

## **UWC DISCIPLINARY POLICIES**

### **9.1. Minimum standards for UWC Disciplinary Proceedings**

Under the UWC Memorandum of Understanding between UWC schools and colleges and UWC International (UWCI) the schools and colleges are independent legal entities governed and supervised by their Boards. UWCI takes the role of ensuring common minimum standards across the UWC movement. The aim of this document is to set out minimum standards for disciplinary proceedings that UWC schools and colleges are expected to adhere to in order to provide reasonable consistency and transparency in disciplinary processes.

The local context and regulations of every country where a school is located need to be followed.

Students entering UWCs as a condition of acceptance commit to the UWC Common Code of Conduct, which sets out basic expectations of behaviour. These expectations safeguard the health and wellbeing as well as the safety of students at UWC schools and colleges. Schools and colleges may have additional expectations in accordance with the cultural and regulatory context of each country.

All schools and colleges will have clear disciplinary procedures in place to address situations when the expectations are not met.

These procedural standards must ensure that the rights of each student are respected, and that due process is followed.

#### **Minimum standards**

As a minimum UWC schools and colleges should have in place:

- A clearly articulated Code of Conduct.
- A clearly articulated disciplinary process, including an appeals process.
  - Both documents should be available / accessible to the whole School Community. All but minor offences and the sanctions imposed will be recorded. Such records must be made available to the review panel should any appeal of the decision be initiated. The UWC International Office and National Committees\* must be informed of any student who is sanctioned with expulsion or who chooses to withdraw as a result of a disciplinary procedure (disciplinary withdrawal).

#### **The role of the UWC International Office**

- Recognising its supervisory role under the UWC Memorandum of Understanding, in cases of expulsion or disciplinary withdrawal the UWC

International Office (UWCI) will consider due process complaints from students, their parents, and/or the students' national committees.

UWCI will refer such complaints to the Board of the respective UWC school or college with the request to review and report back whether the disciplinary proceedings carried out by the school or college were in compliance with the school's own rules and procedures and the minimum standards laid out in this document.<sup>1</sup>

## **Procedures**

Elements to be included but not limited to, in a disciplinary process:

1. Stages of escalation, which generally include: informal warnings or verbal reprimand; letter to parents/guardians and national committees;\* formal written warning; suspension; expulsion.
2. Consistent and fair application of sanctions
3. If suspension, withdrawal or expulsion is deemed a possibility, parents (and national committees) will be contacted.
4. Provision for a formal disciplinary hearing in all cases of potential suspension or expulsion. The hearing must:
  - a. Provide advance notification to the student, his/her tutor (or equivalent) and – in the case of minors – the parents about the alleged offence. National committees will also be informed.\*
  - b. Be attended by a minimum of two staff members including the Leadership team member responsible for the final recommendation or decision.
  - c. Allow the student to be accompanied by a friend, parent or other adult for support.
5. Timely decision on and clear communication of the outcome of the hearing to the student, parents and national committee.
6. In cases of expulsion, the Chair of the School or College Board and the UWC International office will be informed as soon as possible.
7. Each School / College will ensure that all legal requirements in the School / College host country are respected.

## **Appeals Procedure**

If a student feels that a disciplinary issue has been handled inappropriately they have the right to appeal. In the case of an expulsion, a student has the right to appeal to the School or College Board where the same procedural safeguards as stated above apply.

N.B. Where possible the National Committee will play a supportive role, explaining the legal context or helping the family and student manage the changed circumstances. This will be particularly important if there are linguistic difficulties.

