



## Athlone Institute of Technology Student Code of Conduct and Discipline

*Status: **FINAL***

<b>Document title: Athlone Institute of Technology Student Code of Conduct and Discipline</b>			
<b>The Student Code of Conduct and Discipline has been published in the Student Handbook year on year. This revised document builds upon those principles and formalises the Student Code of Conduct and Discipline.</b>			
<b>Originator: Academic Administration and Student Affairs Manager</b>		<b>Status: <b>FINAL</b></b> <b>Immediate Implementation</b>	
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<b>Revision Number</b>	<b>Revision Date</b>	<b>Summary of changes</b>	<b>Date approved</b>
1	Seteptmber 2019	<i>Policy title change throughout document from Code of Discipline to Code of Conduct and Discipline to comply with CORU regulations</i>  <i>2.8 new insertion: This policy should be read in conjunction the AIT Student Fitness to Practice Policy, with special reference to programme specific addendums, as relevant</i>	27.09.2019 Academic Council

## 1.0 Introduction

The overarching theme of the Athlone Institute of Technology mission is to provide a student-centred education for a diverse cohort of learners. As a registered student of the Institute there is a responsibility on each member of this student community to accept the rights and responsibilities of fellow students. The purpose of this Code of Conduct and Discipline is to promote and ensure the provision of a safe environment for all students.

All students are required to observe this Code of Conduct and Discipline which applies to registered students within the Institute, including those students off-campus while representing the Institute, and on all other occasions when they are identifiable as students of the Institute. Students are also required to observe all other Institute regulations and to conform to all such regulations. Cases of 'Unfair Practice' during examinations are dealt with through the Institute's Examination Regulations and Procedures, and referred to the Disciplinary Committee, if appropriate. This Disciplinary Procedure supersedes all existing procedures.

Students are required to familiarise themselves with this Code, and with all other relevant Institute regulations and policies including, though not limited to, the following:

- Standards, Assessment and Awards
- Student Complaints Procedure
- Academic Integrity Policy
- Fitness to Practice Policy
- IT Acceptable Usage Policy
- Library Regulations

If this Code is breached, disciplinary procedures are normally invoked. All matters of student discipline shall be administered by a Disciplinary Committee of the Academic Council. The membership of this Committee is as follows:

Chairperson (approved by Academic Council)

One academic staff member from each of the Faculties (3), approved by the Academic Council  
The President of the Students' Union or their nominee.

The Vice President for Academic Affairs and Registrar shall act as Secretary.

Four members shall constitute a quorum.

In the event of equality, the Chairperson shall have a casting vote.

## 2.0 Scope

- 2.1 All students are required to observe this Code of Conduct and Discipline.
- 2.2 All students shall at all times maintain acceptable standards of behaviour and shall act in a law abiding, mature and honest fashion.
- 2.3 Isolated issues or omissions of a minor nature will, where possible, be dealt with informally.
- 2.4 Students shall refrain from conduct liable to infringe the rights of others.
- 2.5 Institute property must be respected at all times.
- 2.6 The property of all members of the campus community shall be respected.
- 2.7 Unauthorised use of, or entry to, the institute or its facilities is prohibited.
- 2.8 As student placements, fieldwork etc. are an integral part of the institute's academic programme, this Code of Conduct and Discipline shall also apply to

students while on placement or fieldwork etc. Students are obliged to follow the Code of Conduct and Discipline of the organisation in which they are carrying out their placement, field work etc. and to observe any other requirements of the management of such organisations. This policy should be read in conjunction the AIT Student Fitness to Practice Policy, with special reference to programme specific addendums, as relevant

- 2.9 Criminal Offences shall be referred to the Civil Authorities.
- 2.10 Detailed regulations, elaborating on the general principles, are also in place for the library, computer facilities, etc. and are considered to be part of this Code of Conduct and Discipline.

### **3.0 Rights of Students**

- 3.1 The provisions of the Code are without prejudice to the legal rights of students.
- 3.2 In the context of the Code, no person may be charged twice with the same offence in relation to the same incident.
- 3.3 No member of the Disciplinary Committee, Academic Council or Governing Body shall prosecute or be a witness in any case which he or she is assigned to adjudicate.
- 3.4 In the case of major offences, the student shall be given notice in writing, through the appropriate channel, detailing the precise charge being made and the basic facts alleged to constitute the offence.
- 3.5 In the case of major offences, the accused person has the right to speak in their own defense, to call witnesses and to cross-examine prosecution witnesses. The accused may also have representation of their choice at any hearing. The student must submit the name(s) and profession of the person(s) who will be representing them to the Vice President for Academic Affairs and Registrar 48 hours in advance of the meeting. Failure to do so may mean that the meeting will be postponed for a period. The Disciplinary Committee reserves the right to have a legal advisor present if it is deemed appropriate, or to seek legal advice on any matter arising before or during the course of the hearing.

