

INFORMATION FOR DISCIPLINARY MEASURES GENERAL RULES EUROPEAN SCHOOLS

<http://www.eursec.eu/index.php?id=2>

CHAPTER VI DISCIPLINE

Article 40

The purpose of disciplinary measures shall be to educate and train. The Director shall ensure that the measures are coordinated and standardised.

Article 41

A pupil who fails to observe the School rules and general rules on communal life within the school shall be subject to disciplinary measures. Serious breaches of discipline shall be immediately reported to the Director and a written report provided to the director on the first working day following the incident.

Article 42

a) The list of disciplinary measures shall not imply that they can be imposed only in the order given.

All disciplinary measures from detention onwards shall be entered in the pupil's personal file and kept for a maximum of 3 years.

In a serious case, involving a risk to safety or health within the School, the Director may, as a precaution, return a pupil to the care of his/her legal representatives pending the convening of the Discipline Council.

b) Disciplinary measures in the secondary cycle shall be as follows:

1. Reprimand.
2. Extra work.
3. Detention.
4. Warning and/or sanction by the Director.
5. Warning and or sanction by the Director on a recommendation from the Discipline Council, with or without threat of exclusion.
6. Temporary exclusion from the School
 - By the Director, for a maximum of three working days
 - By the Director, on a recommendation from the Discipline Council, for a maximum of 15 working days..

7. Expulsion from the School decided by the Director on a recommendation from the Discipline Council.

A pupil's expulsion does not automatically give him/her the right to enroll in another European School.

c) Disciplinary measures in the primary cycle shall be of the same nature, except that expulsion shall not be possible.

The pupil's legal representatives shall be informed of all disciplinary measures, with the exception of reprimands.

Article 43

Disciplinary measures shall be taken at the three following levels:

1.1 The offence may be dealt with directly by the member of staff who witnessed the incident: reprimand.

1.2 Appropriate action by the teacher concerned in collaboration with the class teacher, an educational adviser or the principal educational adviser: detention and/or extra work, both with notification of the pupil's legal representatives and information to the Director.

2. Director's intervention: on the basis of a report submitted to him (Article 42), the Director shall summon the pupil and may issue a warning or take disciplinary measures extending to a temporary exclusion of a maximum of 3 working days.

3. Director's intervention after consultation of the Discipline Council, which may propose any sanction including temporary exclusion for more than three days up to definitive expulsion.

If the Director decides to bring the incident before the Discipline Council, he shall designate a reporter from among the teaching or supervisory staff, excluding members of the Discipline Council, to be responsible for drawing up the inquiry report.

Article 44

Discipline Councils

1. In each school two Discipline Councils shall be constituted: one for the primary cycle and one for the secondary cycle.

2. The Discipline Council's task is to examine serious infractions by pupils of school rules and general rules on communal life within the school.

3. If a pupil with special needs (SEN) is liable to be called before a Discipline Council the Director shall consult the Advisory Group.

4. Composition of the Discipline Council

The Discipline Council shall be composed of the Director assisted by the Deputy Director of the relevant cycle (without voting rights), and members of the seconded staff, with one teacher from each language section in the school, with a minimum of five teachers from different nationalities.

The list of members of the Discipline Council is drawn up by the Director on the proposals of the seconded teachers by language section and/or national representatives, and communicated to the Administration Board of the school.

The Discipline Council shall be chaired by the Director. In his/her absence, the Deputy Director of the relevant cycle shall preside. Attendance at Discipline Councils is compulsory, unless dispensation is granted by the Director for duly motivated reasons.

5. Convening of Discipline Council hearings

a) The members of the Discipline Council shall receive from the Director a notice convening the hearing, of which they must acknowledge receipt.

b) The pupil who is alleged to have committed an offence **and his legal representatives** shall receive from the Director a notice convening the hearing sent by registered letter at least one week before the scheduled date, except in cases of emergency.

c) The notice convening the hearing shall

- indicate the pupil's name and class
- indicate the date, time and place of the meeting
- set out the alleged offences
- **inform the pupil and his legal representatives that they may**
- **consult the file documenting the alleged offences by the Director and according to the arrangements indicated by the latter,**
- **make written observations,**
- **be assisted by a representative of the Parents' Association or by a teacher from the school**
- request that a representative of the Pupils' Committee attend the discussions as an observer. In that case, it is up to the pupil's legal representatives to invite these persons to attend the hearing, ensuring that the Director is informed thereof.

d) The members of the Discipline Council, the pupil's legal representatives and, where applicable, a person from the teaching staff or from the Parents 'Association charged with assisting him/her in mounting his/her defense may request permission from the Director to examine the complete file documenting the alleged offences. They may

consult it on the spot in the Director's office, free of charge, or request a full or partial copy, at their own expense.

6. Conduct of the proceedings before the Discipline Council.

The order of the proceedings shall be as follows:

- **C**hecking of attendance. The Chairperson shall check that the designated members of the Discipline Council who have not been granted a dispensation for duly substantiated reasons are present. In the event of absences, the Chairperson may decide to defer the hearing of the Council.
- **A**ppointment of the secretary to the hearing. The Chairperson shall designate a secretary to the hearing among the members of the Discipline Council. The minutes shall be signed by the Director and the secretary to the hearing.
- **R**eading of the inquiry report. After the pupil, his/her legal representatives and, where applicable, a person from the teaching staff or from the Parents 'Association charged with assisting him/her in mounting his defense and the representative of the Pupils' Committee have been introduced, the reporter designated by the Director shall present the inquiry report on which the appearance before the Discipline Council of the pupil against whom the case has been brought is based. This reporter may not be a member of the Discipline Council.
- **H**earing of the persons summoned. The Discipline Council shall hear all the persons summoned by the Director to appear in the case concerned. The hearing shall be held in camera.
- **D**eliberation and decision. The Discipline Council shall deliberate in the presence of its members. The deliberations are confidential.

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The offence, the disciplinary measure proposed, the result of the vote along with the main arguments and justification for the proposal will be recorded in the minutes of the hearing and annexed to the decision.

7. At the end of the hearing the secretary shall draft the Discipline Council's proposal which must include mention of the vote and the justification for the disciplinary measure proposed.

8. Notification of the decision

The Director shall orally notify the pupil concerned and his/her legal representatives of the decision which he/she has taken on the basis of the proposal of the Discipline Council and shall inform them of the appeals procedure and the time limit laid down for the lodging of appeals. In the event of exclusion the date of entry into effect will be specified.

The decision will be kept in the pupil's file.

The Director's decision shall be confirmed by written notification. The decision will come into effect on the morning after the sending of a registered letter - as attested by the postmark – or the sending of any

other form of written communication to the addressee. The time limit, during which an administrative appeal to the Secretary- General may be lodged by the pupil or his/her legal representatives in conformity with article 44.9, which is seven calendar days, shall begin from the date of this notification. The original appeal file shall be sent to the Secretary-General by registered mail, with the postmark as proof, and a copy deposited with the Director of the school in question, who shall be responsible for the transmission of all relevant documents for the treatment of the case to the Secretary-General.

9. Administrative Appeals

An appeal against a temporary exclusion of more than 10 working days or an expulsion may be lodged with the Secretary-General, in accordance with the procedures laid down in paragraph 8.

On the basis of a file transmitted by the school, the Secretary-General shall give a ruling within two weeks of receipt of the appeal.

Further information on complaints and appeals lodged with the Complaints Board of the European Schools can be found on European Schools website:
<http://www.eursc.eu/index.php?id=192>