



## TERMINATION OF ENROLMENT POLICY

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### **Rationale or Purpose**

Villanova College is committed to the personal growth of its students and the welfare of all members of the College Community. The College espouses a specific approach to pastoral care based on the philosophy of *Restorative Practices*. This philosophy aligns with the College's Augustinian values, approach to education and student behavior management. It provides Villanova students with the opportunity to develop responsibility and self-discipline within a caring environment.

The *Restorative Practices* approach to pastoral care reflects the central value that the College community places on relationships – among all members of its community. High value is placed on the positive development of social/emotional skills in students within, and through, these relationships, in order to best encourage their personal and moral development. Conflict and wrongdoing are viewed primarily through the lens of harm caused to people and relationships. A restorative approach to conflict and wrong doing provides an opportunity for students to learn about the consequences of their actions, to develop empathy with others, and to seek to make amends in such a way as to strengthen the community bonds that may have been damaged.

However, a student may be responsible for serious wrongdoing for which the harm caused to relationships within the community is unable to be repaired while the student remains enrolled at the College. In such instances, it may be necessary for the student's enrolment to be terminated so that Villanova may endeavor to:

- Secure the emotional and physical safety of all within the College community;
- Protect and maintain the common good of all;
- Preserve the best interests of the College community, while the welfare of the student is carefully considered; and
- Not be seen to condone serious wrongdoing

### **Policy**

Where a student has committed or is responsible for serious wrongdoing, that student's enrolment at Villanova College may be terminated as a consequence. This policy does not apply to any termination of a student's enrolment under the School Fees Policy of Villanova College where any school fees are overdue and remain unpaid.

## **Implementation**

### ***Principles***

The College Board delegates authority to the Principal (or the Principal's nominee) to terminate a student's enrolment, subject to the following principles:

- a) Termination of a student's enrolment will be in accordance with the principles of natural justice as outlined in the following principles and procedures;
- b) Where there is a proposal to terminate a student's enrolment, the student and his parent(s)/carer(s) will be:
  - i. Fully informed of the allegations that have been raised in relation to the student's serious wrongdoing that have led to the decision;
  - ii. fully informed of the reasons for the proposed termination of enrolment; and
  - iii. afforded an opportunity to respond to the allegations and the reasons for the proposed termination of enrolment;
- c) A decision to terminate a student's enrolment shall be free from bias;
- d) A decision to terminate a student's enrolment shall be made on the basis of logical, compelling evidence; and
- e) Parent(s)/Carer(s) have the right to appeal. The appeal is to be conducted by a sub-committee of the College Board (Termination of Enrolment Appeals Committee) delegated this function by the Chair of the Board. The committee will review the process followed regarding the enrolment termination. The committee will not review the decision of the Principal (or nominee) based on the merits of the case.

### ***Procedures***

1. Where it is the intention of Villanova College to terminate a student's enrolment, and where it is appropriate in the circumstances, the Principal (or nominee) will endeavour to convene a meeting with the student and his parent(s)/carer(s) in the company of at least one other member of the College Leadership Team to:
  - i. Communicate that consideration is being given to terminating the student's enrolment;
  - ii. Communicate the allegations of serious wrongdoing that have been raised in relation to the student;
  - iii. Communicate the reasons for the proposed termination of enrolment;
  - iv. Invite the parent(s)/carer(s) to provide a written response to the allegations and the reasons for the proposed termination of enrolment within a specified period of time (being a reasonable time, as determined by the Principal); and
  - v. Advise that in the case of serious allegations the student is usually suspended from all school-related activities pending the determination of the outcome of the current matter.
2. Following the specified period of time for the response, the Principal (or nominee), in-consultation with at least one other member of the College Leadership Team, will consider the response provided in writing by the parent(s)/carer(s) and where it is appropriate in the circumstances endeavour to convene a second meeting with the parent(s)/carer(s). The student may or may not be present.

- a. Where the parent(s)/carer(s) fail to attend a meeting convened or no written response is provided by the parent(s)/carer(s), the decision to terminate the student's enrolment will be effected.
  - b. Where a written response is provided by the parent(s)/carer(s), the Principal (or nominee) may reconsider the intention to terminate the student's enrolment.
  - c. The Principal (or nominee) will communicate his final decision to the student and his parent(s)/career(s) as soon as possible in writing.
3. Where a student's enrolment is terminated:
- a. The parent(s)/carer(s) will be provided with information relating to their right to appeal; and
  - b. The parent(s)/carer(s) may be offered assistance in gaining enrolment at another school or college.
4. The Principal (or nominee) will provide a report on the enrolment termination to the College Board.

## **Definitions**

### **Serious Wrongdoing:**

A serious wrongdoing may be a grave or very serious single incident in isolation. For example, there may be a serious wrongdoing where a student has in his possession an illegal drug or drugs on property controlled by Villanova College or on activities involving Villanova College whether co-curricular or otherwise.

A serious wrongdoing may also be cumulative behavior, comprising repeated wrongdoings, that has been the subject of at least one prior warning and communication between Villanova College, the student and his parent(s)/ carer(s). For example, there may be a serious wrongdoing where there is repeated and substantial non-compliance with "Community Expectations" as set out in the Student Diary or where there is poor academic performance due to a repeated failure to submit assessment items without any reasonable explanation.

## **Evaluation and Review**

This policy is to be reviewed after 3 years or earlier if there is any change to relevant legislation or regulations.

**Endorsement:** Approved and endorsed by Villanova College Board 17 August, 2016.

**Review:** To be reviewed by the College Board in 2019.

## TERMINATION OF ENROLMENT – APPEALS PROCESS

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1. A parent/carer of a student may appeal a decision to terminate the enrolment of a student.
2. All appeals must be in writing and submitted to the Chair of the College Board within five (5) business days of receipt by the parent/carer of written notice of termination of the student's enrolment.
3. Where the Chair of College Board receives a *Letter of Appeal* in relation to the termination of the student's enrolment, the Chair will establish a Termination of Enrolment Appeals Committee (**Committee**) as soon as practicable.
4. The Committee will comprise three current Directors. One of the directors may be the Chair of the College Board. The Committee, in consultation with the Principal and/or his nominee, will review the process followed regarding the enrolment termination.
5. The Committee will determine whether due process has been followed in accordance with the *Termination of Enrolment Policy*, including whether the principles of natural justice outlined in the policy have been observed.
6. In reviewing a decision to terminate enrolment, the Committee will not take into account the merits of the case.
7. The Committee will either affirm the decision to terminate the student's enrolment or set aside the decision to terminate the student's enrolment.
8. The Committee will report its decision to the Chair of the College Board and to the Principal (or nominee). The Chair of the College Board, in consultation with the Principal (or nominee), will notify the student's parent(s)/carer(s) of the outcome of the appeal and provide them with the reasons for their decision in writing.

**Endorsement:** Approved and endorsed by Villanova College Board 17 August, 2016.

**Review:** To be reviewed by the College Board in 2019.