

Disciplinary Procedures at Diaconia University of Applied Sciences

DISCIPLINARY PROCEDURES AT DIAK INCLUDE:

A. Removal from class or other educational event

A student who disturbs teaching, acts in a violent or threatening manner or threatens someone's life or health may be told to leave the premises in which the teaching or school event is taking place.

B. Withholding of teaching

In accordance with Act 932/2014, Section 38, a student can be refused teaching for a maximum of three work days if:

1) the danger exists that the safety of another student or a person working at the UAS or other educational premises is endangered due to the student's violent or threatening behaviour

and/or

2) teaching or a related activity is unreasonably encumbered due to the student's disruptive behaviour

Withholding teaching and participation from a student can also mean removing the student from virtual learning environments for the specified period.

C. Withholding the right to study

1. If a student refuses to undergo the checks and examinations specified in Act 932/2014, Section 34, Subsection 1, for the purpose of learning the student's health status, the student may be refused the right to study until he/she agrees to the required checks and examination (Section 38, Subsection 4).

2. If a student refuses to present a criminal records extract as specified in Act 932/2014, Section 34, Subsection 4, the student may be refused the right to study until he/she presents the extract (Section 38, Subsection 4).

D. Written warning

Under Act 932/2014, Section 38, a student can be given a written warning if the student

1. disturbs teaching or work in Diak's learning environments
2. behaves in a violent or threatening manner
3. acts deceitfully or fraudulently or otherwise breaks the rules of the school
4. refuses to present a drug test certificate under Section 38
5. on the basis of a report referred to in Section 38, has used drugs for other than medicinal purposes so that his/her functioning capability has been compromised.

E. Temporary suspension from the university of applied sciences

If a deed or neglect is serious or if a student after a written warning continues an improper behaviour referred to in Act 932/2014, Section 38, the student may be temporarily suspended from the university of applied sciences for a maximum of one year.

Revocation of the right to study, see Appendix 1.

Under Act 932/2014, Section 58, Subsection 2, students at Diaconia University of Applied Sciences may appeal to Helsinki Administrative Court against disciplinary procedures concerning them.

Appeals to decisions concerning the revocation or reinstatement of the right to study (Act 932/2014, Sections 33 and 35, respectively) may be submitted in accordance with Act 932/2014, Section 58, Subsection 1, to the Students' Legal Rights Protection Committee.

DISCIPLINARY PROCESSES AT DIAK

A. A student may be refused participation in teaching,

- a) if the student's behaviour during teaching or guidance is purely disruptive. When that is the case, the teacher or other staff member
 1. may ask to student to leave – this includes his/her access to teaching and participation in virtual learning environments.

2. notifies the porter or the on-duty safety officer
 3. organises the actions needed to care for the student (for e.g. a drunken student)
 4. reports the event via Falcony.
- b) if a teacher or another Diak staff member observes a situation endangering the safety of other people, this person
1. assesses the danger and the risks involved and follows these instructions:
 - try to calm down the situation
 - leave room around the threatening person, safeguarding his or her personal space
 - speak clearly, briefly and follow the aggressor's lead
 - keep your hands in sight
 - stay calm
 - do not stare
 - do not belittle the aggressor or underestimate the situation
 - be yielding rather than abrupt
 - do not turn your back or make sudden moves
 - do not correct the delusions of intoxicated or delusional persons
 2. phone help from 112 so that the aggressor does not notice
 3. try to keep yourself and others safe
 4. obtain help from other Diak staff and students
 5. give first aid to victims, if any

When the immediate danger is over, the teacher or another Diak staff member notifies the vice rector as soon as possible and report his/her view of the incident via Falcony.

- c) if a student refuses to undergo the checks and examinations specified in Act 932/2014, Section 34, Subsection 1, for the purpose of learning the student's health status.
- d) if a student refuses to submit a criminal records extract as specified in Act 932/2014, Section 34, Subsection 4.

Vice rector

1. hears the student together with a study guidance counsellor, school social worker or another person deemed necessary
2. finalises the report via Falcony
3. decides on the withholding of teaching or proposes, in writing, to the rector that the student be given a written warning or be suspended temporarily
4. informs the student of the decision
5. arranges a debriefing session, if necessary, for those involved in the incident
6. if needed, refers the student to the student welfare group
7. informs the rector who informs Diak's security team, if necessary; the vice rector also informs the rector if the student refuses to attend the hearing

B. Giving a written warning

1. Plagiarism

If a student is caught plagiarising or cheating (i.e. cheating on exams, copying assignments, falsifying practical training reports, having one's exam done by someone else), the supervising lecturer will take the situation in hand, in exam situations, expelling the student from the exam. The lecturer who observed the cheating will contact the suspected student as soon as possible, requesting a written explanation. If the student is unable to show by his or her explanation that cheating did not occur, disciplinary action will be taken. The lecturer will, as soon as possible, verifiably notify the student of the initiation of disciplinary action. The Head of Education and the lecturer will hear the student and deliver the documentation to the Rector.

