

Carey Student Disciplinary Procedure

INTRODUCTION

Carey expects that students will act reasonably towards one another and towards all members, contractors and guests of Carey.

APPLICATION

All students

PURPOSE

The purpose of this Procedure is to inform students and staff of the disciplinary measures and process at Carey and in doing so, ensure fairly and equitable treatment

DISCIPLINARY MEASURES

If a student behaves in a manner substantially disruptive to the operation, good order, or teaching at Carey, or if a student's conduct is inappropriate, disciplinary measures may apply. For breach of any statute, regulation, rule or policy Carey may impose one or more of the following penalties:

- a) issue a reprimand orally or in writing to the student charged with the offence in terms that it considers appropriate in the circumstances;
- b) require the resubmission of an assessment or assessments
- c) reduce the grade for fail an assessment or course
- d) a limitation or prohibition on attendance at any class or classes or the use and enjoyment of any of the facilities;
- e) cancellation of a student's enrolment in a course of study or training;
- f) in determining any matter which involves damage to property, Carey may, with or without imposing a penalty, require restitution to be made

All penalties must be approved by the Principal. The Principal will ensure that appropriate disciplinary procedures were followed and that the penalty is appropriate to the offence, taking into consideration the circumstance surrounding the misconduct or breach.

Please note that if misconduct is of a serious nature, disciplinary measures may be taken immediately in order to protect the safety students and staff alike.

GROUND FOR DISMISSAL

If an offence is of a serious nature or if in the case of repeat offences that Carey Board may, at their discretion, conclude that expulsion from Carey is required.

Before reaching such a decision all relevant misconduct procedures must be followed and where appropriate other disciplinary measures tried.

APPEAL

Students may appeal against a decision for disciplinary measures or dismissal only on the following grounds:

- ◇ That new evidence is available, relevant to the misconduct or breach, which was not or could not be reasonably available at the time when the decision was made.
- ◇ Where medical or other exceptional circumstances contributed to an inability to attend a hearing.

- ◇ If there was an error in the misconduct procedures.
- ◇ If the penalty is inconsistent with or unsupported by the evidence provided during the misconduct proceedings.
- ◇ Or if the penalty is disproportionate to the misconduct or breach.

DISCIPLINARY PROCEDURE

1. If a student or member of staff suspects or witnessed misconduct or a breach occurring, they must notify the Executive Director immediately
2. The Executive Director will then undertake some preliminary investigations regarding the misconduct or breach to determine whether enough evidence available in order to proceed to a hearing.
3. This hearing will normally take place within seven working days of notification. Please note that if the student or staff member is non-responsive within a reasonable length of time the hearing will proceed without them. Alternatively, the student or member of staff may, at the Executive Director's discretion, provide a written statement.
4. The student will then be requested to attend the hearing with the Executive Director and any other appropriate parties. After the hearing, the Executive Director will determine whether misconduct or a breach has taken place and if so whether the offence is minor or of a serious nature depending upon the impact that the offence has on other students or members of staff or on the impact to the integrity and reputation of Carey.
5. If there is insufficient evidence provided to determine whether misconduct or a breach has occurred either more information will be requested or the hearing will be declared inconclusive and no disciplinary measures will be taken.
6. If the misconduct or breach is determined and is considered to be minor the student or member of staff will receive a written warning from the Executive Director. However, if the misconduct or breach is of a serious nature the matter will be brought before the Principal who will determine whether suspension or other restrictions are required, or in very serious cases the Principal will decide whether the matter needs to be brought before the Carey Board for deliberation with regards to grounds for dismissal.
7. Once a decision has been made the student or member of staff will be notified of the outcome and any disciplinary measures that will be taken as a result of their misconduct or breach, if it is concluded that misconduct or a breach did occur.

An appeal should be made in writing to the Chair of the Board within fourteen days of the decision notification. When making a request for appeal students must clearly state the grounds on which the appeal is being made; this should include whether you are appealing:

- a) The decision made with regards to being found guilty of misconduct or a breach.
- b) The penalty imposed.
- c) Or both the decision and the penalty.

Please note that sufficient supporting evidence and/or details must be provided in order that it can be determined whether an appeal can proceed.

Once appeal requests are submitted to the Chair of the Board they will determine if the appeal is supported. The decision of Board shall be final.

DEFINITIONS

The following definitions apply to this policy:

Staff means Carey staff

Student means Carey students

Carey means Carey Baptist College

KEY RELEVANT DOCUMENTS

Student Code of Conduct



Student Complaints Procedure

DOCUMENT MANAGEMENT AND CONTROL

Date Version Approved: 17 June 2021

