



TUS

Ollscoil Teicneolaíochta na Sionainne:
Lár Tíre, An tIarthar Láir

Technological University of the Shannon:
Midlands Midwest

TUS Student Code of Conduct and Discipline 2026 – 2026



Document Control Record

Academic Quality Assurance and Enhancement Handbook	
Volume 9: No 1	
Document Title	TUS Student Code of Conduct and Discipline 2026 - 2026
Document Entrust	Academic Council Subcommittee: Quality Assurance and Enhancement
Document Status	Approved
Revision No	2.1
Pages	Page 2 of 42
Approval Body	Academic Council
Date of Approval	20/06/2025
Next Revision	2027

Revision History	
Revision No	Comments/Summary of Changes
1.0	Approved by Academic Council
2.0	Approved by Academic Council (10/03/2023) <ul style="list-style-type: none"> • Revisions to Sections 4.4, 7.1, 7.5, 7.6, 7.7 • Informal Resolution distinguished from formal Procedures • Greater distinction between decisions, actions and sanctions in each investigative stage of the formal procedures • Removal of Governing Body from Decision Making • Revision of Section Numbering and Cross Referencing
2.1	Extension Approved by Academic Council (20/06/2025)

Contents

1.0	Purpose of the Code of Conduct and Discipline.....	4
2.0	Scope of the Code of Conduct and Discipline	4
3.0	Student Code of Conduct and Discipline.....	6
4.0	Offences.....	7
5.0	Statutory Rights.....	10
6.0	Immediate Action to Mitigate Risk.....	10
7.0.	The Disciplinary Procedure	11
7.1	The Stages of the Procedure	11
7.2	Definitions of Persons/Committees Involved in the Procedures	12
7.3	Reporting a breach of the Code of Conduct.....	14
7.4	Rights of Persons Involved.....	15
7.5	Stage 1 - Informal Resolution.....	15
7.6	Stage 2, Formal Procedure- Level 1 Investigation by Investigating Officer	16
7.7	Stage 2, Formal Procedure- Level 2 Investigation by Disciplinary Committee.....	20
7.8	Appeal to the Disciplinary Appeals Board	25
7.9	Conduct of meetings of the Disciplinary Committee/Disciplinary Appeals Board	27
8.0	Referral to the National Ombudsman’s Office	29
9.0	Recording of the Procedure	29
10.0	Communication of the Policy.....	29
11.0	Training and Staff Development Needs	30
12.0	References.....	31
13.0	Appendices	31
	Appendix 1. The Role of the Student Facilitator	32
	Appendix 2. Student Code of Conduct and Discipline Process Outline	33
	Appendix 3. Application to Invoke Stage 2, Level 1, Investigation into alleged breach of Student Code of Conduct and Discipline	34
	Appendix 4. Application to Invoke Stage 2, Level 2 Investigation by Disciplinary Committee into alleged breach of Student Code of Conduct and Discipline.....	37
	Appendix 5. Application to Appeal to the Disciplinary Appeals Board	40

1.0 Purpose of the Code of Conduct and Discipline

- 1.1 The purpose of this *Student Code of Conduct and Discipline* is to facilitate the maintenance of a safe and supportive environment for all members of the Technological University community.
- 1.2 This document outlines the *Student Code of Conduct and Discipline* of the Technological University and specifies examples of a range of offences that would be in breach of this code.
- 1.3 If the *Student Code of Conduct and Discipline* is breached, disciplinary procedures are normally invoked. These procedures are outlined in Section 7. The Technological University reserves the right to take appropriate action(s) when student behaviour is deemed to be in breach of this *Student Code of Conduct and Discipline*.
- 1.4 Suspected criminal offences will ordinarily be referred to An Garda Síochána and/or the appropriate civil authorities for investigation. In certain instances, the Technological University is obliged by law to report suspected criminal offences to An Garda Síochána and/or other relevant bodies. Any such report may be in addition to any investigation carried out by the Technological University under this *Student Code of Conduct and Discipline*.

