

Today the teacher, tomorrow their own employers, Juvenile delinquent filming teacher, sharing on social medias , making fun and when caught cheating in exams they get rage , kick, slap teacher , even try to poke out the teacher’s eye : The need for Discipline Masters in Schools against elephants

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ABSTRACT: *The paper is a personal experience, a case study about student violence against teachers particularly the slow learners who use violence against teachers, unprovoked and unjustified. Elephant was the name of a Hollywood movie of 2003 dealing of these same sorts of problems and eventually got the Palme D’or at Cannes. They are weak in their studies and they use violence against teachers who want to help them in their futures. Unfortunately, these students are like trees that have grown in the wrong direction and difficult to be redress into the proper paths. Today it is their teacher who they kick, tomorrow it will be their employer who they steal and harm. This personal experience remind me of Samuel Paty , the French teacher who was killed and beheaded by Islamic extremist in France. Hopefully in Mauritius the situation has not yet reached that gravity and there are delinquents and youngsters want to play the gangster but unfortunately these types of youth have a very complicated future. As an Educator, I do not wish to bury their chances in life, but it is hard to imagine that such types of youth who only use violence and no interest at all in studies who cannot even pass Grade 9, to change their behavior in any future. In Mauritius there are several laws that can be imposed on the youth who are below 18 years old. Unfortunately the rules and policies at school level are not always enough to control and punish such deviances. Some as they reach such age will be caught by the law for more serious offences. At school level currently there is the School Management Manual1 for Rectors of state secondary schools whereby discipline is argued to be an important aspect of school life. School discipline has three main goal (i) Ensure the safety of staff and students (ii) Create an environment conducive to learning and (iii) Contribute to the social development of the student and as per the Student behavior Policy2 , the Rector, head of school can impose punishment ,upon students. There is the Juvenile Offenders Act namely section 18 Uncontrollable juveniles whereby the youth can be sent to a Rehabilitation youth Centre RYC. The youth is then prosecuted in front of a Juvenile Court for the imposed sentence. The Juvenile Offenders act make provision of section 16 Punishment of certain grave crimes namely s16(2)(a) where a juvenile is convicted of (i) an attempt at or of complicity in murder (ii) manslaughter (iii) wounds and blows causing death under sections 228(3) and 229 of the Criminal code. In state secondary schools there is a need for Discipline Masters who has a free role to walk around school, and maintain discipline both within ongoing classes and on school compound.*

KEYWORDS: *student, Educator, violence, juvenile delinquent , Discipline master*

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I. INTRODUCTION

Defining violence

Violence is generally defined as the use of force toward another that results in harm. Simplistic versions of this definition limit the concept of violence to "extreme physical force" ²⁷. Violence refers to the threat or use of physical force with the intention of causing physical injury, damage, or intimidation of another person ²⁸. It is about interpersonal forms of violence, homicide, aggravated assault, armed robbery, and forcible rape, shoving, pinching, hitting, and throwing objects when the intent is to harm or intimidate another human being. Verbal and psychological abuse are not included in our definition of violence.

Discipline and lack of discipline

Discipline can be argued to be a complex school problem¹ and a lack of discipline from learners has become a major public health problem². Discipline can be defined as the degree of order and structure that would help maintain high behaviour standards in the school; however, this is the custodial perspective ^{3 4 5}. Discipline should be viewed from the humanistic perspective and it is a process which allows the learner to be personally responsible for his/her behaviour and be in a position to judge between right behaviour and wrong behaviour ⁶. It