October 2017

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<sup>1</sup> This practice is in line with the UWC International Policies:

- Addressing and Resolving Disputes and Situations of Concern
- Policy and Procedure for Resolving Complaints/Concerns

## **9.2. Guideline on Ensuring Safe UWC Campuses**

*Meeting on 27-28 October 2017*

*UWC Robert Bosch College, Freiburg (Germany)*

UWCs are residential schools with a deliberately diverse student body. We celebrate differences of culture, social background, personal orientation and value systems and trust in the power of personal encounter and positive engagement to bring about mutual understanding. The age group of our students in the IB Diploma program is an age of self-discovery and a period of sexual maturation. We recognize that in some cultures this is also an age of sexual experimentation, while in other cultures this is deemed unacceptable. UWCs operate on the principle of mutual respect for differing cultural perspectives. Personal trust and responsibility are the basis for all interactions at our schools.

While this document sets out common expectations of all UWC schools and colleges inherent in the UWC values and ethos, it is not intended to be legally binding in order to ensure that each UWC school and college can fully conform with applicable laws and regulations in its country of operation.

**Basic Principles:** UWCs must provide a safe environment for all members of their communities. UWCs, therefore, have a common principle of zero tolerance for sexual violence or assault, understood to be sexual activity of any kind without the voluntary and explicit consent of the parties involved. UWCs seek to provide unconditional support to anyone in their communities who has experienced sexual assault. While any allegations of sexual assault levelled against a teacher or adult member of staff is expected to be referred to the appropriate authorities without undue delay, UWCs recognize their duty of care not just to the complainant, but also to the accused particularly in student to student interactions.

**Robust Policies:** Each UWC school and college is expected to have a robust policy in place taking into account the above basic principles and conforming with applicable local laws and regulations. Such policies should also set out clear, transparent and appropriate procedures and easily accessible and appropriate support mechanisms to deal with incidents of sexual assault. Wherever feasible adults working at UWCs should undergo appropriate criminal record checks for those working and/or living with minors who are not their own children. In the interest of child safety transfers of teachers and staff between UWC schools and colleges should only happen after direct communication between the respective Heads.

**Prevention:** UWC schools and colleges are expected to provide appropriate information on safe sexual behaviour and to have a personal, social and health education (PSHE) program providing comprehensive sexual health information respectful of the entire spectrum of gender identity, sexuality and sexual orientation. Attitudes should not be expected to conform to one cultural paradigm. Each UWC is expected to ensure that the laws of the host country are fully known and understood by all students and that the potential consequences of breaking the law with regard to sexual activity and definitions of assault as well as reporting procedures to public

and law enforcement authorities are made clear. A full understanding of the concept of consent – defined as the act of voluntarily and explicitly agreeing each time before engaging in specific sexual conduct - in the diverse and multicultural setting of UWCs is key to preventing sexual assault and a core part of all prevention programs at UWCs.

While UWCs do not encourage sexual activity and the Code of Conduct prohibits sexual activity in any public area including student rooms, UWCs are expected to provide their IBDP-students who may legally engage in sexual activity with information about the law and consensual sexual relationships.

**Adult Training:** Adults at UWC schools and colleges that are likely to become points of contact in cases of sexual assault (e.g. houseparents, tutors, deans, head) should receive training in responding to allegations. Special training is required for those teachers engaged in personal, social and health education (PSHE) programs and in the prevention trainings focused on sexual activity, issues of consent and on the host country laws governing both.

**Response to Reports of Sexual Assault:** UWC schools and colleges are expected to encourage students to make contact with a trusted adult, if they feel that they have been subjected to sexual assault. Clear processes must be in place to support, guide and advise students and students must be clear about who they can speak with and what the possible outcomes may be.

If not precluded by law, UWC schools and colleges may run their own independent investigation in accordance with their internal disciplinary procedures or a mediation process agreed by the parties. Processes instituted at UWCs are expected to provide advice, guidance and support to both the complainant and the accused and UWC schools and colleges must ensure that processes are fair to all involved.