2.0 Scope of the Code of Conduct and Discipline

- 2.1 The policy applies to all registered Students of the Technological University. All students are required to observe this *Student Code of Conduct and Discipline* at all times within the Technological University, travelling to and from the Technological University, outside the Technological University if representing the Technological University and/or on Technological University business including Work Placement, and on all other occasions when identifiable as students of the Technological University. This *Student Code of Conduct and Discipline* also applies to all online activity of registered students when engaged in Technological University business or when representing the Technological University online.

In accordance with Section 2 of the Technological Universities Act 2018^[1],
"student, in relation to an institute or technological university, means-

(a) a person registered as a student by the institute or technological university,

or

(b) a full-time officer of the student union who was first elected to his or her

office while he or she was registered as a student by the institute or technological university;"

- 2.2 Where a complaint has been made of an alleged breach in the *Student Code of Conduct and Discipline*, the Technological University will endeavour to deal with the matter fully in accordance with the procedures outlined in this document and in accordance with any legal and statutory obligations that may pertain.
- 2.3 Students who do not maintain satisfactory standards of conduct may face disciplinary action. The Technological University reserves the right to take appropriate actions, including legal action and/or suspension and/or withdrawal of privileges, when student behaviour is deemed to be in breach of this policy.
- 2.4 The Technological University shall investigate any complaint that is deemed to constitute a breach of this *Student Code of Conduct and Discipline* against a student while on placement with a host institution or organisation. If a complaint is investigated and upheld, the Technological University shall be entitled to impose a sanction under this *Student Code of Conduct and Discipline* as if the complaint was made while the student was at the Technological University.
- 2.5 It is acknowledged that some of the behaviour and issues addressed by this *Student Code of Conduct and Discipline* may also fall under other relevant policies such as the *TUS Policy on Dignity and Respect: Dealing with Harassment and/or Bullying among Student* ^[2] or *TUS Fitness to Study Policy* ^[3] among others. Where there is more than one Technological University Procedure (and/or Policies) applicable to any particular matter, the Head of Department shall consult with the Registrar. The Registrar shall decide which of the Technological University's Procedures (and/or Policies) should have priority or be the most appropriate in the circumstances.
- 2.6 Nothing in this *Student Code of Conduct and Discipline* restricts any member of the Technological University's community from immediately reporting any criminal activity to An Garda Síochána or taking any necessary action to ensure the well-being and safety of the Technological University community.
- 2.7 Students are bound by this *Student Code of Conduct and Discipline* even if they fail to make themselves aware of its existence or if they do not agree with its provisions.
- 2.8 The TUS Student Facilitator may be requested to provide advice and/or information to Students in relation to this *Student Code of Conduct and Discipline* and its operation.

3.0 Student Code of Conduct and Discipline

- 3.1 Students are expected to familiarise themselves with and comply with this *Student Code of Conduct and Discipline*, and with all other relevant Technological University regulations and with relevant Technological University policies.

With respect to Technological University policies, students should refer to the list of policies provided on the Technological University Student Portal website and in the Student Handbook.

- 3.2 Students are expected to:

- a) participate in all academic activities associated with the programme for which they have registered;
- b) fulfil all the examination and assessment requirements associated with the programme for which they have registered;
- c) deal honestly and with integrity towards all other members of the Technological University community;
- d) acknowledge and respect the authority of all the staff of the Technological University in the performance of their duties and to co-operate with them accordingly;
- e) respect the rights and dignity of all the members of the Technological University community, including fellow students, and of neighbouring communities, and therefore to refrain from conduct that may be liable to infringe upon their rights and dignity;
- f) maintain an awareness of what constitutes appropriate behaviour in the Technological University, when representing it or when identifiable as a member of it, and to behave accordingly.

- 3.3 Where students are studying or working/studying off campus, in a host institution or organisation, as part of the programme for which they have registered (programme-related placements or activities), they are expected to familiarise themselves, and comply, with the relevant codes and regulations of host institutions or organisations.

Such students are also required to conduct themselves in such a way as not to bring themselves or the Technological University into disrepute.

- 3.4 Students are expected to respect the staff, property and activities of the Technological University and those of any organisation while representing the Technological University or as part of their programme of study.

- 3.5 Students are expected to comply fully with all the TUS behaviour policies, breaches of which may be referred to this *Code of Conduct and Discipline*.
- 3.6 Students are expected to comply with the law at all times.

