

## LESSON 4:

# Play by the Rules

**W**hen you play a game, it's likely you know the rules before you begin. If not, you learn them quickly. Having and following rules means you have the same chance of winning as everyone else.

Your family rules are there to teach your children to live with others. They learn that when rules are broken, there are consequences. It's one way you prepare your children to live in society.

When they go to school your children learn through instruction. Schools also have rules. And, like rules of a game and rules at home, to be fair, the rules should apply to the whole school community. There are broader rules, too, that apply to the whole school system.

Laws are rules. They are there to protect and ensure our rights are not abused by other people, by organisations – including schools – and by the government. When they are broken, there are consequences. Sometimes those consequences affect others more than they affect the law breakers.

Whether they are rules of the sandpit, the playground, the classroom, the whole school or the community, rules apply to all of us, because that's how Western society works.

How well do you know the school rules? Perhaps you know them as policies.

## THE RULE OF LAW

Can I suggest we go a step further and explore how school rules are linked to the rule of law in society?

Let's be clear. I'm not a lawyer. Far from it. I hadn't spent much time studying the rule of law until a situation arose where I needed to. It taught me so much more than I learned at teacher's college. Now I'm sharing with you a little of what I learned. I would never want you or any parent to experience what our family went through.

That's a story for another day. Let's keep the focus on *your* vantage point.

It's really important you understand the basics. To be honest, one of the problems we face in schools is that the rule of law has become so complex that many parents tend to throw their hands in the air when dealing with school problems. It all seems too hard and they don't know the basics.

But not you!

You're about to read up on the basics. No parent should have to be a lawyer to understand what happens in schools or have to go it alone when something isn't quite right.

## DIFFERENT KINDS OF LAW

There are various kinds of law. They make up the framework for every rule in society to be created and followed. Some rules in your home and your children's school may be a little different from those of other families and the schools their children attend – like screentime or uniforms. In the end, we all live by these various kinds of law.

Notice I said, 'kinds of law'.

Take a look at this short list of scenarios:

- Your child is pushed off the play equipment and breaks a bone. Is this a school matter or a personal one between two families?
- A school bullying situation continues into the school holidays. Should you notify the school?

- You're volunteering at school and the teacher leaves the room. An accident occurs. Who is responsible – you, the school or the teacher? Who had a duty of care?
- You plan a family break during school term. Your child will be absent for 17 school days. Do you need permission from the school?
- You are dealing with a custody situation. Does the school need to know?

These are genuine situations that some parents have faced.

How would you handle each one?

Not everything that happens at home is the school's business. But everything that happens to your children at school is *your* business. Every school and school system operates inside a complex web of laws. Knowing how school rules relate to the law is also your business.

Here goes.

## CONSTITUTIONAL LAW

Countries, states, companies and organisations, such as sporting clubs and schools, have governing bodies. The members of a governing body have the ultimate responsibility to make decisions that accord with the agreed basic rights that everyone within that specific organisation is entitled to. These basic rights are written in a constitution.

Every school has a leader, middle managers and a school board. Your children's school board (school council) is its governing body. The school board is responsible for making decisions about your children's school. In doing so, it must follow its own constitution. This is the set of rules that explains the power of the board and the rights of staff, students and parents.

As in any organisation, the school's constitution is strongly aligned with its community's beliefs and values. More about that shortly.

Think of the constitution as the umbrella under which all decision makers do what's right for their community.

## STATUTORY LAW

Statutory law is written law that has been debated and agreed on by government. It includes laws that clarify how the government functions and how order is maintained in business, civil and personal life.

There are thousands of laws at federal, state and local government level. In fact, there are so many it's impossible for anyone to know everything about the law. Not even the law makers themselves can know everything related to statutory law.

Here's an example: In Victoria, Australia, the first Education Act was six pages long. Today it's more than 810 pages in length. It also refers to dozens of other laws. That is how complex law has become.

It's good for you to know that every policy developed at your children's school is related to statutory law. It doesn't matter whether your children attend government, Catholic, independent or home-based schools. The rules or laws made by the Commonwealth and the relevant State Parliament relate to all schools in that state.

It's up to every school board to ensure its school rules and policies reflect statutory law. If ever you decide to serve on the school board, you'll find government departments have developed standard policies for schools to use as a guide. More about that in **Part 3: Lessons from the Boardroom**.

## COMMON LAW

When someone breaks the law, the consequences might be a warning, a fine or something more serious. In severe cases, the offender might have to appear in court.

The role of the court is to compare the alleged behaviour of the offender with the expected behaviour related to the law that has been broken. The decision is made by referring to common law – a collection of decisions made in the past. Over time, these decisions determine the standard punishment that is usually applied.

The same applies in schools. There is a set of expected behaviours right across the school, regardless of the classroom your children are in or the teachers they have. Consequences or punishments for behaviours that go against these expectations should be consistent.

## WHY THE LAW?

Part of me wants to apologise for dragging you through this lesson on law and order. To be honest, the other part of me knows better.

You need to know and understand these basic principles of law. They influence how you live, work, play, raise your children and advocate for your children's education.

Without this starting point, you have no way of knowing whether or not the government, the bureaucracy, or your children's school is behaving properly, lawfully or ethically. And, without this basic knowledge, you have no chance of doing anything about it if they're not.

You are responsible for your family, your children's education and your future.

School rules are about law and order. Everything that happens in schools is connected to a rule of law – whether it is following a rule or breaking one.