To the extent permissible by law, UWC schools and colleges should take into consideration the complainant's wishes regarding a formal complaint against the accused, filing charges with law enforcement, informing his/her parents/legal guardians and – on the basis of confidentiality – informing the relevant UWC National Committee and the UWC International Office. If a formal complaint is made or charges filed with law enforcement, the accused should immediately be notified of the complaint/charge and his/her parents/legal guardians, the relevant UWC National Committee and the UWC International Office should be informed unless the student is a legal adult in the country, in which the College is located, at the time of the report and chooses to withhold this information. If charges have been filed with law enforcement, the UWC school or college should contact the embassy/consulate of the accused student to ensure appropriate guidance, legal or otherwise. Should the parent/guardian/consulate wish to take the student into their care/custody, this should be permitted by the school or college with a proper written record exchanged between the parties.

With legal advice and input from consular authorities the accused student may withdraw from the school or college (and country) and face an inquiry and or make their defence from their home country. While there is no obligation on behalf of UWC to find an alternative UWC for a student withdrawn under such circumstances, the accused student shall not be considered for a transfer to another UWC unless an

appropriate investigation has taken place and the Head of the “sending” College is satisfied that on the balance of evidence there is not sufficient proof of the complaint.

**Confidentiality:** UWC schools, colleges, NCs and UWC International Office should maintain confidentiality about all matters relating to an alleged incident to protect all parties involved. However, UWC schools and colleges are expected not to engage in any action that may be perceived as silencing a complainant or actively discouraging them from “going public” unless an agreement on confidentiality has been reached between the parties in a mediation process, during which appropriate support was available to both parties.

1<sup>st</sup> draft April 2016

2<sup>nd</sup> draft October 2016

Final version approved by UWC International Board in February 2017

### **9.3. Policy and Procedure for Resolving Complaints & Concerns**

**UWC makes education a force to unite people, nations and cultures for peace and a sustainable future.**

We cannot do this without the commitment, belief and generosity of all of the people involved in the UWC movement whether staff or volunteer, teacher or student/parent. UWC hopes that everyone who comes into contact with us will have a positive

experience. UWC aims to provide the very best service in all areas of our work. However, it is inevitable that on occasion, concerns may arise that give rise to complaints and that may in turn require investigation.

UWC believes that to achieve peace and a sustainable future, the values it promotes are crucial:

- International and intercultural understanding
- Celebration of difference
- Personal responsibility and integrity
- Mutual responsibility and respect
- Compassion and service
- Respect for the environment
- A sense of idealism
- Personal challenge
- Action and personal example

UWC is a federal organisation and complaints should always, in the first instance, be addressed to that part of the UWC movement in which the complaint has arisen – i.e. the school or college, national committee or UWC International for those matters directly under UWC International's jurisdiction.

### **Raising a complaint or concern with UWC International.**

In reality most complaints are resolved in a straightforward way through discussion at the appropriate level at the time that a concern is raised. When this is not the case, complaints should be raised in writing so that facts are not misheard or misrepresented. Anonymous complaints will only be addressed, if the gravity of the complaint suggests that the UWC movement and brand could be damaged if the complaint was not addressed.

UWC International receives complaints in three circumstances:

1. A complaint about a matter directly under the jurisdiction of UWC International (i.e. a complaint about a member of or an issue arising from the UWC Council, UWC International Board, UWC International staff or a UWC International volunteer.)
2. A complaint relating to a matter in a UWC school, college or national committee. In this instance, UWC International will pass the matter directly to the constituency concerned and will not be involved in any resolution of the matter.
3. A complaint that is escalated to UWC International as the complainant is unhappy with the outcome from the UWC constituency.

This policy deals with the first and third circumstances. UWC is a federal organisation and UWC International has no power to resolve a complaint, other than when it is about a matter directly under UWC International's jurisdiction.