4.0 Offences

- 4.1 As noted in Section 1.4, suspected criminal offences will ordinarily be referred to the civil authorities in the first instance.
- 4.2 Offences against this *Code of Conduct and Discipline* may broadly be described as:
- a) behaviour that obstructs Technological University staff or students, or agents of the Technological University, in the performance of their duties relating to teaching, research, administration, disciplinary procedures or other Technological University activities
 - b) behaviour that obstructs Technological University students in the pursuit of their studies
 - c) behaviour that brings, or has the potential to bring, the Technological University into disrepute.
- 4.3 Breaches of this *Student Code of Conduct and Discipline* can arise irrespective of whether the alleged behaviour takes place on or off campus.
- 4.4 The following is a non-exhaustive list of offences that may result in the initiation of disciplinary procedures under this *Student Code of Conduct and Discipline*. Every case is considered on an individual basis taking into account the facts of the case and any associated mitigating or aggravating factors. Accordingly, TUS shall consider the level of severity and particular context of the alleged breach of the Student Code of Conduct.

List of sample offences that may result in the initiation of disciplinary procedures.

- Failure to identify oneself on request to a member of staff and/or to produce a student card on request by a member of staff.
- Failure to advise the Technological University of relevant addresses (home address and, if appropriate, study address).
- Furnishing false information to the Technological University with intent to deceive.
- Forging, alteration or misuse of Technological University documents, records or identity cards.
- Making false claims about academic or professional achievements to

the Technological University or to a third party.

- Misrepresenting oneself as an agent of the Technological University.
 - Unauthorised use of academic materials.
 - Posting or distributing inappropriate advertising or other unsolicited materials.
 - Online identity theft or online behaviour deemed offensive to other members of the TUS community.
 - Repeatedly accessing unauthorised websites through TUS IT Systems.
 - Sharing personal information over social media (such as blogs, wikis, and forums), messages or email.
 - Repeatedly sending online posts with negative and/or harmful content about someone or sharing personal information.
 - Unauthorised recording of any aspect of the Technological University experience.
 - Failure to abide by such local Technological University regulations as may relate to particular areas of the Technological University (including, but not confined to, TUS Property, Computing Facilities, the Libraries, Campus Residences, Sporting Facilities, restaurants, car parks and roadways).
 - Failure to comply with any reasonable, oral or written, individual or collective instruction given by any staff member or agent of the Technological University in the performance of their duties, including an instruction to leave the campus or a specific area within a campus.
-
- Physical abuse of another person, whether actual or threatened.
 - Verbal abuse of another person.
 - Abusive electronic communication with others (by e-mail, text or on social media sites); this includes the making of abusive or false statements about the Technological University, its students and/or staff.
 - Bullying.
 - Intimidation.
 - Harassment including, but not confined to, sexual harassment.
 - Stalking, whether carried out in person, by telephone, online or by any other means.
 - Disorderly conduct, including conduct outside the campuses that would be likely to bring the Technological University into disrepute.
 - Forcible occupation of Technological University buildings or grounds.

- Undermining an individual's dignity and self-esteem.
- Littering.
- Destruction, damage, misuse or use without authorisation of Technological University property, including Library materials or of private property on campus.
- Theft of Technological University property, including Library materials, or of private property on campus.
- Possession of property with the knowledge that it has been stolen or misappropriated by another.
- Fraud, misapplication or gross negligence in relation to Technological University funds or property.
- Unwarranted interference with the Technological University's safety equipment, firefighting equipment, security systems or alarms.
- Refusal to evacuate rooms or buildings on hearing the fire alarm.
- Knowingly making false reports about the existence of fires, bombs or other dangers.
- Setting of fires.
- Possession of firearms, other weapons, any item that might be construed as being a weapon, or explosives, or possession of a dangerous substance.
- Abuse of alcohol or other substances on campus.
- Smoking in Technological University buildings in contravention of the law.
- Gambling in contravention of the law.
- Dealing in, or using, drugs, alcohol, firearms, other weapons, or explosives, contrary to the law.
- Making false, frivolous, malicious, mischievous or vexatious complaints.
- Intimidation of witnesses involved in a disciplinary hearing.
- Refusal to comply with the disciplinary procedures of the Technological University or with penalties imposed after due process.
- Encouraging or inciting others to breach this *Student Code of Conduct and Discipline*.
- Conduct that interferes, or is likely to interfere, with the administration or the good order of the Technological University.
- Any activity, whether committed on or off campus, which adversely impacts, or is likely to adversely impact, the reputation of the Technological University, its students or members of staff.