School rules must be fair and everyone in your school community must respect and apply the rule of law.

## BELIEFS AND VALUES

As well as following laws, you and your family also live and act in accordance with a set of beliefs and values that are important to you. Schools do the same. Ideally there is synergy between the two, which strengthens family-school connections.

Outside the home and school bubble, as well as laws there is a set of core beliefs that more broadly guide our democracy and how we live. These beliefs have their origins in the Judaeo-Christian tradition.

This doesn't mean you have to be or become Christian. All members of society can still have their own religious beliefs. What it means, though, is that to be fair in law, the key principles of this tradition, on which our society was built, apply to everyone. This is a good thing.

An example is the principle of 'innocent until proven guilty'.

Imagine your children were accused of something they didn't do, and the word of the accuser went unchallenged. That's not how you'd want things to be. You'd want to advocate for your children, wouldn't you? Even if it turned out your child *had* broken the rules, you would want him or her to have the benefit of the doubt until it were proved.

The principle of 'innocent until proven guilty' might not be expressed in exactly that way at your children's school, but it should be implied and applied. The principle covers situations where there has been an alleged wrong done by teachers, support staff, the principal or the school board, not just by children or their parents.

To understand how the Judaeo-Christian tradition informs our society, do a little research on the Ten Commandments.



# Homework

## THE RULES OF SCHOOL

Time to start navigating your way around the school. And I don't mean on foot. You're going to do a little research for yourself and in preparation for your next gathering of APLL.

Your school will probably fall into one of two categories:

1. Document Savvy
2. Document Sloppy

### The Document Savvy School

This type of school will have a policy on absolutely everything related to school. There will also be loads of other documents, including tip sheets, promotional flyers, newsletters, ezines... the list goes on. Everything will be up to date and up to the minute in terms of presentation, style, and readily available in a parent handbook or online.

### The Document Sloppy School

In this school, there will be just a smattering of documents and policies – many incomplete or out of date, if they exist at all.

Go fossicking. Check online, go to the office, chat to the teachers and find out what's available and where to find it. You'll be surprised what you might learn.

# Family Time

## CONVERSATIONS AND COMMANDMENTS

What better way to spend family time than to have real conversations.

*Sit together at the dinner table and chat over your evening meal.*

If you're not doing this already, make every effort to do so as often as possible.

A regular conversation shared around the dinner table with my girls centred on problem solving. For example: 'I had a problem. Here's how I fixed it'; or 'I have a problem. I've done my best to fix it and now I need some help'.

Learning about the Ten Commandments is another way to develop meaningful conversations.

Try this for starters:

**Step 1:** Read the Ten Commandments

**Step 2:** Pick one to talk about

**Step 3:** Talk about whether or not it matches your family's beliefs

**Step 4:** Agree on what to do if there is disagreement.

Here is an adaptation of the Ten Commandments, respectfully written as an introduction for young learners. They are in no particular order and other versions are available.

- 1 Put God First
- 2 Stay away from fake Gods
- 3 Don't misuse God's name
- 4 Make Sunday a day of rest
- 5 Love and respect your mum and dad
- 6 Never hurt anyone
- 7 Keep wedding promises
- 8 Don't take anything that isn't yours
- 9 Always tell the truth
- 10 Do not wish for other people's things

The 10 Commandments



# APLL Group

## LOCAL PARENT SUPPORT

A wish I have for you is that your APLL group will become a regular feature of your life as a school parent. Taking the lead will be so much more enjoyable and less stressful if others are travelling the same road with you. A simple strategy to help you get started is coming up next.

Get to know the school better by getting to know parents better. Once the school bell rings, you'll be spending more time with school parents and their children. There'll be birthday parties, play dates, school holidays and, possibly, strong friendships for many years to come.

Doesn't it make sense that this should become your support base? The more you come together as parents, the stronger your voice and the greater your chance of being number one in your children's school education.

I realise you might be thinking I'm repeating myself but trust me. If you share your understanding of school education and your questions about it, you'll soon let go of anything that's preventing you from having your children's back.

From this point on, expect more reminders to meet as a group of Australian Parents Leading Learning.

Here are few tips to boost support for one another:

1. Your children's safety and their education are priorities
2. Help each other prevent politically motivated division from affecting your APLL group
3. Meet in person as much as possible
4. Learn about each other's experiences of school
5. Agree on two ways of information sharing: topics to share with and beyond your group; personal information confidential to your group only
6. Promote your APLL group
7. Be proud of representing your children and helping other parents do the same
8. Have a process for communicating with parents who can and cannot meet in person.

APLL Tips

## Traffic Lights

I made my first trip to Morocco during the mid 90s. The Marrakech medina, the markets and the snake charmers, the Atlas Mountains, riding camels and sleeping out in the desert were all highlights.

Fes was charming too, with its narrow alleys, medieval architecture and ornate tile works.

Casablanca sounded romantic, probably because of the movie with the same name. I was so looking forward to exploring the city.

To my shock and horror, people in motor vehicles and even those with donkeys paid no attention to the traffic lights in the city centre. It was a case of every man – and donkey – for himself. There was horn honking, road rage and total confusion everywhere and everyone's safety was at risk.

It was an experience to talk and laugh about later but also a firm reminder of why every society and community must live by agreed and established rules.

## **Wrap Up**

- **LESSON 4:** The rule of law is represented in schools through rules and policies that must be agreed to and understood by everyone in the community.