## **A complaint about a matter directly under the jurisdiction of UWC International.**

1. The complainant should put into writing the background to the situation. The written complaint should give all relevant details of the concern, including where relevant names, dates and places.
2. Within five working days UWC International will assess who is best placed to follow up on the complaint and the complainant will receive a communication:
  - Acknowledging receipt of the complaint
  - Indicating how the matter will be followed up
  - Indicating the period of time this is likely to take (timescales may vary in particular if a complaint involves volunteers)
  - Asking for any further information or clarification if required
  - Informing the complainant if UWC International is unable to deal with the complaint.
3. The complaint will be passed on to the designated person.
4. UWC International will make initial enquiries and will collect evidence where necessary. Some complaints or concerns may be resolved by agreed action without the need for investigation.
5. UWC International will contact the complainant with the outcome of the enquiry and will pursue any follow up actions as needed.
6. If the complaint cannot be resolved it should be escalated to the Executive Director or Chair of UWC International Board.

## **Appeal process**

If the complainant is not satisfied with the response from UWC International, they may request an appeal review within 14 days. The appeal will be adjudicated by the Executive Director or if the Executive Director has previously been involved in the process by the Chair or if the Chair has been previously involved in the process by a panel of three individuals from the UWC International Board.

## **A complaint/concern about a matter within a UWC constituency being raised with UWC International after apparently not being addressed or not being addressed properly in the view of the complainant.**

1. The complainant will be asked to give evidence of the original complaint and communication with the UWC constituency to UWC International. UWC will follow up with the constituency.

2. If the complaint is that an earlier complaint has not been addressed and the constituency confirms that the matter has been addressed, the matter will be considered closed. If a response has not been provided to the complainant, UWC International will encourage the UWC constituency to investigate and respond to the complainant directly.

If the complaint is that an earlier complaint has not been dealt with properly in the view of the complainant, UWC International's primary responsibility is to confirm that the constituency's complaints process has been followed:

- If the complaints process has been followed, then UWC will consider the matter closed.
  - If the complaints process has not been followed, UWC International will encourage the UWC constituency to follow its process.
3. If the constituency's handling of the matter gives cause for concern, UWC International will have no jurisdiction to resolve the complaint, but it may be appropriate for UWC International to raise a situation of concern under the Disputes and Situation of Concern policy

### **Complaint/concern received via social media.**

If a complaint/concern is received through a social media channel the complainant will be acknowledged and asked to raise their complaint/concern offline from the social media channel and through the process as listed above.

This document has been approved by the International Board September 2015  
Review date 2018

## **9.4. Addressing and Resolving Disputes and Situations of Concern**

A key expectation of UWC international, as set out in the Memoranda of Understanding between the UWC schools and colleges and UWC International and between UWC national committees and UWC International, is to act to defend the interests of UWC constituencies (schools, colleges and national committees). The Memoranda of Understanding also commit the UWC schools, colleges and national committees to abide by the values, principles and policies of UWC International.

There will be occasions when UWC International is expected to act as a result of these

provisions, either because the actions of one or more UWC constituency(ies) creates a situation of concern or presents a risk to the UWC movement, or because of a dispute between UWC constituencies.

In seeking to resolve a dispute or situation of concern involving a school or college, UWC International does not ordinarily have recourse to sanctions other than the ultimate course of action of terminating an institution's membership of UWC; in the case of national committees, there may be the alternative of suspension or downgrading, including the withdrawal of offers of student places. The UWC International Board has agreed that even where there may be other meaningful sanctions available, such as a financial sanction, these should not be deployed because of the difficulty of maintaining consistency and fairness, although they may form part of a resolution process. It is therefore important to have in place a process that can ultimately lead to the termination of membership, with the expectation that the process itself become the means to avoid reaching that end.

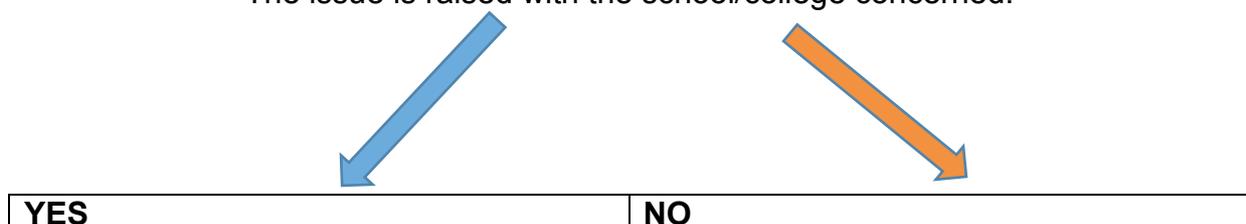
This policy governs the process that will be put in place when a situation of concern or dispute arises. Separate processes apply to UWC schools/colleges and national committees, but the processes are intended to be fully consistent with each other. At all times, UWC International's emphasis will be on seeking to resolve the issue rather than moving to the next stage of the process.