### **4.0 Enforcement**

- 4.1 All staff of the institute are expected to ensure that those on campus who infringe the Code of Conduct and Discipline are identified and dealt with according to the regulations of the institute.
- 4.2 All staff have the right and duty to demand identification where they feel, with good cause, that a breach of the Code has taken place.

## **4. Offences**

### **4.1 *Minor Offences***

The following offences are given as examples of minor offences, but are not exclusively limited to this list.

- Littering;
- Minor incidents of disorderly conduct or conduct which obstructs the activities of the institute or any person carrying out their normal duties;
- Eating and drinking in unauthorised areas;
- Smoking in unauthorised areas;

- Causing minor damage to property (up to €200 replacement cost);
- Being in unauthorised areas without permission;
- Failing to identify oneself on request.

#### **4.2 Major Offences**

The following offences are given as examples of major offences, but are not exclusively limited to this list.

- Furnishing false information to the institute with intent to deceive;
- Forging, alteration, or misuse of institute documents, records, or identification cards;
- Physical abuse or assault of another person on the institute campus;
- Malicious destruction, damage to or misuse of institute property, including library materials, or of private property on the campus (over €200 replacement value);
- Off-campus conduct likely to bring the institute into disrepute;
- Industrial espionage;
- Possession of offensive weapons;
- Use of offensive weapons;
- Non-adherence to the institute's policy on alcohol consumption and promotion;
- Possession of illegal drugs;
- Occupation of institute buildings or grounds;
- Interference with safety equipment, fire-fighting equipment or alarm systems;
- Availing of institute facilities, under pretense, without paying fees;
- Pilfering;
- Serious and unresolved incidences of sexual or other harassment.

Cases of 'Unfair Practice' during examinations are dealt with through the Institute's Examination Regulations and Procedures, and referred to the Disciplinary Committee, if appropriate.

### **5.0 Procedures**

#### **5.1 Reporting an Incident**

If an officer of the institute, or any other authorised person, is of the opinion that a student is in breach of the Code of Conduct and Discipline or other institute regulations, they shall identify the student, if necessary, by means of the student's Identity Card and inform the student of the alleged offence. If a student, having been told of the alleged offence, refuses to identify themselves, this shall be added to the charge laid against the student who shall be notified at the earliest possible opportunity.

If the incident is deemed to be a minor offence by the reporting officer it should be reported directly to the relevant officer of the institute – Vice President for Academic Affairs and Registrar, Dean of Faculty, Librarian, Information Technology Manager, etc.

If the incident is deemed to be a major offence by the reporting officer they should give the student name, student number and course to the Vice President for Academic

Affairs and Registrar (or a member of the institute's management staff) together with full details of the alleged offence in writing, including all relevant supporting documentation, with instructions to initiate the appropriate procedure in accordance with the Code of Conduct and Discipline. If having considered the report, the Vice President for Academic Affairs and Registrar considers the matter to be in the category of a minor offence, it shall be referred back to the relevant Dean of Faculty, or other appropriate officer of the institute.

## **5.2 Disciplinary Committee Procedure**

### **5.2.1 Minor Offences**

Responsibility for student discipline related to a course rests with the Dean of Faculty and the academic staff in the relevant Faculty. In relation to minor academic offences they may take such disciplinary action as they deem fit. The Librarian, the Information Technology Manager, the Sports/Recreation Manager, and other authorised persons are responsible for discipline in their respective areas and may take minor disciplinary action. Students working in laboratories are required to obey the instructions of the staff in regard to safety precautions and to provide themselves with any appliances or clothing which may be required.

Minor offences regarding damage or related matters shall be dealt with by the Vice President of Academic Affairs and Registrar/President.

Any penalty or sanction imposed in accordance with the above shall be carried out unless an appeal is lodged within three days of its imposition. Notice of lodgement of an appeal must be made in writing to the Vice President of Academic Affairs and Registrar. Minor disciplinary action which is appealed shall be suspended pending the hearing of the appeal by the Disciplinary Committee. Decisions of the Disciplinary Committee shall be final in relation to minor offences.

