



SUPERVISING STUDENTS IN CLASS

The duty of the teacher includes exercising reasonable supervision in the classroom. The degree of supervision depends on the factors making up the class. These factors include age, sex, linguistic abilities, aids to be used, type of class (e.g. technology, domestic sciences, laboratory work, physical education, the arts) the behaviour of students, and students with particular needs (e.g. students with disabilities or special learning needs, gifted students, new arrival students).

In order to respond responsibly and reasonably, teachers need to be aware of group dynamics within the particular class, especially situations that may develop into harassment, intimidation, victimisation, physical violence, fighting, misbehaving, throwing objects or arguing. Among younger students, the teacher needs to be vigilant that none of the students leave the room without the teacher's knowledge.

Teachers are responsible for the group of students that they have been allocated to teach and/or supervise at a particular time. This includes the time when a student may be in the class or has withdrawn from the class for a reason. Some examples are:

- If a student is ill and goes to a sick bay, the teacher is still responsible for supervision of the ill student, even if another staff member supervises sick bay, unless the principal has made another supervisory arrangement with another teacher.
- If a student leaves a class to be collected by a parent/guardian, that student is still under the supervision of the teacher until the parent/guardian takes over the supervisory role. The time that a student waits in an area to be collected is a time that the teacher still has a duty to supervise this arrangement.
- If a student goes to a toilet, then that time is within the supervision of the teacher.

The supervisory duty of a teacher cannot be delegated. It cannot be, for example, be replaced by the presence of a non-teaching staff member or a student teacher. Supervision must be delegated to another teacher.

All students requesting permission to leave school property during school hours need to provide an appropriate written request from their parent/guardian specifying the details of the request. The request should state who will be responsible for collecting the student as well as the appointed time and place of collection. For a secondary student, the parent/guardian will need to provide written permission for the student to leave the school independently.

Primary students, because of their young age and sometimes their inability to appreciate possible dangers, need to be supervised at all times by a teacher. As students develop, the need for such close and direct supervision may gradually become less.

A teacher cannot delegate their duty of care to a non-teacher to protect students from reasonably foreseeable harm.

Evaluation:

This policy will be reviewed as part of the school's four-year review cycle or as required.

SUPERVISING OF STUDENTS OUT-OF-CLASS

The duty of the principal includes providing adequate supervision of students at all times as well as a safe and secure school environment. Supervision of out-of-class activities includes the development of emergency plans and risk management plans that will assist supervising teachers to respond in adequate and reasonable ways to protect students from reasonable foreseeable harm.

Students must be adequately supervised at all times during recesses, lunch breaks and times when out of class.

The degree and type of supervision will depend upon the number of students, the school environment, the weather, age of students and special localised factors (e.g. potentially dangerous sites, proximity to busy roads, ease of supervision, group dynamics). Being a supervising teacher requires vigilance and awareness of what is happening at all times. If a potentially dangerous situation occurs, the teacher should respond quickly to prevent any incident or accident occurring. Also the school office promptly needs to be informed by quick means of any incidents that may potentially become larger problems.

During breaks in the school day when sporting activities occur with minimal supervision (such as lunch break), the supervising teachers owe a duty of care to all students. Therefore school policy as well as the availability of supervisory teachers at any time should for example, guide the type of sporting activity permitted. Students should be encouraged to wear protective equipment whenever playing a sport that could cause possible injury without the use of protective equipment.

Evaluation:

This policy will be reviewed as part of the school's four-year review cycle or as required.

Supervision of children before and after school

Schools need to establish the time of opening and closing and inform the parent/guardian of these times. The opening time designates the time that authorised supervision commences and the closing time designates the time that authorised supervision ceases. However, the Courts are likely to hold that a teacher owes a [duty of care](#) to a student wherever the relationship between a teacher and student exists in fact or is assumed by a teacher taking control of a situation (e.g. High Court decision *Geyer v Downs* (1977) 138 CLR 91).

For example, if students are on the school property outside the designated times, with the knowledge of a teacher, then it may certainly be held that the duty of care involving the need to supervise the student exists. Students who arrive at school prior to official opening time or are on the school property after official closing time will generally require some supervision especially if a teacher is present at the school. Advising the parent/guardian that students are not allowed on school property after closing time or prior to opening does not remove the duty of care that a teacher or school owes students, to supervise them.

Before and after school, students (particularly young students) should be watched near roadways and danger areas. A decision of the New South Wales Court of Appeal in the matter of *Trustees of the Roman Catholic Church for The Diocese of Bathurst v Koffman and Anor* (ATR 1996 pages 380–393) found that the school was liable for injuries caused to a primary student when that student was over three hundred metres away from the school awaiting a bus near a high school. The student was struck in the eye with a stick by some high school students. The decision of the Court indicated that the responsibility of the school extended beyond the school fence perimeter. In this case the school should have been aware that its students needed supervision when waiting for the bus because of the possibility of harm from the high school students.

The parent/guardian needs to be given advance notice as to any change of hours to school opening and finishing, days of school closure and any change of program that will change usual times for dismissal of students. Prior to the commencement of the school year, the parent/guardian should be informed in writing of the official hours the school is opened and operating.