is a concept that goes beyond punishment: the school should help the learner to develop self-discipline^{7 8 9 10}. Discipline should no more be regarded as adults controlling the learners' behaviour¹¹. The School-wide Positive Behavioural Support (SWPBS) model is a framework which assumes that learners manifest goal-directed behaviour in response to events in the environment, social interactions with others and other stress related to internal emotions^{12 13}. The three goals of this model are (a) to set up effective procedures and policies in an attempt to create positive learner behaviour, (b) to bring an improvement to the ecological arrangements of the institution, and (c) to determine and choose a spectrum of evidence-based interventions and practices¹⁴. The components of the SWPBS model are (a) identification of three to five school-wide behaviour expectations, (b) teaching of social skills and behaviour expectations, (c) provision of reinforcement for positive behaviour, (d) correction of learner indiscipline by using a set of consequences, (e) collection and analysis of data on learner behaviour, (f) involving all shareholders, (g) replacing punitive discipline with proactive behaviour management, and (h) using administrative resources to enable the implementation of the SWPBS^{15 16}. There are three levels of prevention in the model¹⁷. The primary level prevents learners from becoming at risk for a lack of discipline. The principal must set up and follow these steps: (a) set up a few positively stated expectations, (b) describe the expectations in accordance with the settings or routines, (c) teach expectations through well-developed scripted lessons, (e) establish various strategies to recognise positive behaviour, (f) develop a staff reinforcement system that recognises people who contribute to the implementation of the system, (g) develop an action plan¹⁸. Ranging from aggression against school property, verbal abuse of students or teachers, physical bullying, to lethal rampages, school violence has a traumatic impact on all members of a school community¹⁹. However, while most research on school violence to date has focused on students^{20 21}, the effect of school violence on teachers has received little media, research, and policy attention within the U.S. and across the world²². Research examining how school violence impacts teachers' well-being, job satisfaction, and future career decisions has been very limited. More importantly, very little research has addressed how the effects of school violence on teachers can vary in conjunction with school-related and culture-related contextual factors^{23 24}. Research has shown that violence directed toward teachers has reached concerning levels, requiring further investigation^{25 26}.

II. DISCUSSION

Discipline Master

The discipline master/mistress is the leader of the school discipline team. He/She is in charge of the planning, organization, development and monitoring of matters relating to student discipline at school. The discipline master is responsible for recommending to the school head the deployment of school staff to the discipline team and allocation of duties and resources for student discipline to ensure collaboration among members of the discipline team and other functional teams. He/She should also coordinate with other government departments such as Police Force to draw on their expertise and resources to provide an integrated support service in developing proactive and/or preventive programmes in managing students' behaviour problems at school. Under the Juvenile Offenders Act, "a juvenile offender" is generally considered to be a person below the age of 17. There are special provisions regarding offences committed by juveniles. The court proceedings take place in chambers and in the presence of a responsible party. The offender is liable to be sent to a reform institution, rehabilitation centre or probation hostel as decided by the magistrate. No child is however deprived of his liberty unlawfully or arbitrarily. No child is sentenced to capital punishment or life imprisonment. Under the Courts Act, a child under the age of nine is allowed to be a witness in court proceedings. However, the evidence of children is allowed if, in the opinion of the court, they understand the meaning of "tell the truth".

III. FINDINGS

As per the Student Behaviour Policy^{29 30}, it is the direct responsibility of the school administration to put in place effective mechanisms for maintaining the orderly functioning of the institution. Rectors are empowered under Section 34 of the Education Regulations, reproduced hereunder, to "*make such rules for the administration and discipline of the school as*

he may deem fit." These Regulations also provide for the Head of Schools to "*require his staff to perform such duties in the execution of these rules as he may deem fit, and he may authorise them to inflict such punishments, other than corporal punishment, as he may deem fit for any misconduct or breach of the rules of which a pupil may be found guilty at any time and in any place.*" Article 19 of the Convention on the Rights of the Child, however, stipulates that children be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any person who has the care of the child. Similarly, Article 28 (2) requires that school discipline be "administered in a manner consistent with the child's human dignity and in conformity with the Convention." Some key principles of best practice to which full commitment is required in the prevention and tackling of behaviour problems are a positive school culture and climate which is welcoming of difference and diversity, supportive and is based on inclusivity; is free from any form of violence, coercion and discrimination