**Note:** In adopting this policy, the UWC International Board has used the name National Committee Development Committee to apply to the Board subcommittee to which it delegates responsibility for governance of the national committee system. At the time of adopting the policy, that committee is under review and the terms 'National Committee Development Committee' or 'NCDC' are taken to apply to any future committee responsible for governance of the national committee system.

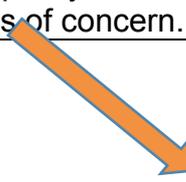
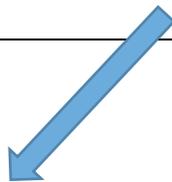
### **Addressing and Resolving Disputes and Situations of Concern: UWC Schools and Colleges**

The dispute, conflict or policy breach is clearly identified to the constituency/ies concerned; MoU will usually provide reference point.

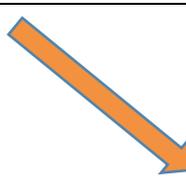
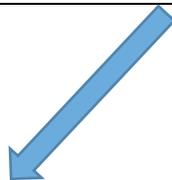
The issue is raised with the school/college concerned.



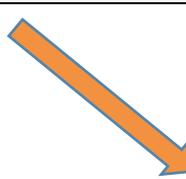
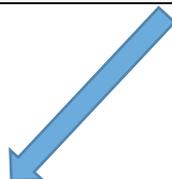
No further action	The Executive Director formally raises the matter in writing with the Head of College, setting out that the matter should be resolved and describing next steps should it not be resolved within a specified timeframe. It should be clear that the letter is being written within the context of the Board's policy on resolving disputes and situations of concern.
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<p><b>YES</b> No further action; the school/college and International Board are informed; the letter is retained on file.</p>	<p><b>NO</b> The International Board considers the matter and, if it sees fit, authorises the Chair formally to raise the matter in writing with the College Chair. The letter should set out the issue and the expectation that the matter should be resolved, where appropriate indicating an expected timeframe and making it clear that a failure to resolve the issue could lead to the removal of UWC membership.</p>
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<p><b>YES</b> No further action; the school/college and International Board are informed; the correspondence is retained on file.</p>	<p><b>NO</b> A resolution panel is established by the International Board to investigate the issue further. The resolution panel reports to the International Board and the Board decides on steps to be taken to resolve the issue. These steps are formally communicated to the school/college.</p> <p><b>Situation Resolved?</b></p>
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<p><b>YES</b> No further action; the school/college</p>	<p><b>NO</b> The UWC Council is usually informed of</p>
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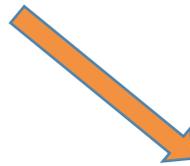
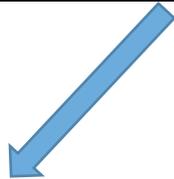
and International Board are informed; the correspondence is retained on file.

the situation, notified that the process is reaching its final stages and that failure to reach a resolution could result in the school/college losing its membership, and UWC Council members are asked to comment.



The International Board receives feedback from the UWC Council and decides whether the issue justifies removal of membership. The Chair writes formally to the College Chair detailing the Board's decision, its implications and the steps that will be taken to remove membership. The letter makes clear that the school/college has the right of appeal.

