



ST JOHN'S COLLEGE

Disciplinary Procedures at St John's College

1. INTRODUCTION AND OBJECTIVES

- 1.1 The School fully supports the principles of Fair Discipline and the consistent application of appropriate and corrective disciplinary measures where necessary.
- 1.2 This document indicates the general standards of behaviour that are expected of all students at St John's College, and encourages a responsible and self-disciplined approach, rather than a punitive one based on fear. Should expected norms of conduct not be met by any student, corrective action will be initiated by the School's management. Corrective action may include the application of formal disciplinary measures; any formal steps only being applied to prevent further occurrences of unacceptable behaviour or to restore the learning environment.
- 1.3 Corrective action and discipline is administered consistently, promptly and fairly. It should also be noted that this document may also have a bearing on the behaviour of the student outside of normal School hours and outside of School premises, should the student's conduct impact negatively on the learning environment at the School or bring the name of St John's College into disrepute.
- 1.4 The maintenance of discipline and ensuring orderly classroom behaviour is an integral part of every teacher's job. The onus therefore lies with the School's teachers and Management to apply this procedure in an effective and equitable manner and in the interests of the well-being of St John's College and all its stakeholders.
- 1.5 This document will be made available to every teacher at the School, and any student or parent wishing to view the procedure. Please note that this Procedure is not intended as a set of fixed rules. Rather it is intended as a general guideline according to which corrective action and discipline are to be effectively implemented by the School.

2. GENERAL CODE OF CONDUCT

- 2.1 In the School context, teachers, parents and students have responsibilities. To sustain a healthy learning environment, it is important that these parties to the education relationship acknowledge their respective responsibilities.
- 2.2 The School prides itself on having good relations with the parents of students. While parents must expect the School and its teachers to provide the best education possible with the resources available to the School, parents must also accept responsibility to help the School achieve this goal.

2.3 The School recognizes that every student does have the right to education. Students themselves must however also recognize that they have responsibilities to their parents, the School, Teachers, their fellow students and themselves.

Students must therefore:

- Comply with instructions and the general rules of the School, and in particular comply with the Headmaster's Regulations (Annexure A) and the Student Code of Conduct (Annexure B) which govern conduct both in and outside of St John's College;
- Behave responsibly and not endanger the safety and welfare of others;
- Respect and care for the property of the School and others;
- Maintain sound relations with others at School, be courteous and respect the dignity and self-worth of others;
- Be punctual and observe the timekeeping practices of the School;
- Demonstrate a positive attitude towards the opportunity to learn, and be diligent in their efforts to learn;
- Behave honestly and conduct themselves with integrity;
- Accept the authority of Housemasters, Teachers, and Prefects as delegated by the Headmaster.
- Accept legitimate punishment and disciplinary action taken against them.

2.4 It is impossible for the attached code to list every possible rule infringement and this guideline and the attached Code therefore set out the broad principles for the implementation of fair discipline at St John's College. The Teachers and Headmaster are entitled to apply action that they believe is appropriate in the circumstances, having regard to the guidelines provided by this procedure and code.

3. DISCIPLINARY MEASURES

3.1 Various forms of informal and formal disciplinary measures may be initiated by St John's College. The severity of the action taken by the School will depend on the circumstances, the seriousness of the infringement and any mitigating or aggravating factors that are of relevance.

3.2 The disciplinary measure or penalty applied in response to the student's misconduct will therefore generally require the Teacher or Headmaster to exercise discretion in deciding on the appropriate and fair action to be taken.

3.3 Disciplinary action that may be applied by the School, in order of severity, includes –
Informal action

- counselling by the Teacher or Housemaster;
- detention or time punishment;
- expulsion from class;
- referral to Housemaster.

Formal action

A student may, at the discretion of the Chairman of the Disciplinary Council, be called before the Disciplinary Council for a formal disciplinary hearing;

3.4 Discipline must, wherever feasible and effective, be applied progressively. Repeated commission of a similar or related offence will result in progressively more severe action being taken, particularly where a clear pattern or trend is indicated by the student's continued misconduct. A serious first incident may however justify a severe penalty, and mitigate against the imposition of a lesser form of action. Boys may be called to account for accumulated “minor” offences if corrective steps taken by the School does not have the desired effect of moderating the student’s behaviour.