5.0 Statutory Rights

The upholding of a complaint under the procedures described in this Policy does not take from the rights of a student to the provisions of natural justice and fair procedures where such student is found to have breached the *Student Code of Conduct and Discipline*.

The following rights are relevant:

- a) A Subject of the Complaint, where upheld, shall be allowed various rights of appeal in accordance with any agreed disciplinary procedures;
- b) Nothing in the informal or formal procedures set out in this policy can overrule the statutory and constitutional rights of an individual;
- c) In implementing this *Student Code of Conduct and Discipline*, the Technological University will be mindful of its obligations to students under relevant legislation including but not limited to; the Equal Status Acts 2000-2015^[4] as amended; the Employment Equality Acts 1998-2015^[5]; the Child First Act^[6];
- d) The Procedures outlined in this policy will be implemented in a manner compliant with the Data Protection Acts 1988 to 2018^[7]; and the General Data Protection Regulation (EU) 2016/679^[8] and the *TUS Data Governance Policy*^[9].

6.0 Immediate Action to Mitigate Risk

- 6.1 Where a breach of the *Student Code of Conduct and Discipline* arises in class, the relevant staff member should, if possible, instruct the student(s) to cease the activity deemed to be a breach of the *Student Code of Conduct and Discipline*. The staff member may, if necessary, dismiss the student from the class or ask students to leave an area as appropriate. If the student refuses to comply, a member of Estates staff may be contacted for support and/or the class may be dismissed so that the breach may be addressed.
- 6.2 If a Dean of Faculty/Head of Department/School believe that immediate action is required to safeguard the Technological University community they may temporarily exclude a student from their programme of study and/or from the Technological University premises or a work-based learning setting/placement/international student exchange.

Such temporary exclusion may be imposed, in respect of a student whom an alleged breach of the *Student Code of Conduct and Discipline* concern has been raised, where the Dean of Faculty/Head of Department/School reasonably believes the student poses a risk to:

- a) their own health, safety and/or wellbeing and/or that of others;
- b) the property of the Technological University and/or others;
- c) the professional activities of a placement provider or other professional organisation;
- d) the reputation of the Technological University or a placement provider or other professional organisation and/or its functioning and/or its activities.

6.3 The temporary exclusion will remain under review by the Dean of Faculty/Head of Department/School.

6.4 Where a student has been temporarily excluded, the matter will be dealt with further as deemed appropriate by the Dean of Faculty/School/Head of Department, in line with this *Student Code of Conduct and Discipline*.

6.5 Where appropriate, the incident(s) should be reported in writing by the staff member to the relevant Head of Department/Function.

7.0. The Disciplinary Procedure

If this *Student Code of Conduct and Discipline* is breached, disciplinary procedures are normally invoked. Depending on the nature and context of breaches of the *Student Code of Conduct and Discipline*, Technological University staff may take immediate action, as appropriate, to safeguard the wellbeing of Students, Staff and the Technological University community. Concerns about a student's adherence to the *Student Code of Conduct and Discipline* will be dealt with under the Procedures outlined in this policy below.

7.1 The Stages of the Procedure

7.1.1 The stages of the Procedure including the Appeal are:

- Stage 1, Informal Resolution;
- Stage 2, Formal Procedures;
 - (a) Level 1; Investigation by Investigating Officer;
 - (b) Level 2; Investigation by Disciplinary Committee;
- Stage 3, Appeal.

An overview of the Stages and key steps of the procedure is provided in a flow diagram in Appendix 2.

7.1.2 Should a student who is alleged to have breached the *Student Code of Conduct and Discipline* be unwilling or unable to participate at any stage of

this procedure or attend a meeting, without good cause, the Technological University may nonetheless implement the procedure in their absence.

7.1.3 Where in this procedure reference is made to any named Technological University's officeholder, such reference is to be read as including a reference to their appointed nominee.

