

# QUEEN ELIZABETH COLLEGE INTERNATIONAL STUDENT INVESTIGATION POLICY

## Queen Elizabeth College International Student Investigation Policy

(The following is the School's current policy for dealing with Disciplinary Actions and Welfare Issues. This is not intended to restrict the School's general powers relating to discipline and this policy may be changed from time to time at the discretion of the School.)

There may be circumstances in which an international learner's enrolment ends due to learner withdrawal, or because Queen Elizabeth College:

- terminates the enrolment contract.
- is unable to provide the agreed educational programme due to ceasing to be a signatory or permanent school closure.

Queen Elizabeth College has practices in place to ensure that such circumstances are dealt with fairly and reasonably.

### Learner withdrawal

International learners must give adequate advance notice of their intention to withdraw from the school. Parents/Guardians must write to the school, giving the date of the final day of attendance and the reason for leaving. Depending on the circumstances, the fee refund policy may apply.

When an international learner withdraws, we document:

- their last day of class
- the reason for withdrawing
- whether the learner is being granted a refund
- the date of notifying Immigration New Zealand that the learner has withdrawn.

### Terminating the contract of enrolment

Queen Elizabeth College may terminate the contract of enrolment at our discretion if the:

- learner is absent or consistently truant from school.
- enrolment application is found to be inaccurate in any way.
- learner's behaviour is unacceptable and attempts to resolve it using the school behaviour management processes have not succeeded.

As required by the Code, we outline our disciplinary processes and processes for seeking to terminate enrolment in our enrolment contract and these processes follow the principles of natural justice.

The school notifies Immigration New Zealand when an international learner's enrolment is terminated.

### Unable to provide agreed educational programme.

In the unlikely event that Queen Elizabeth College is no longer able to provide the agreed educational programme due to ceasing to be a signatory or permanent school closure, our international learner fee protection and refunds policies will apply.

The international learner may agree to transfer to another school, and this will be worked through with the learner and their family on a case-by-case basis.

If the school is closed for onsite learning (e.g. due to pandemic), the agreed educational programme can still be provided through distance learning.

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### Overview

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 investigation process (the Investigation Process).

In Stage One, the School will investigate and determine the facts of the situation being considered (**the Situation**), and will reach a conclusion on what happened and whether there is a Welfare Issue or an incident that requires Disciplinary Action or the termination of the Agreement.

During Stage One of the Investigation Process, the Student will have an opportunity to provide a response to any subject matter being investigated or to any allegation made concerning the Situation.

In Stage Two, if the School has determined some response is required, the School will consider the appropriate outcome for the Situation, up to and including termination of the Agreement.

During Stage Two of the Investigation Process, the Student will have an opportunity to provide a response to the Situation and any proposed outcome that the School is considering taking (**the Proposed Action**).

This policy does not limit the School's power to take appropriate action urgently and without following the Investigation Process if this is necessary having regard to the seriousness of the Situation. Such a determination may be made at any point during the Investigation Process.

This policy also does not limit the School's power to suspend the student for the duration of the Investigation Process where suspension is considered necessary for the safety or education of any person.

### General Policy

When the School is conducting an investigation involving the Student it will endeavour to provide the Student with the following:

- (a) a written summary of the Situation (as it understands it) or the Proposed Action;
- (b) an opportunity to respond to the Situation or the Proposed Action, either in person or in writing or both, at the choice of the Student;
- (c) an opportunity to consider the Situation or the Proposed Action for a reasonable period of time (having regard to the seriousness of the Situation or the Proposed Action) before giving a response;
- (d) an opportunity to contact his or her Parent before giving a response, unless the delay caused by contacting that person is unreasonable having regard to the seriousness of the Situation or Proposed Action;

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- (e) an opportunity to have an independent support person of his or her choice present at any meeting relating to the Investigation Process;
- (f) an opportunity to meet with that support person in private at any stage during the Investigation Process;
- (g) an opportunity to have a translator present (or otherwise facilitate the student participating in the Investigation Process in his or her own language) during any meeting or process if the School or the Student considers that a language barrier means that a translator is required; and
- (h) a copy of this policy setting out the rights which the Student has when engaging in the Investigation Process.

### **Stage One: Incident Investigation**

When the School learns of any incident or any other thing that may be a breach of the Agreement or might otherwise warrant a Disciplinary Action or which may constitute a Welfare Issue, the School will notify the Student of the Situation and will provide the Student with an opportunity to give a response.

Where appropriate, having regard to the seriousness of the Situation, the Student will have the opportunity to respond either in person or in writing or both, at the choice of the Student. The School will receive this response and give it genuine consideration before making a decision about the Situation.

When the School makes a decision about the Situation it will advise the Student and Parent, in writing if possible, about its conclusion as to what happened and whether it considers that it requires some kind of formal response – whether Disciplinary Action, Termination or other intervention.

### **Stage Two: Outcome Discussion**

If the School determines that a formal response is required, it will advise the Student and Parent of the possible actions that it will consider taking in response to the Situation and will provide the Student and Parents with an opportunity to give a response.

Where appropriate, having regard to the seriousness of the Situation, the Student and parent will have the opportunity to respond either in person or in writing or both, at the choice of the Student. The School will receive this response and give it genuine consideration before making a decision about the action to be taken.

When the School makes a decision about the action that it will take in response to the Situation it will advise the Student and Parents of its decision, in writing if possible. The action will not take effect, and no actions will be taken to put it into place, until the Student and Parents have been advised of the decision.