

## 5.21.5

John Paul College Policy

# **DISCIPLINARY POLICY – INTERNATIONAL STUDENTS**

### **Rationale**

Any disciplinary action taken against an international student must follow the principles of natural justice including, adequate notice, an opportunity to be heard and with a final decision made by an unbiased person. Throughout, the school's response should be fair and reasonable – following a prompt and considered process.

### **Purpose**

Clear guidelines and procedures are necessary to deal with any breaches of the Contract of Enrolment should they occur. This provides clarity and fairness for all parties concerned.

### **Guidelines**

The following is the school's current disciplinary policy for dealing with breaches of the Agreement. This is not intended to restrict the school's general power of discipline and this policy may be changed from time to time at the discretion of the school.

1. Except in serious situations where immediate termination of the Agreement is necessary, or where the breach does not warrant any formal response other than a warning, the school will endeavour, where appropriate, to follow a two-stage disciplinary process.
2. In stage one, the school will investigate and determine the facts, and will reach a conclusion on what happened and whether it amounts to a breach of the Agreement.

In stage two, if the school has determined that a breach has occurred, the school will consider the appropriate response to that breach, up to and including termination of the Agreement.

3. The student will have an opportunity to provide a response to the alleged breach that the school is investigating (**the Allegation**) and any proposed disciplinary action that the school is considering taking (**the Proposed Action**).
4. This policy does not limit the school's power to take appropriate disciplinary action urgently and without following this process if this is necessary having regard to the seriousness of the breach.
5. This policy also does not limit the school's power to suspend the student for the duration of the disciplinary process where suspension is considered necessary for the safety or education of any person.
6. When the school is conducting a disciplinary process involving the student it will endeavour to provide the student with the following:
  - (a) a written summary of the allegation or the proposed action;
  - (b) an opportunity to respond to the allegation or the proposed action, either in person or in writing or both, at the choice of the student;
  - (c) an opportunity to consider the allegation or the proposed action for a reasonable period of time (having regard to the seriousness of the allegation or the proposed action) before giving a response;
  - (d) an opportunity to contact his or her parent before giving a response, unless the delay caused by contacting that person is unreasonable having regard to the seriousness of the allegation or proposed action;
  - (d) an opportunity to have an independent support person of his or her choice present at any meeting relating to the disciplinary process;
  - (e) an opportunity to meet with that support person in private at any stage during the disciplinary process;
  - (f) an opportunity to have a translator present (or otherwise facilitate the student participating in the process in his or her own language) during any meeting or process if the school or the student considers that a language barrier means that a translator is required; and
  - (g) a copy of this policy setting out the rights which the student has when engaging in the disciplinary process.

## Disciplinary Procedure

### Stage One: Incident Investigation

7. When the school learns of any incident or any other thing that may be a breach of the Agreement or might otherwise warrant a disciplinary response, the school will notify the student of the allegation and will provide the student with an opportunity to give a response.
8. Where appropriate, having regard to the seriousness of the allegation, the student will have the opportunity to respond either in person or in writing or both, at the choice of the student. The school will receive this response and give it genuine consideration before making a decision about the allegation.
9. When the school makes a decision about the allegation it will advise the student and parent, in writing if possible, about its conclusion as to what happened and whether it amounts to a breach of the Agreement.

### Stage Two: Outcome Discussion

10. If the school determines that a breach of the Agreement has occurred, it will advise the student and parent of the possible disciplinary actions that it will consider taking in response to the breach and will provide the student and parents with an opportunity to give a response.
11. Where appropriate, having regard to the seriousness of the breach, the student and parent will have the opportunity to respond either in person or in writing or both, at the choice of the student. The school will receive this response and give it genuine consideration before making a decision about the disciplinary action to be taken.
12. When the school makes a decision about the disciplinary action that it will take in response to the breach it will advise the student and parents of its decision, in writing if possible. The disciplinary action will not take effect, and no actions will be taken to put it into place, until the student and parents have been advised of the decision.

Ratified by Board



Signed for B.O.T Chair

24.06.2019

Date

Next Review

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Signed for B.O.T

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