**School/college appeals?**



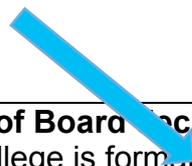
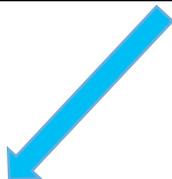
**YES**

Appeal panel formed. Appeal panel should comprise at least three members and no more than one-third should be current members of the International Board. The appeal panel undertakes detailed consideration of the issue, and has three options open to it: confirmation of the Board's decision, modification of the Board's decision, rejection of the Board's decision. Appeal panel reports to the International Board.

**The Board decides on its reaction to the appeal panel**; in most cases the Board will accept the recommendation of the appeal panel.

**No appeal / Appeal panel agrees with Board decision**

Proceedings commence to bring to an end the UWC membership of the school/college. A formal letter is sent to the school/college confirming the decision and addressing the timing, the consequences for students, the procedure to cease recognition as a UWC institution and the process for informing all relevant parties. If necessary, legal advice is sought with a view to withdrawing and preventing use of the UWC name and identity.



**Rejection of Board decision**

No further action and the school/college is formally notified.

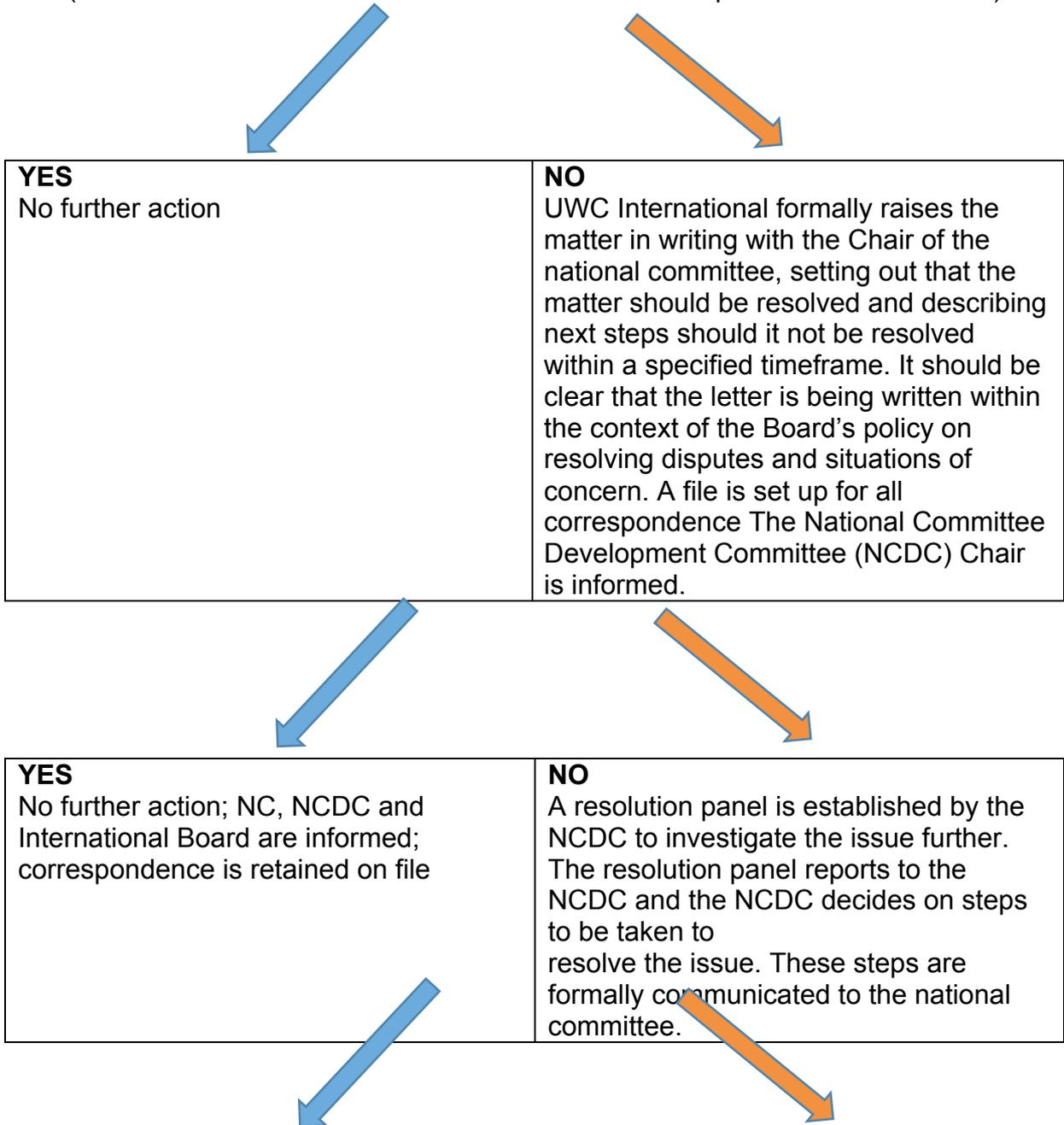
**Modification of Board decision**

The school/college is formally notified and the Board oversees

**Addressing and Resolving Disputes and Situations of Concern:  
UWC National Committees**

The dispute, conflict or policy breach is clearly identified to the constituency/ies concerned; MoU will usually provide reference point.

Issue raised with NC administrator by Senior Officer in writing  
(notification to Director of National Committee Development and Admissions)



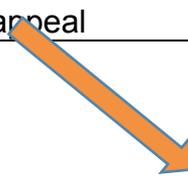
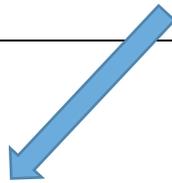
**YES**  
No further action

**NO**  
UWC International formally raises the matter in writing with the Chair of the national committee, setting out that the matter should be resolved and describing next steps should it not be resolved within a specified timeframe. It should be clear that the letter is being written within the context of the Board's policy on resolving disputes and situations of concern. A file is set up for all correspondence The National Committee Development Committee (NCDC) Chair is informed.

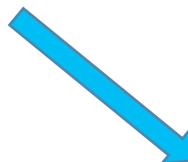