### **5.2.2 Major Offences**

All cases involving an alleged major offence shall be referred to the Disciplinary Committee. Penalties shall be determined by the Committee. The Disciplinary Committee shall conduct its activities with respect to the principles of natural justice and fair procedures. The following procedure shall be followed by the Disciplinary Committee:

- A. Any person charged with a major offence which is referred to the Disciplinary Committee shall be notified, through the most appropriate channel i.e. email or post, of the details in writing of the charge being made and the basic facts alleged to constitute the offence, and the name of the person who made the complaint, at least three days before the initial hearing. They shall also be informed of the time and venue of the hearing. The appropriate Dean of Faculty or their nominee shall present the case to the Committee.
- B. The student shall be asked to admit or deny the alleged offence.
- C. If the student admits the substance of the charge of complaint to be true, it shall not be necessary for the Dean of Faculty or nominee to offer evidence, although both

- parties may make such submissions or addresses as they wish in relation to the penalty.
- D. If the student denies the alleged charge, the subsequent procedure shall be fair and reasonable having regard to the nature of the offence and the penalties laid down in these regulations.
- (i) All of the evidence shall be heard in the presence of the student and of their representative and they shall be given the opportunity to cross-examine all witnesses called by the Dean of Faculty or their nominee who likewise may cross-examine witnesses called by the student.
  - (ii) The student shall be given the opportunity of offering evidence and presenting witnesses and documentation relevant to the issues.
  - (iii) The Dean of Faculty or their nominee and the student or student's representative(s) shall be given the opportunity to make submissions after evidence has been taken including representations in regard to the penalty where the Disciplinary Committee has found that the charge has been proved against the student.
  - (iv) The Committee shall deliberate in the absence of complainant, respondent student and/or representatives but shall be entitled to seek legal advice on any legal matter arising in the course of the proceedings.
- E. In the case of a major offence, and in exceptional circumstances, where the Disciplinary Committee is not, for whatever reason, able to convene, the President may, after giving the parties involved the opportunity to state their case, take such action as deemed appropriate, and any sanction imposed in such circumstances shall be subject to the same appeals procedure as if it were a decision of the Committee.
- F. In cases of violent conduct; drug-related offences; or similar criminal offences; or in circumstances where the continued attendance of the student(s) at the institute might be prejudicial to the satisfactory investigation of the allegations or might be undesirable for some other good reason, the President may suspend a student, or students, immediately, without the matter having been considered by the Disciplinary Committee. Where such temporary suspension is imposed, the matter shall be investigated, and if appropriate, a hearing of the Disciplinary Committee arranged without delay.

## **6. Penalties**

- 6.1 The Code of Conduct and Discipline is supported by a range of penalties which shall be determined by the Disciplinary Committee from time to time. A range of penalties applying to both minor or major offences may include any of the following but are not exclusively limited to this list:
- a written warning which may or may not be entered on the learner's academic record;
  - Suspension from some academic exercise, including examinations;
  - Suspension from all academic exercises;
  - Fines
  - Learner's progress postponed by one academic year;
  - Disqualification of the learner from future examinations;

- Exclusion from designated institute facilities i.e. library, IT labs etc.;
- Withholding of examination results;
- Withholding of an award;
- Suspension from the Institute;
- Expulsion from the Institute.

In general, criminal offences shall be referred to the Civil Authorities. Major offences may lead to suspension from the institute up to and including expulsion and/or fines. Minor offences may lead to informal warnings, formal warnings and a note on a student's record, short periods of suspension, withdrawal of services and/or facilities and/or fines. Academic offences are dealt with under the Examination Regulations and Procedures and may lead to academic penalties including debarring from examinations.

- 6.2 A person who fails to comply with a penalty or sanction within one month of receiving notice of the imposition of penalty or sanction shall be guilty of a further offence, which may be punished by further sanction or penalty.
- 6.3 In a case where a student has been found guilty in the courts of a criminal offence, the institute reserves the right to deal with the student in accordance with this Code. Once a student has been found guilty of such an offence, the Academic Council may act as if the case has been referred to it on the day the verdict was delivered or official confirmation has been obtained and the provisions of the code in regard to identification and warning will be considered to have been complied with.

## **7.0 Appeals Process**

- 7.1 Decisions of the Disciplinary Committee on major offences may be appealed by the accused person to the Academic Council. The Council may, if it deems fit, appoint an Appeals Committee to hear the appeal on its behalf. A member of the Disciplinary Committee may not be a member of any Appeals Committee.
- 7.2 Decisions of the Academic Council shall normally be final. There is a right of appeal to the Governing Body in cases involving expulsion, or suspension of more than one month. Pending a decision on an appeal by the Governing Body, the decision of the Academic Council shall be implemented. Pending the hearing of an appeal by the Governing Body in a case of expulsion, a student expelled by the Academic Council shall be suspended.
- 7.3 The Governing Body shall establish a committee to consider an appeal. Such a committee shall not include amongst its membership persons who have participated in the decision being appealed or acted as prosecutor, witness, etc.