



**SAMUEL  
MARSDEN**  
COLLEGIATE SCHOOL

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### **POLICY AND PROCEDURES ON DISCIPLINE – INTERNATIONAL STUDENTS 2019**

**REVIEW: 2022**

#### **PURPOSE**

The purpose of this policy is to provide International Students to Marsden guidelines in the School's Discipline Procedures.

#### **DEFINITION OF NATURAL JUSTICE**

Natural justice would typically include expectations that a person will have adequate notice of a situation that may affect them, they will have an opportunity to be heard and respond, and that a decision will be made by an unbiased decision maker.

Any disciplinary action process that is undertaken by the signatory (Marsden) will be dealt with in accordance with the principles of natural justice (which include those necessary to ensure the prompt, considered, and fair resolution of the matter that is the subject of the action).

#### **DEFINITION OF DISCIPLINE**

Discipline is the managing of a person's behaviour to ensure protection. Discipline may take the form of a meeting to discuss the behaviour, stand-down, suspension, exclusion or expulsion from School.

It is illegal to discriminate against an individual because of race, sexual orientation, gender identity, ethnic group, religious belief, disability or any other recognisable area.

#### **In School Discipline**

##### **Stand Down**

Formal removal of a student from school for a specified period of time. This can total no more than 5 days in a term or 10 school days in a year. The day the student is stood down is not counted.

##### **Expulsion**

Formal removal of a student 16 years or over from school. If the student wishes to continue schooling they may enrol elsewhere.

## **Exclusion**

Formal removal of a student aged under 16 years from school and the requirement that the student enrol elsewhere. The Principal must try to find another school for the student to attend. If unable to do so, the Principal must advise the Ministry of Education.

## **Suspension**

Formal removal of a student from school until the Management Board decides the outcomes at a suspension meeting. The Management Board is required to hold a meeting of the Board within 7 school days of the suspension.

## **Attendance**

If an international student fails to meet the attendance requirements stipulated in their student visa (95%), without good reason, parents and immigration must be advised. Prior to this, every effort will be made to encourage regular attendance.

In all cases, upon termination of an enrolment, the New Zealand Immigration Department will be notified.

## **BEHAVIOURAL EXPECTATIONS**

Samuel Marsden is a high achieving school with an enviable reputation for both domestic and international students. All students are expected to behave in a way that promotes the school and its values at all times.

### **Student Handbook**

International students receive a Student Handbook which outlines the day to day expectations of all students attending Marsden. This Handbook gives details of regulations in regard to uniform and guidelines for behaviour at Marsden School. Information is provided on driving in NZ. The School's position is that international students may not own or drive a vehicle unless they live with a parent. Students are not allowed to be a passenger in a vehicle with a driver on a Restricted License at any time. The School takes no responsibility for international students driving in New Zealand.

## **DISCIPLINARY PROCEDURES**

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.

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.

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.

When an international student has breached the Code of Conduct, Agreement or Discipline guidelines, the following steps will be taken:

- The Director of International Students will meet with the student;
- The student will have an opportunity to provide a response to the alleged breach;
- The student may have a support person with them at any meeting and have an opportunity to meet with that support person in private at any stage of the process;

- The student will be provided the opportunity to contact their parents/caregiver 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;
- International students must document in English their version of events;
- A speaker of the student's language will be offered to communicate clearly with the student and parents/caregivers;
- All meetings will be documented and dated;
- Parents/caregivers or home stay guardians will be informed at each stage of the process;
- Any disciplinary process that ends in the termination of the student's contract will be documented at each stage and copied to the Principal;
- Immigration will be advised as soon as a student's contract has been terminated and they cease their course with Marsden.
- A copy of this policy setting out the rights of the student will be provided when engaging in the disciplinary process.
- When the School makes a decision about the allegation it will advise the student and parent/caregiver, in writing if possible, about its conclusion as to what happened and whether it amounts to a breach of the Agreement.

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.

The student and parent will have an opportunity to respond either in person or in writing or both. The School will receive this response and give it genuine consideration before making a decision. No disciplinary action will take effect until the student and parents have been advised of the decision.

### **COMPLAINTS PROCEDURE**

If you have any concerns about how your education provider or an agent is treating you, you should first contact your provider and follow their grievance procedure.

If the provider's grievance process does not address your concerns or complaints, you can contact NZQA (for concerns and complaints about a provider breaching the Code) or, iStudent Complaints (for concerns and complaints about money or contracts).

For information about how to make a complaint see the NZQA website

<http://www.nzqa.govt.nz/about-us/make-a-complaint/make-a-complaint-about-a-provider>.

### **References:**

**Student Handbook**

**Refund Policy for International Students**

**Marsden School Domestic Disciplinary Policy**

**Communication with International Parents/Guardians**

**Code of Conduct for International Students**