

## Student Misconduct and Discipline

### Preamble:

Australian Institute of Business (AIB) is committed to the principle of mutual respect among the various members in the AIB environment especially in the context of student behaviour.

### Purpose:

This policy:

- Describes the student behaviour which AIB considers inappropriate, and
- Sets out procedures for dealing with alleged cases of misconduct, and the penalties for proven misconduct.

### Detail

#### 1. Misconduct

In this Policy **misconduct** means conduct on the part of a student which:

- impinges on the freedom of other persons to pursue their studies, research, duties or lawful activities in AIB, or
- disrupts the due processes of AIB, or
- causes damage to AIB property, or
- interferes with staff members carrying out their AIB duties;
- is otherwise detrimental to the proper order or good conduct of AIB or is adverse to AIB's academic standing or reputation.

This policy does not cover academic misconduct; for that, refer to the policy on Academic Integrity.

#### 2. Misconduct dealt with summarily

- 2.1 Where misconduct is committed by a student in, or in connection with, an activity held within AIB (including a teaching or research activity, official meeting, ceremony or other proceeding) the person with responsibility for that activity (whether or not that person is a member of staff of AIB) may exclude the student from the activity being conducted for the duration of that activity.
- 2.2 Where misconduct is committed by a student in, or in connection with a facility of AIB, including the library and the AIB's information technology facilities, the person with responsibility for that facility may exclude a student from access to or use of that facility for a period not exceeding 7 days for misconduct arising out of the use of that facility by the student.

- 2.3 A member of staff who excludes or disciplines a student under the above sections must, as soon as possible, notify the student:
- a. of the period and reason for the interim exclusion
  - b. of details of the alleged misconduct
  - c. of the opportunity for the student to answer the allegations
- and provide the Academic Director with a copy of the notice.

### **3. Misconduct dealt with by the Academic Director**

#### **3.1 Enquiry**

3.1.1 Where a member of staff suspects, on reasonable grounds, a student to have committed misconduct on AIB premises, that member of staff must report the misconduct in writing to the Academic Director.

3.1.2 The Academic Director may within 10 days appoint a committee consisting of at least 3 members to assist in enquiries into the alleged misconduct. At least one of the members of the committee must be a student.

3.1.3 The Academic Director must advise the student in writing of the following:

- i. the nature of the allegation;
- ii. that the student has an opportunity to explain the conduct in person or in writing before the committee;
- iii. that the student may be accompanied by a representative but not a lawyer;
- iv. that the student may either in person or by his or her representative, call and examine witnesses, and may cross-examine other witnesses
- v. that the committee may interview any other person that may be able to assist with the enquiries may submit, call for and / or examine such documents, correspondence, written statements and other papers that are reasonably relevant to the alleged misconduct.

#### **3.2. Suspension**

The Academic Director may, if the Academic Director deems it necessary for the management and good government of AIB, suspend the student alleged to have committed the misconduct for one or more periods of up to 6 weeks during the completion of the enquiry.

#### **3.3. Action**

3.3.1 At the conclusion of the enquiries and on the basis of the findings, the Academic Director must determine on one or more of the following courses of action:

- i. where the allegation of misconduct is not supported by the evidence, dismiss the allegation
- ii. take no further action
- iii. caution/reprimand the student

- iv. require the student to attend counselling sessions for a specified period
- v. require the student to make restitution to AIB or to a person for property lost, damaged or destroyed due, in whole or in part, to the conduct of the student
- vi. suspend the student from any or all academic activities for no longer than 12 months
- vii. exclude the student from AIB premises or a specified part or parts of AIB premises for no longer than 13 weeks
- viii. recommend to the Academic Board that a degree or other award be withheld from the student
- ix. recommend to the Chief Executive Officers that the case be referred to the AIB's legal representatives for legal action
- x. recommend to the Chief Executive Officers that the student be expelled from AIB
- xi. impose any combination of the above courses of action.

3.3.2 The Academic Director must, within 7 days of making the determination under subsection 3.3.1, notify that student in writing of the decision and the reasons for taking that action.

3.3.3 Where any action is taken under subsection 3.3.1, the Academic Director must report in writing to the Academic Board at its next meeting detailing the reported misconduct, the enquiries made, the findings following investigation and the course or courses of action taken.

#### **4. Right of Appeal**

A student affected by a decision of the Academic Director may appeal to the Student Appeals Committee against that decision and/or the severity of the disciplinary action in accordance with the policy on Academic and Non-Academic Grievance Policy.

**Related Forms:**

Nil

**Responsibility:**

Academic Director

**Related Policies:**

Academic and Non Academic Grievance Policy

**Current Status**

Approved By:  
Date of Approval:  
Previous version:

**Version 3**

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