

Wesley College

DISCIPLINE POLICY



Background

Pursuant to the Wesley College Incorporation Act 1910 (the “Act”) and By-Laws, disciplinary measures within the College are at the sole discretion of the Master (or “the Principal”).

Under the By-Laws, section 4, “the Principal has sole discretion in relation to disciplinary matters that involve the College and its students” and “when implementing the disciplinary procedures of the College, the Principal may suspend or expel a student, or impose any other penalty or sanction which the Principal considers appropriate without prior consultation with the Chair of Council, the Council, the Senior Student or any other person”. This provides the basis for all disciplinary responsibility.

Policy Objectives

Students come to the University of Sydney and to Wesley College to achieve their tertiary qualifications.

Wesley College is an adult student living and learning environment. Students are required to abide by the By-Laws of Wesley College, the Wesley Student Contract and the laws of the State of NSW and the Commonwealth of Australia.

Expulsion or suspension of any student from the University of Sydney shall be treated and regarded as a breach by that student of these By-Laws.

Community life in College depends upon the respectful, responsible and cooperative conduct of individual residents. Wesley College has zero tolerance for hazing or any other behaviour that compromises student safety. Every student has a right to feel and be safe and respected. Every student is expected to apply themselves successfully to their studies, and not cause distraction to the academic focus of others.

Discipline measures may be required from time to time when students are unable to progress in their studies or exhibit unacceptable behaviours which may, for example, jeopardise the safety of others; bring the College or the University into disrepute; involve racism, sexism or other discriminatory vilification; breach the College By-Laws or State or Federal laws; or result in property damage.

The following College Values in particular will guide Discipline decisions:

We respect and support each other

We act responsibly and ensure the safety of others

We display respect to others

We accept responsibility

We strive to be the best we can be

We pursue our studies with enthusiasm and endeavour

We honour the heritage and traditions associated with the College's foundation

Ultimately, the objective is to ensure a safe student community where respect for each other, the wider community and our physical surroundings are paramount.

This policy relates to and concurrently works with other policies in existence, including the *Harassment and Discrimination Policy and Procedures* and *Academic Progress Policy*.

Definitions

The following definitions provide clarification on terms used in this policy and outline the sanctions for any student of Wesley College who engages in conduct requiring disciplinary measures to be taken:

Expulsion

Expulsion involves termination of residential status at the College permanently. This requires a student to vacate the premises by a specific date and not to return to Wesley College or attend any events associated with the College for a predetermined time frame.

Fine

A fine may be issued in relation to inappropriate behaviour or breaches of the Act, By-Laws or rules and regulations of the College. This fine is to be paid to the College within 14 days of it being issued. This may be required in conjunction with other sanctions, depending on circumstances of the particular situation. Failure to pay a fine as directed is a serious disciplinary matter.

Hazing

Hazing is defined as any action taken or any situation created intentionally that causes embarrassment, harassment or ridicule and risks emotional and/or physical harm to members of a group or team or individuals, whether new or not, regardless of the person's willingness to participate (*extract from Hazingprevention.org , provided within the Broderick Cultural Review Report 2017*).

Probation

Probation relates specifically to Academic Progress. If a student is not able to demonstrate at least pass grades in all subjects, he or she will be placed on Academic Probation for a period of one semester, allowing time to demonstrate significant progress.

Restitution

Restitution is a requirement to reimburse or otherwise compensate another for damage or loss of property resulting from a student's misconduct. This includes individual responsibility as well as group responsibility. This may be required in conjunction with other sanctions, depending on circumstances of the particular situation. Failure to make restitution as directed is a serious disciplinary matter.

Suspension

Suspension involves termination of residential student status at the College for a specified time period. Suspension does not mean automatic return to College at its conclusion. Suspension may be lifted, extended or expulsion may occur.

Warning

A warning to the student that he or she is engaging in misconduct by violating College By-Laws, rules, regulations or policies and that continuation or repetition of misconduct may result in more severe sanctions.

Principles

In the event of disciplinary action being required, the following principles will apply:

1. A matter for disciplinary action can be referred to the Master from a variety of sources, including but not limited to staff, students, both of Wesley and the University, Heads of other Colleges, Intercol, contractors, prescribed authorities, the University or a member of the wider community.
2. Every disciplinary situation will be assessed on the facts of that particular situation. A student who is accused of a disciplinary breach will be given an opportunity to respond and to participate in the assessment process.
3. The Master, in assessing the information provided and making a determination, can impose measures of varying severity. The sanctions include a warning, restitution, fine, suspension or expulsion and are outlined in the definitions in this document.
4. All disciplinary decisions will be communicated in writing (in any written format) to the student(s) involved.
5. Persistent unacceptable behaviours involving warnings may result in suspension or expulsion.
6. A serious matter may result in immediate suspension or expulsion, notwithstanding that a student may not previously have come to the Master's attention for any other disciplinary reasons.
7. The duration, and timing, of a suspension will be at the Master's discretion.
8. Reinstatement to the College after a period of suspension is not guaranteed. The student will be informed of what is expected of them for this to occur.
9. The terms of a suspension will involve exclusion from the College buildings and grounds, and failure to comply with this condition is considered a serious disciplinary breach.
10. Students who are suspended or expelled from the University of Sydney shall be treated with the same disciplinary measure by the Master.
11. Disciplinary matters made or referred by Intercol Committee, Council or Tribunal to Wesley College shall be treated in the same manner as disciplinary matters made within the College.
12. A student who has been expelled may request the Council review the decision to

expel the student. The Council has discretion whether it will review a decision to expel a student. If Council reviews a decision to expel a student, the method and procedures of the review will be decided by Council, and Council Chair will inform the relevant student(s) and the Master.

13. Matters dealt with under the Wesley College Harassment and Discrimination or Bullying Policy that require significant intervention or an independent investigation to take place, and which may threaten the reputation of the College or the University will be reported, in general terms, to the University of Sydney for their information. The timing of such advice will be at the discretion of the Master, in consultation with the Chair.
14. An expulsion from College will be reported as soon as practicable, in general terms, to the University of Sydney for their information.

Policy Review

This Policy is to be reviewed annually by Wesley College Council (next review February 2019).