2. Other situations

When the conditions for giving a written warning are fulfilled, the teacher or another Diak staff member notifies the vice rector as soon as possible and records his/her view of the incident via Falcony.

Vice rector

1. hears the student together with a study guidance counsellor, school social worker or another person deemed necessary
2. finalises the report via Falcony
3. decides on the withholding of teaching or proposes, in writing, to the rector that the student be given a written warning or be suspended temporarily
4. informs the rector about a warning through Dynasty; the vice rector also informs the rector if the student refuses to attend the hearing
5. the rector decides whether a written warning will be issued
6. the rector's assistant sends the written warning to the student
7. the rector informs Diak's security team, if necessary.

C. Temporary suspension from the university of applied sciences

When the conditions for a temporary suspension are fulfilled,

- the vice rector hears the student together with a study guidance counsellor, school social worker or another person deemed necessary
- the vice rector finalises the incident report via Falcony
- the vice rector presents the matter to the rector; the vice rector also informs the rector if the student refuses to attend the hearing
- if needed, the rector drafts the proposal of temporary suspension
- the rector introduces the matter for decision by the Diaconia University of Applied Sciences Ltd Board of Directors
- the vice rector arranges a debriefing session, if necessary, for those involved in the incident
- the Board makes the decision concerning the temporary suspension
- the rector or the assistant to the Diaconia University of Applied Sciences Ltd Board of Directors informs the student of the Board decision
- the rector informs Diak's security team, if necessary

DECISION

The Diaconia University of Applied Sciences Ltd Board of Directors decides on the cancellation of a student's right to study and on the entry into force of the decision.

DOCUMENTING THE DECISION

Dynasty: secret document

MyDiak

COMMUNICATION

The vice rector notifies Valvira about a process and decision to revoke a student's right to study in a field supervised by Valvira Act 932/2014, Sections 33 and 34.

The rector sends the student a written communication concerning the decision by The Diaconia University of Applied Sciences Ltd Board of Directors.

APPEALS

Students' Legal Protection Committee; within 14 days of being informed

Revocation of the right to study

<p>Legal basis</p>	<p>UNSUITABILITY</p> <ul style="list-style-type: none"> the student has repeatedly or seriously endangered the health or safety of another person <p>Act 932/2014, Sections 26 and 33</p>	<p>HEALTH STATUS OR FUNCTIONING CAPABILITY</p> <ul style="list-style-type: none"> the student's health or functional capacity does not fulfil the conditions for admission the student could not have been admitted for this type of education if the health-related issue had been known during the application phase serious issues affecting the student's physical or psychological functioning capability prevent success in practical duties, in learning through working or in practical training <p>Act 932/2014, Sections 26 and 33 Concerns students who applied after 1 Jan 2012</p>	<p>DURING THE APPLICATION PHASE, CONCEALING INFORMATION RELATING TO A PREVIOUS DECISION ABOUT THE FORFEITURE OF THE RIGHT TO STUDY</p> <p>Act 932/2014, Sections 26 and 33</p>	<p>STUDIES INVOLVE WORKING WITH MINORS TO A SUBSTANTIAL DEGREE, CRIMINAL RECORDS EXTRACTS</p> <ul style="list-style-type: none"> the student has been convicted of an act of sexual indecency, a sex offence, aggravated assault, a narcotics offence more than minor, and cancellation is required in order to protect minors the requirement of criminal records information is applicable to those situations only in which the work involves close interaction with children <p>Act 932/2014, Section 33, Act 770/1993</p> <p>Applicable to students who started on 1 Jan 2012 or later</p>
---------------------------	---	---	---	--