Warnings issued by the School will be noted on the student's record. Copies of warnings issued should also be provided to the parents wherever possible.

4. DISCIPLINARY PROCESS

4.1 This procedure summarizes the disciplinary process that will be followed by the School when more formal disciplinary action is considered appropriate.

4.1.1 Infringements that are not considered serious, or do not require formal disciplinary action in the opinion of the student's responsible Teacher, can be dealt with directly by the Teacher. These are not generally recorded on the student's record but may still require communication with the student’s parents.

- 4.1.2 When an infringement occurs which requires formal disciplinary action, the Teacher concerned [or any third party affected by the alleged infringement] will initiate the disciplinary process by referring the matter to the Student's Housemaster.
- 4.1.3 A Housemaster or the Deputy: Student Affairs must investigate the complaint and alleged infringement to gather information and to decide on the necessity for corrective measures. This assessment generally takes the form of an informal investigation, which may, if appropriate, include an opportunity for the student to "state his case" in response to the complaint.
- 4.1.4 If, after investigation, the infringement is confirmed but is considered to be of a nature which does not indicate that severe action may be appropriate, the responsible Housemaster may issue a punishment appropriate to the nature of the infringement, counsel the student and issue an appropriate warning to the student(s) concerned.
It should be pointed out that the investigation to be conducted is an informal one, and that suspension or expulsion is not considered as appropriate action at this point.
- 4.1.5 When a serious infringement occurs or a student has contravened one of the Headmaster's regulations or in the case of repeated lesser infringements and formal disciplinary action not having had its expected effect, the matter is referred to the Chairman of the Disciplinary Council, and a notification of a Disciplinary Hearing is given to the student and to the parents of the student concerned. This notification must provide sufficient information to ensure that the student and parents are properly informed of the alleged complaint, the seriousness of the allegations, and the School's intention to convene a formal hearing to investigate the infringement.
Please note that –
- a) the student's parents should wherever possible be notified of the hearing at least 48 hours (two working days) before the scheduled hearing;
 - b) the student may be suspended pending the hearing, if this is considered appropriate bearing in mind the interests of the student and those of the College. The suspension of the student should be communicated to the parents by the student's Housemaster; the period of suspension preferably not exceeding a period of 5 [school] days. The period of suspension may be extended to allow for the conclusion of the Disciplinary process and any appeal that may follow.
 - c) the student and his parents [or legal guardian] must be advised that they are expected to attend the hearing as their non-attendance may prejudice their child's case, result in the hearing being held in their absence, and a decision being made without their involvement;
 - d) the student and parents must also be advised of the serious nature of the allegations, and the possibility of formal and severe disciplinary action being taken should the student be found guilty of allegations made against him/her;

e) Save in exceptional circumstances legal representation at disciplinary hearings is not permitted. Application for such representation is made to the Headmaster, and leave for such representation is at the Headmaster's discretion. Assistance by Masters, parents, prefects, or other boys is permitted.

4.1.6 The formal Disciplinary hearing must be chaired by the Chairman of the Disciplinary Council, who is assisted (if possible) at the hearing by the Head of School, a School Prefect, and a Senior Staff Member. The hearing chairperson will be responsible for managing the hearing process, and after consulting with other members of the panel, deciding:

4.1.6.1 the guilt or innocence of the student in respect of to the allegations made;

4.1.6.2 the appropriate penalty/action to be taken, after due consideration of mitigating and aggravating factors.

To ensure that the disciplinary hearing is properly conducted, the Chairman of the Disciplinary Council or his nominee shall ensure that the student and parent –

- are informed of and properly understand the allegations being made before commencing with the hearing;
- are presented with all the relevant facts and information relating to the allegations;
- are given the opportunity to question information provided and evidence led;
- are entitled to present their own case;
- are treated with dignity and respect throughout the hearing;
- are assured of the greatest confidentiality possible;
- are advised of the outcome [verdict] of the hearing, the decision made regarding penalty and the reasons for such decisions;
- are informed of the right to appeal against suspensions or expulsions.

4.1.6.2.1 The Chairperson will make written notes of the proceedings. In some cases, at the discretion of the Chairperson, the proceedings may be tape recorded.