7.2 Definitions of Persons/Committees Involved in the Procedures

The following definitions apply to the persons/committees involved in the procedures as outlined in this *Student Code of Conduct and Discipline*:

Person/Committee	Definition
Complainant	A member of the Technological University community who makes a complaint that the <i>Student Code of Conduct and Discipline</i> has been breached.
Subject of an Allegation	A student who is alleged to have broken the <i>Student Code of Conduct and Discipline</i> .
Student Facilitator ¹	A person nominated by the Technological University to provide impartial advice to students on the operation of the policy and to coordinate the formal stages of this procedure.
Informal Procedures	
<ul style="list-style-type: none"> • Head of Department or their nominee • A Staff Member • Student Support Services/ Resource Centre • TUS Student Facilitator 	One or more of the named parties may provide advice to a <i>Subject of an Allegation</i> in the informal resolution stage of the procedure in accordance with Section 7.5 of this Policy.
A Mediator	A person nominated by TUS trained in Mediation to assist with the informal resolution stage of this procedure.

Formal Procedures	
Investigating Officer ²	An Investigating Officer is a Head of Department /Dean of Faculty/School, or their nominee, appointed by the Technological University to investigate an alleged breach of the <i>Student Code of Conduct and Discipline</i> during the Formal Stage 2, Level 1 Investigation.
Disciplinary Committee ³	A Committee appointed by the Technological University to investigate an alleged breach of the Student Code of Conduct during the Formal Stage 2, Level 2 Investigation. The composition of the Disciplinary Committee is specified in Section 7.7.5 of this Policy
Disciplinary Appeals Board ⁴	An Appeals Board appointed by the Technological University to review an Investigation and Findings of an alleged breach of the <i>Student Code of Conduct and Discipline</i> conducted under the Formal Stage 2, Level 2 Investigation. The composition of the Disciplinary Appeals Board is specified in Section 7.8.6 of this Policy

1. The primary roles of the Student Facilitator are to:
 - a) provide students with advice in relation to the workings of this policy;
 - b) play a coordinating role at Stages 2 and 3 of this procedure (C.f. Appendix 1).

2. The primary roles of the Investigating Officer are to:
 - a) investigate any complaint of a breach of the *Student Code of Conduct and Discipline* on behalf of the Technological University during the Formal Stage 2, Level 1 Investigation of this procedure;
 - b) make a decision with respect to the alleged breach of the *Student Code of Conduct and Discipline* during the Formal Stage 2, Level 1 Investigation of this procedure;

- c) determine appropriate action with respect to their decision during the Formal Stage 2, Level 1 Investigation of this procedure;
 - d) communicate the outcome of the investigation to the relevant parties.
3. The primary roles of the Disciplinary Appeals Committee are to:
- a) investigate any complaint of a breach of the *Student Code of Conduct and Discipline* on behalf of the Technological University during the Formal Stage 2, Level 2 Investigation of this procedure;
 - b) make a decision with respect to the alleged breach of *the Student Code of Conduct and Discipline* during the Formal Stage 2, Level 2 Investigation of this procedure;
 - c) determine appropriate action with respect to their decision during the Formal Stage 2 Level 2 Investigation of this procedure;
 - d) communicate the outcome of the investigation to the relevant parties.
4. The primary roles of the Disciplinary Appeals Board are to:
- a) review the findings of an alleged breach of the *Student Code of Conduct and Discipline* conducted at Stage 2, Level 2 Investigation;
 - b) make a decision with respect to the alleged breach of the *Code of Conduct* during the Formal Stage 2, Level 2 Investigation of this procedure;
 - c) determine appropriate action with respect to their decision;
 - d) communicate the outcome of the appeal to the relevant parties.

7.3 Reporting a breach of the Code of Conduct

7.3.1 A breach of the Student Code of Conduct may be reported verbally or in writing to the Head of Faculty or Head of Department/School, in the first instance. Verbal reporting should be followed by a written report setting out the details of the breach. If it is not possible or not deemed appropriate to progress the breach under the informal procedures, a formal complaint can be made by completing the appropriate form.