**YES**  
No further action; NC, NCDC and International Board are informed; correspondence is retained on file

**NO**  
A resolution panel is established by the NCDC to investigate the issue further. The resolution panel reports to the NCDC and the NCDC decides on steps to be taken to resolve the issue. These steps are formally communicated to the national committee.

<p><b>YES</b> No further action; NC, NCDC and International Board are informed; correspondence is retained on file</p>	<p><b>NO</b> A decision is taken by the NCDC, requiring the endorsement of the International Board, to remove, suspend or downgrade membership.</p> <p>The Executive Director writes formally to the NC Chair detailing the decision and the timeline. The letter should also list the implications of the decision in all areas, including but not limited to: the selection of students, use of the UWC name and brand, ability to speak and act on behalf of UWC and the rights to data and access to online resources.</p> <p>This letter makes clear that the national committee has a right of appeal</p>
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<p><b>YES</b> Appeal panel formed. Appeal panel should comprise at least three members and no more than one third should be current members of the International Board. The appeal panel undertakes detailed consideration of the issue, and has three options open to it: confirmation of the NCDC/Board decision, modification of the NCDC/Board decision, rejection of the NCDC/Board decision. Appeal panel reports to the International Board.</p>	<p><b>NO</b> Removal of membership: Proceedings commence to bring to an end UWC membership. A formal letter is sent to the NC confirming the decision and addressing the timing, the consequences, the procedure to cease recognition as a UWC entity and the process for informing relevant parties. If necessary, legal advice is sought with a view to withdrawing and preventing use of the UWC name and identity.</p>
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<p><b>Rejection of Board decision</b> No further action and the national committee is formally notified.</p>	<p><b>Modification of Board decision</b> The national committee is formally notified and the Board oversees</p>
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Policy adopted by the UWC International Board of Directors, 26-27 October 2014  
Review date: 2016