guide the discipline process.

Investigation Phase

- The School Discipline Committee gathered the following relevant information for the disciplinary committee:
 - Alex's account of the incident
 - Victim's / Eye-witnesses' account of the incident
 - Discipline record of Alex
 - Teacher observations and feedback of Alex
 - Medical / Psychological report of Alex
 - Learning Support Plan and SEN support information of Alex
 - Parent Input, if required
- During the investigation process, the SEN Support Officer, accompanied Alex to ensure that he was calm, was able to comprehend the questions posed, and was able to express himself clearly and be understood.

Pre-Disciplinary Proceeding

- The information was reviewed with the following considerations:
 - Specifics of the incident at the classroom. Consider the circumstances leading up to the incident, the trigger for Alex's behaviour, and the immediate consequences.
 - Relationship between Alex's disability and the incident. Consider how Alex's SEN may have contributed to his response, whether his SEN affected his ability to understand the social context, manage his emotions, or communicate his needs effectively in the cafeteria environment.
 - Alex's ability to understand the impact of his behaviour and consequences. Was he able to understand that the behaviour in question was wrong?
 - History of behaviour in question
 - Appropriateness and adequacy of current supports provided (in TP and externally)

Outcome

- Upon review, the SDC concluded that Alex's actions were largely due to his inherent SEN challenges and skills gaps; hence SEN can be considered as a mitigating factor. Alex was triggered and threw the chair to cope with his emotions. He had no intention of hurting others and did not realise his actions might have injured someone.
- Student received the penalty of suspension together with the following actions:
 - Additional supports were tailored to help him manage stress and improve social skills in school settings through regular coaching with his SEN support officer.
 - Developed a behavior intervention segment in his learning support plan that outlined strategies for preventing and addressing similar incidents.
 - Monitored his progress closely and conducted regular reviews to assess the effectiveness of interventions implemented with adjustment as needed.

Case Study 2

Zhang is a 23-year-old student diagnosed with Autism Spectrum condition. Zhang is being investigated for multiple incidents as follows:

1. Improper use of campus space - Zhang was reprimanded for cycling in pedestrian areas during campus events, which posed a safety risk. His non-compliance necessitated intervention by the school security.
2. Inappropriate social interactions - Zhang has had several incidents where his actions were perceived as inappropriate by his peers and staff. This includes intruding on personal spaces, and socially inappropriate behaviours in public areas of the campus.
3. Non-compliance and disruptive behaviour - Zhang displayed a pattern of non-compliance with campus rules and instructions from the staff. Notably, he refused to leave the poly premises when instructed, requiring security to escort him out physically. He also returned to campus unauthorised multiple times, showing a disregard for prior warnings and disciplinary actions.

Pre-Investigation – During this phase, use the guiding questions for the CSN process to guide the discipline process.

Investigation Phase

- The School Discipline Committee collected the following information:
 - Zhang's account - Gathered through interviews where Zhang shared his perspective on each incident.
 - Witness accounts - Input from staff and students involved, supplemented by security footage where applicable.
 - Student background – A pre-assessment check was done to determine if Zhang had any prior discipline or medical history.
 - Teacher observations and feedback - Feedback from academic staff and CCA advisors concerning Zhang's behaviours and interactions.
 - SEN support: Inputs from the SEN support officer who have been supporting Zhang.
 - Next-of-Kin input: Discussions with Zhang's mother about his behaviours, insights on his home environment, and his needs.

Pre-Disciplinary Proceedings

- Incident review – Each incident was examined to review the context, Zhang's reactions, and immediate consequences. The primary focus was to understand the trigger and motivation behind Zhang's actions.
- Relation to his behaviours – Zhang's autism was assessed to determine if it might have contributed to his socially inappropriate behaviours. Consideration to check on Zhang's ability to interpret social cues and regulate his behaviours appropriately for each incident.
- Understanding of actions and consequences - Zhang's ability to comprehend the consequences of his behaviours was factored in assessing the outcome of the case.
- Appropriateness and adequacy of current supports and educational placement in polytechnic

Outcome

- Upon review, the SDC determined that Zhang's disruptive behaviours constituted "creating nuisance and bullying" which is a Cat 1B offence.
- Consideration of SEN was applied due to his difficulty in understanding social cues and navigating social situations.
- Zhang's case was given a warning letter.
- In addition, several measures to support Zhang were recommended.
 - Individual learning support plan to include social skill training with targeted behavioural interventions and enhanced supervision.
 - The learning support plan incorporated clear expectations and strategies to prevent the same responses when faced with similar issues.
 - Ongoing support to review intervention plan effectiveness.
 - Continuous engagement with Zhang's mother, to monitor his activities and reinforce the school's behavioural expectations when he is at home.