<p>Procedure</p>	<ul style="list-style-type: none"> • initiation by a staff member: the staff member documents the incident via Falcony • initiation due to an observation by a practical training supervisor or another student takes place with the help of a staff member via Falcony 	<ul style="list-style-type: none"> • initiation by a staff member: the staff member documents the incident via Falcony • initiation due to an observation by a practical training supervisor or another student takes place with the help of a staff member via Falcony 	<ul style="list-style-type: none"> • staff members are required to contact the vice rector if there is reason to believe that a student has concealed information relating to a revocation of a right to study • at the vice rector's request, a study guidance counselor requests and obtains information from a previous educational institution concerning a previous decision and its justifications, or a current revocation process, of a student's right to study (Act 932/2014, Section 34) • a study guidance counselor/the head of student affairs informs the vice rector, in writing, of the revocation decisions and current revocation processes, if any 	<ul style="list-style-type: none"> • If practical training involves working with minors to a substantial degree, criminal records extracts need be presented before practical training commences • if a student refuses to present a criminal records extract the student may be refused the right to study until he/she presents the extract • if a student's extract show an offence that prevents work with minors, a study affairs assistant contacts the supervising teacher and the appropriate study guidance counselor; the counselor enters the information about the offence into MyDaik • the counselor or the supervising teacher informs the vice rector of the matter
-------------------------	---	---	---	---

<p>Assessment of further actions</p>	<ul style="list-style-type: none"> • the vice rector hears the student together with a study guidance counsellor and/or a school social worker • the issue is handled in the student welfare group in which the need for the student's health status examination is assessed • the vice rector consults with the rector and a lawyer about initiating a revocation process concerning the student's right to study; the vice rector informs the rector also if the student refuses to attend the hearing • if the process is initiated, the vice rector notifies Valvira about a process having been initiated to revoke a student's right to study • possible health status examinations: professional opinions, drafted on the basis of check-ups and examinations, concerning 	<ul style="list-style-type: none"> • the vice rector hears the student together with a study guidance counsellor and/or a school social worker • the issue is handled in the student welfare group in which the need for the student's health status examination is assessed • the vice rector consults with the rector and a lawyer about initiating a revocation process concerning the student's right to study; the vice rector informs the rector also if the student refuses to attend the hearing • if the process is initiated, the vice rector notifies Valvira about a process having been initiated to revoke a student's right to study • possible health status examinations professional opinions, drafted on the basis of check-ups and examinations, concerning the student's health status and functioning capability, are submitted to the vice rector • on the basis of examinations, support needs assessment by the student welfare group 	<ul style="list-style-type: none"> • the vice rector hears the student together with a study guidance counsellor and/or a school social worker • a study guidance counselor and the student discuss the student's possibilities of getting into a different type of education • the vice rector consults with the rector and a lawyer about initiating a revocation process concerning the student's right to study; the vice rector informs the rector also if the student refuses to attend the hearing • if needed, the rector drafts a proposal for the Diaconia University of Applied Sciences Ltd Board of Directors concerning the revocation of the student's right to study; justification—Act 932/2014, Section 33 	<ul style="list-style-type: none"> • the vice rector hears the student together with a study guidance counsellor and/or a school social worker • a study guidance counselor and the student discuss the student's possibilities of getting into a different type of education • the issue is handled in the student welfare group in which the need for the student's health status examination is assessed • the vice rector consults with the rector and a lawyer about initiating a revocation process concerning the student's right to study; the vice rector informs the rector also if the student refuses to attend the hearing • if needed, the rector drafts a proposal for the Diaconia University of Applied Sciences Ltd Board of Directors concerning the revocation of the student's right to
---	---	--	--	---

	<p>the student's health status and functioning capability, are submitted to the vice rector</p> <ul style="list-style-type: none"> on the basis of examinations, support needs assessment by the student welfare group if the student is unsuitable, a study guidance counselor and the student study the student's possibilities of getting into a different type of education the vice rector presents the matter to the rector if needed, the rector drafts a proposal for the Diaconia University of Applied Sciences Ltd Board of Directors concerning the revocation of the student's right to study; justification—Act 932/2014, Section 33 the student may appeal to the Board for the restoration of his/her right to study; the right to study may be restored if the 	<ul style="list-style-type: none"> if the student is unsuitable, a study guidance counselor and the student study the student's possibilities of getting into a different type of education the vice rector presents the matter to the rector if needed, the rector drafts a proposal for the Diaconia University of Applied Sciences Ltd Board of Directors concerning the revocation of the student's right to study; justification—Act 932/2014, Section 33 Diak carries the costs of the required check-ups and examinations the student may appeal to the Board for the restoration of his/her right to study; the right to study may be restored if the grounds for revoking it no longer exist; justification—Act 932/2014, Section 35 		<p>study; justification—Act 932/2014, Section 33</p> <ul style="list-style-type: none"> if the process is initiated, the vice rector notifies Valvira about a process having been initiated to revoke a student's right to study the student may appeal to the Board for the restoration of his/her right to study; the right to study may be restored if the grounds for revoking it no longer exist; justification—Act 932/2014, Section 35
--	--	--	--	---

	grounds for revoking it no longer exist; justification—Act 932/2014, Section 35			
--	--	--	--	--