

1. Disciplinary Procedures

A member of the University College wishing to complain of misconduct by a student shall bring it to the attention of the Dean. The complaint shall be thoroughly investigated. The person investigating the matter may do one or more of the following:

Discuss the complaint informally with the subject of the complaint, the person making the complaint or any other person involved.

Ask the subject of the complaint to attend a meeting to discuss the complaint. A member of the school or section staff not involved in the matter should be present at any such meeting and the student may be accompanied by a member of the University College.

Give warning in writing to the student setting out the nature of the misconduct and noting that failure to remedy the matter or to observe the Code of Student Conduct may lead to formal disciplinary action under the provisions of the Code; a copy of any such written warning shall be sent to the Vice-Chancellor's Office, DVC Academic & Administration), Dean and to the Admissions & Records office for filing. This is also known as the Preliminary Investigation.

1.1 Stages of the Disciplinary Procedure

1.1.2 Preliminary Investigation

a) This first stage is conducted by the relevant Dean, Head of Student Services or designated alternate. The process of enquiry will normally involve the consideration of evidence and consultation with key individuals. This preliminary investigation should normally be completed within 14 days of receipt of the allegation. On conclusion of the investigation, the relevant person-in-charge may determine one of the following outcomes:

- That there are no grounds for further investigation or;
- That the student concerned should be given an informal caution or;
- That the allegation should be dealt with formally through a formal interview or;
- That the allegation should be dealt with formally through the Disciplinary Panel Hearing.

- b) Formal procedures are to be used for:
 - a. Repetition of minor acts of misconduct
 - b. Where informal action has failed or is considered to be inappropriate
 - c. For serious allegations, including gross misconduct

1.1.3 Formal Interview

- a) If the relevant Dean, Head of Student Services or designated alternate deem that the alleged breach of the Code of Behaviour should be investigated, a Formal Interview will be conducted with the individuals concerned. The process of enquiry will involve consideration of papers and consultation with key individuals as well as the interview.
- b) The relevant person-in-charge shall inform the individuals concerned in writing of the nature of any allegations made against them and give them the opportunity to produce a written reply to any allegation and to give details of any witnesses to the alleged incident.
- c) The relevant person-in-charge shall interview the individual(s) concerned, review all the evidence presented and make his/her decision.
- d) On conclusion of the Formal Interview, the person-in-charge may determine that:
 - The case should be dismissed as vexatious, trivial or lacking in evidence.
 - The student should be given a formal verbal warning and confirmation of the possible consequences of further allegations of misconduct.
 - The student should be required to provide a written apology and a written undertaking that the Code of Behaviour will be properly observed for the remainder of his/her studies at the University College.
 - The student should be reprimanded formally in writing, through a formal written warning.
 - The student should be required to make good, in whole or in part, any loss or damage to the University College's premises, or to the property of any member of the University College, found to have been caused by the

student and which formed part of the allegation against him/her, or to make restitution for any additional expense caused to the University College as a result of the misconduct.

- The case cannot be resolved and recommend to the Vice-Chancellor, Academic Affairs and Administration that a Disciplinary Panel Hearing be convened.

- e) The person-in-charge must notify the student in writing of the outcome of the disciplinary proceedings, normally within seven (7) days of the conclusion of the Formal Interview. This notice must include a statement of the facts identified for the penalty, if any to be imposed. The notice shall be copied to the Vice-Chancellor's Office, DVC Academic and Administration, Dean and Admissions and Records Office.

- f) On conclusion of the Formal Interview and investigation, the person-in-charge may determine that one or more of the following sanctions may be imposed:
 - (i) Pay a stipulated fine
 - (ii) Produce a formal written apology
 - (iii) Make a financial restitution
 - (iv) Carry out service for the benefit of the complainant, University College or local community
 - (v) Formal verbal or written warnings

1.1.4 Disciplinary Panel Hearing

- a) In cases where it is determined that the allegation of misconduct should be investigated by a Disciplinary Panel, the DVC, Academic and Administration or his/her designated alternate, or the Head of Student Services, will convene a hearing for the panel as soon as possible and normally within 21 days following the receipt of the report.

- b) The report and any associated papers forwarded to the Secretary of the Panel by the person-in-charge will constitute evidence for the hearing. The Secretary to the Disciplinary Panel may also call for such other papers and conduct whatever other investigations may be deemed appropriate.