

TERMINATION OF ENROLMENT POLICY

Rationale

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. Specifically, it is aligned with the Augustinian values of interiority, search for truth and community which are important in developing in students a sense of self respect, self-discipline and responsibility in all areas of their lives. It follows the belief of St Augustine that every person is called to the ideals of wisdom, spiritual truth and a commitment to the quality of community life.

The Restorative Practices approach to pastoral care reflects the central value that the College community places on relationships among all members of its community.

Notwithstanding the Restorative Practices approach, a student may be responsible for serious wrongdoing for which the harm caused to relationships within the community is unlikely 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 endeavour 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.

Implementation

Scope of Policy

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.

Delegation of Authority

The College Board delegates authority to the Principal to terminate a student's enrolment, provided it is in accordance with the principles of natural justice as outlined in this policy and is in accordance with the Villanova College Procedures for Termination of Enrolment.

Principles of Natural Justice

Termination of a student's enrolment will be in accordance with the following principles:

(1) Full Information and Opportunity to Respond

Where there is a proposal to terminate a student's enrolment, the student and his parents 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.

(2) Freedom from Bias

A decision to terminate a student's enrolment shall be free from bias.

(3) Logical Compelling Evidence

A decision to terminate a student's enrolment shall be made on the basis of logical, compelling evidence.

(4) Right of Appeal

Parents 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 based on the merits of the case.

For the duration of the internal appeals process, the relevant Head of School will determine if participation in studies will be in class or under a supervised arrangement outside of classes.

Definitions

The terms defined in this clause have the following meaning in this policy, in the Procedures for Termination of Enrolment and in the Termination of Enrolment Appeals Process unless the context indicates otherwise:

College Leadership Team includes the Deputy Principal, the Heads of School, the Dean of Teaching and Learning, the Dean of Mission and Identity and the College Administrator.

Parent means the parent, guardian, or carer charged with the legal responsibility for the long term care, welfare and development of the student, including a prospective parent of the College.

Principal means the Principal or the nominee of the Principal.



Serious Wrongdoing:

A serious wrongdoing may be a grave or very serious single incident in isolation.

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 parents. For example, there may be a serious wrongdoing where there is repeated and substantial non-compliance with “Villanova College Community Expectations” as set out on the College website.

Student means an enrolled student of the College.

Evaluation and Review

This policy is to be reviewed after three years or earlier to take account of any changes to relevant legislation or regulations, changes to the College’s operations and practices and to make sure it remains appropriate to the changing environment.

Review Date: September 2022.

Endorsement: This policy was approved and endorsed by the Villanova College Board on 18 September, 2019.

PROCEDURES FOR TERMINATION OF ENROLMENT

(1) First Meeting with Principal where appropriate

Where it is the intention of Villanova College to terminate a student's enrolment, and where it is appropriate in the circumstances, the Principal will endeavour to convene a meeting with the student and his parents 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 parents 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) Consideration of Parents Written Response and Second Meeting with Principal where Appropriate

Following the specified period of time for the response, the Principal, in-consultation with at least one other member of the College Leadership Team, will consider the response provided in writing by the parents and where it is appropriate in the circumstances endeavour to convene a second meeting with the parents. The student may or may not be present.

Where the parents fail to attend a meeting convened or no written response is provided by the parents, the decision to terminate the student's enrolment will be affected.

Where a written response is provided by the parents, the Principal may reconsider the intention to terminate the student's enrolment.

The Principal will communicate his final decision to the student and his parents as soon as possible in writing.



(3) Termination of Student's Enrolment

Where a student's enrolment is terminated:

- a. The parents will be provided with information relating to their right to appeal; and
- b. The parents may be offered assistance in gaining enrolment at another school or college.

(4) Report to College Board

The Principal will provide a report on the enrolment termination to the College Board.



TERMINATION OF ENROLMENT – APPEALS PROCESS

1. A parent 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 of written notice of termination of the student's enrolment.
3. Where the Chair of the 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, will review the process followed regarding the enrolment termination.
5. The Committee will determine whether due process has been followed in accordance with the Villanova College 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. The Chair of the College Board, in consultation with the Principal, will notify the student's parents 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.

Reviewed and endorsed by the Villanova College Board 18 September 2019.

Review: To be reviewed in September 2022.