or other causes of stress and tension; and promotes respectful interpersonal relationships across the school community.; 2 Strong and effective leadership for stimulating a school-wide approach and preventing and tackling indiscipline with support and commitment of the whole school community; 3 Well-planned behaviour programmes for the implementation of preventive strategies (including awareness raising measures); 4. Effective supervision and monitoring of students; 5. Empowerment of students and active student participation in school policies; 6. Support and advice services for students; 7. Consistent recording, investigation and follow up of undisciplined behaviour; and ; 8. On-going evaluation of the effectiveness of the school's behaviour policy and behaviour programmes. According to the Student behaviour Policy³⁰ for minor offences, these will be dealt with using available means such that management and teaching staff can act in a firm and consistent manner in all such cases that disturb the smooth running of school activities or threaten the rule of order such as Immediate checking of misbehaviour;; Verbal reprimand; Repeated or extra work where work is of an unacceptable standard; Note to parents in the Student Journal; and Issue of a warning. Teachers will consider a sending out only when there is no other way to defuse a potentially very difficult situation in class or when it is exceptionally impossible to continue the lesson because of the behaviour of a particular student. The following may be used as deterrents in case of repetition of misbehaviour; Temporary suspension of privileges; Temporary suspension from activities e.g. school trips and sports activities; Issue of a written warning; In very occasional circumstances if the above does not prove successful, the case will be referred to the school administration for further disciplinary procedures. For Serious offences or gross misbehaviour in breach of the School Rules and Regulations shall be addressed through disciplinary actions escalated as hereunder: Detentions - Afternoon detentions and Saturday detentions provided i). The offence is serious enough as to warrant this action; ii). Prior official written warning has been issued; iii). Parents have been informed in advance; iv). Arrangements have been made for the supervision of the student during the detention class; and v). Tasks given for the detention are meaningful and help towards behaviour resolution and Temporary suspension which is applied only in cases of gross or persistent serious misbehaviour provided i). The suspension has been recommended by the School Disciplinary Committee. It is common practice in schools to set up their Disciplinary Committee to support the school administration in maintaining discipline. It is usually called upon to enquire into cases of gross misbehaviour, serious incidents and persistent misconduct and make recommendations for action to the Head of School. This body also assumes an important role in constantly monitoring problem areas and proposing preventive and corrective measures. Both staff and students are represented within the Disciplinary Committee. ii). The suspension period does not exceed 5 days iii). Provision is made for enabling a considered, positive resolution process and re-entry plan. iv). Parents are informed in writing of the reasons for the suspension as well as conditions attached to the period of suspension and those to be met prior to the student's re-entry to school. Their can be an Official final warning. In case of persistent breach or serious discipline incidents even after three periods of temporary suspension Provided the case is fully supported by objective evidence of involvement in past discipline incidents and failure of behaviour resolution measures. Any serious recurrence would entail a permanent expulsion from the school. Where there is persistent breach or serious discipline incident after an official final warning has been issued there can be Expulsion from school. Parents are notified and the case will be examined by a School Discipline Advisory Panel at the level of the Zone /PSEA which will facilitate the admission to another school, especially in the case of students below compulsory schooling age. A student will be able to benefit of this opportunity only once during his secondary schooling.

Permanent Expulsion

The ultimate sanction to be considered when serious acts of indiscipline are reported after expulsion from one school and admission to another. In accordance with the Education Regulations and the PSEA Regulations no student should be expelled from any school without the authorisation of the Minister.

Criminal Offences

Criminal offences like assault, causing injury shall be reported to the Police to be dealt with under the relevant section of the law. The responsibility for conducting criminal investigation shall rest upon the Police and the school shall provide its full collaboration.

Part XI Violence at work of the Worker's Rights Act 2019

Any Educator is also a Civil worker and according to s114. Violence at work of the Worker's Rights Act 2019 ;(1) No person shall – (a) harass, sexually or otherwise; (b) assault; (c) verbally abuse, swear at or insult or humiliate in any manner whatsoever; (d) express the intention to cause harm to; (e) bully or use threatening behaviour towards; (f) use aggressive gesture indicating intimidation, contempt or disdain towards; or (g) by words or act, hinder, a worker, in the course of or as a result of his work. (2) An employer or his agent shall not carry out a search on a worker (3) An employer shall be vicariously liable for violence at work, including sexual