4.1.7 After the completion of the disciplinary hearing, any penalty or disciplinary action should be formally communicated to the parents and supported in writing by the Chairperson of the Disciplinary Council. In cases where the Disciplinary Council reaches a decision of expulsion or suspension, this decision is communicated to the Headmaster immediately after the hearing.

The student has the right to appeal against a decision of expulsion or suspension made by the Disciplinary Council, within 5 days of the hearing's outcome being communicated. A panel of senior staff appointed by the Chairman of the Disciplinary Council will conduct the appeal hearing. The panel will consist of the Headmaster as Chair and two other staff members.

NB. Copies of all disciplinary documentation must be retained by the School for record and safekeeping purposes.

5. APPEAL PROCESS

5.1 The student's parents have the right to appeal against a decision of expulsion or suspension.

5.2 Typical grounds for such an appeal may include:

- * the disciplinary procedure was not properly followed;
- * the decision on guilt was not considered correct or fair;
- * the decision regarding action to be taken was considered inappropriate;
- * mitigating factors were not properly considered;
- * the enquiry panel was considered to be biased, did not apply their minds, or supposedly made a subjective decision;
- * the student was not given a fair opportunity present his case;
- * new and relevant evidence can be presented which may affect the decisions made, and there exists a reasonable explanation as to why it was not presented at the original hearing.

5.3 The parent[s] wishing to appeal must motivate their appeal in writing, detailing in full their grounds for appeal. The request for appeal must be submitted to the School within 5 days of the Chairman of the Disciplinary Council's recommendation having been communicated to the parents so as not to delay proceedings.

5.4 If the student has been suspended or expelled pending the completion of the appeals hearing process, the submission of an appeal will not affect the suspension or expulsion which will remain in effect until the appeal process has also been concluded. In the case of any other formal disciplinary action being imposed by the hearing panel, the imposition of such action will be held in abeyance pending the appeal process.

- 5.5 The student's basic right to an appeal against disciplinary action does not ordinarily mean that all the matters raised at the disciplinary hearing will be "re-heard". The Appeal procedure is generally limited to only reviewing the recommendation made, and is based on the grounds and motivations lodged in the appeal motivation. A full appeal re-hearing is only necessary when the disciplinary hearing process is considered to have been materially defective by the persons responsible for the appeal. The appeal panel usually considers the records of the initial hearing but may decide, at its discretion, to hear evidence.
- 5.6 The Appeals Committee shall consist of the Headmaster who will be assisted by two senior staff appointed by the Headmaster. The appeal should, wherever possible, be conducted within 5 [school] days of receipt of the appeal motivation. The Chairman of the DC will present the School's response to the written appeal submitted by the parents. When a decision has been made by the appeal Chairperson / panel, after consideration of the matters raised in the appeal, a written response will be provided to the parents within a further 5 days, and a copy placed on the student's file for safekeeping. The finding should indicate the Appeal Chairperson's response to the specific matters raised in the appeal motivation.
- 5.7 With the leave of the Headmaster, the parent(s) may further appeal to the Chairman of Council within three days of the Headmaster's decision being made known.
- 5.8 The conclusion of the Chairman's appeal procedure is the final step in the School disciplinary process and marks the exhaustion of internal disciplinary measures.

6. COLLECTIVE DISCIPLINARY ACTION

- 6.1 The above-described disciplinary procedure is principally designed to deal with instances of misconduct by individual students. Alleged misconduct by a group of students, usually acting in concert with one another, or where the infringements are of a similar nature or objective, is considered as being collective misconduct.
- 6.2 Generally, collective misconduct is more effectively dealt with on a collective basis. An investigation into the alleged misconduct is conducted with all of the students concerned. A single disciplinary hearing can then be conducted with the students concerned, with their parents present.
- 6.3 The same procedures as provided for in section 4 above are followed in a collective situation. In a collective disciplinary hearing however, individual students must still be provided [during or immediately after the hearing process] with the opportunity of demonstrating that their own circumstances may be different to that of other students or the group involved, and of showing why they should be treated differently.

6.4 In certain cases however, it might be considered appropriate by the School to conduct separate investigations or hearings with individual students. The School reserves its right to exercise its option to conduct individual or collective procedures. Any differences in verdict, or penalties imposed, between different students involved in the same incident / infringement, will obviously also have to be justified if the School is called upon to do so.