harassment, committed by a worker and any third party where the employer knew or should have known of the violence at work and failed to take any action to prevent or stop the violence. (4) An employer shall enquire into any case of alleged violence at work and take appropriate action to protect the rights of the worker. (5) Any person who contravenes subsection (1) or (2) shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 5 years. (6) The Minister may for the purpose of this section make such regulations as he thinks fit. (7) In this section – “bullying” includes a pattern of offensive, intimidating, malicious, insulting or humiliating behaviour or an abuse or misuse of power or authority which attempts to undermine an individual or group of individuals, gradually eroding their confidence and capacity which may cause them to suffer stress; “harassment”, in relation to a worker, includes any unwanted conduct towards the worker, whether verbal, non-verbal, visual, psychological or physical, based on age, impairment, HIV status, domestic circumstances, sex, sexual orientation, race, colour, language, religion, political, trade union or other opinion or belief, national or social origin, association with a minority, birth or other status, which occurs in circumstances where a reasonable person would consider the conduct as harassment of the worker; “verbal abuse” includes screaming, yelling, name calling and making mean and disrespectful remarks with a view to humiliating a person. In the Juvenile Offender’s Act , "juvenile" means a person under the age of 18; and "young person" means a person who has attained the age of 14 and is under the age of 18. Section 18 Uncontrollable juveniles states that (1) Where the parent or guardian of a juvenile represents on oath before a Juvenile Court that he is unable to control the juvenile and desires him to be sent to a Rehabilitation Youth Centre, and gives an undertaking or security to the satisfaction of the Court to pay the expenses of the maintenance of the juvenile at that Centre, the Court may, after hearing the juvenile, order the juvenile to be removed to and detained in a Rehabilitation Youth Centre until he attains the age of 18 or for a shorter period. Section 22.states about Methods of dealing with juveniles (1) Where a juvenile charged with an offence is tried and convicted by any Court, the Court shall take into consideration the manner in which, under this Act or any other enactment enabling the Court to deal with the case, the case should be dealt with, and may – (a) discharge the offender on his entering into a recognisance; (b) send the offender to a Rehabilitation Youth Centre; (c) order the offender to pay a fine, damages or costs; (d) order the parent or guardian of the offender to pay a fine, damages or costs; (e) order the parent or guardian of the offender to give security for his good behaviour; (f) commit the offender to custody in a place of detention provided under this Act; (g) where the offender is a young person, sentence him to imprisonment; or (h) deal with the case in any other manner in which it may be legally dealt with. (2) (a) Where the Court decides to send the offender to a Rehabilitation Youth Centre, the period of detention to which the offender shall be sentenced shall be not less than 3 years nor more than 5 years. (b) Where the offender is over the age of 13, the maximum period of detention in a Rehabilitation Youth Centre to which he may be sentenced shall not exceed that which might elapse between the date of his conviction and that on which he shall attain the age of 18.

IV. CONCLUSION

The Hollywood movie that comes to the mind of everyone who talk of school violence is undoubtedly , Elephant of 2003 American psychological drama film written, directed, and edited by Gus Van Sant. It takes place in Watt High School, in the suburbs of Portland, Oregon, and chronicles the events surrounding a school shooting, by tqo homosexual Students based in part on the 1999 Columbine High School massacre. Although Elephant was controversial for its subject matter and allegations of influence on the Red Lake shootings, it was generally praised by critics and received the Palme d'Or at the 2003 Cannes Film Festival, in which Patrice Chéreau was the head of the jury. Two students, Alex and Eric, carried out a bomb/shooting attack on their school. Flashbacks throughout the film show them preparing for the massacre by ordering weapons online and formulating an attack plan. The two have a brief sexual encounter in the shower after they both admit that they've never kissed anyone before. Their motives for the shooting appear vague; the film provides evidence suggesting bullying, neglect, violent video games, and Nazism. On the day of the shooting, the pair made their way to school in Alex's car. Alex was armed with a Carbon-15 and a shotgun while Eric has a TEC-9.

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