7.3.2 Formal complaints under this *Student Code of Conduct and Discipline* shall be made by completing the *Application to Invoke Investigation into alleged breach of Student Code of Conduct; Stage 2, Level 1 Investigation by Head of Department*.

A flow diagram representing the different Stages of the *Student Code of Conduct and Discipline* is presented in Appendix 2.

7.4 Rights of Persons Involved

7.4.1 Both the *Subject of an Allegation* and *Complainant* have the right to:

- receive appropriate notification at all stages in accordance with the procedures set out;
- privacy and confidentiality as is reasonably possible;
- have their right to dignity and respect upheld at all times;
- be accompanied during the stages of the procedures as set out in Section 7.0.

7.4.2 Students that are the Subject of an Allegation of a breach in the Technological University's *Student Code of Conduct and Discipline* have a right to know what allegation is being made and who is invoking the Procedure.

7.4.3 Students that are a party to this procedure may seek informal support and advice from:

- a) Student Support Services;
- b) Class Representative;
- c) A Staff Member;
- d) TUS Student Facilitator,
- e) Students Union.

Student Union supports is offered by all TUS SU Officers with additional information available through the National Student Engagement Programme (NStEP) Class Representative training and on the TUS SU Webpage.

In this context, the role of the parties listed in providing informal support and advice is independent of both the *Informal and Formal Resolution Stages* of this procedure.

7.5 Stage 1 - Informal Resolution

Prior to initiating a formal stage of this Code of Conduct, consideration may be given to informally resolving any alleged breach of the *Student Code of Conduct and Discipline*. This informal resolution stage does not form part of the Formal Procedures of this Policy. The purpose of this stage is to deal informally with any causes of concern relating to breaches of the *Student Code of Conduct and Discipline*.

7.5.1 Informal attempts at intervention may include advising the *Subject of an Allegation* locally and informally. Such advice may be provided by:

1. Head of Department or their nominee;
2. A Staff Member;

3. Student Support Services
4. A Mediator;
5. TUS Student Facilitator.

7.5.2 This informal resolution may include advising the *Subject of an Allegation* with respect to their behaviour, directing them to cease an activity or amend behaviour not consistent with the *Student Code of Conduct and Discipline*, or coming to an agreement with them as to a particular course of action with respect to their behaviour.

7.5.3 A matter dealt with informally may be progressed formally if the issue persists.

7.5.4 If a particular case appears to be of sufficient seriousness, an informal approach may not be appropriate. Such a case may proceed to Stage 2, Level 1 Investigation by Investigating Officer.

7.6 Stage 2, Formal Procedure- Level 1 Investigation by Investigating Officer

The purpose of this Stage is to deal formally with any initial, emerging or minor/intermediate causes of concern relating to alleged breaches of the *Student Code of Conduct and Discipline* in a Level 1 Investigation conducted by an investigating Officer, normally a Head of Department or their nominee.

7.6.1 If the issue is not resolved at Stage 1, a Complainant should complete and submit to the Student Facilitator the *Application to Invoke Stage 2, Level 1, Investigation into alleged breach of Student Code of Conduct and Discipline.* (Appendix 3)

7.6.2 The Student Facilitator will then arrange for the appointment of an Investigating Officer, normally, a Head of Department, Dean of Faculty/School or their nominee. However, the Student Facilitator, in consultation with the Registrar, may arrange for the appointment of an Investigating Officer from a different Department/Faculty if deemed appropriate.

7.6.3 The Student Facilitator will submit a copy of the written application to the Investigating Officer and request that a Stage 2, Level 1 Investigation be conducted.

7.6.4 The Investigating Officer will send written confirmation of receipt of the request to initiate a formal investigation within 5 working days of receiving the application.

- 7.6.5 The Investigating Officer will make a determination if the matter is suitable to be dealt with using this stage or if the matter should be referred directly to Stage 2, Level 2 Investigation by the Disciplinary Committee. In making this determination, the Investigating Officer shall give consideration to the following:
- a) the seriousness of the alleged breach of the *Student Code of Conduct and Discipline*;
 - b) the nature or extent of damage or danger caused by the misconduct;
 - c) the degree to which the misconduct is deliberate;
 - d) whether the act in question is an isolated incident or part of repeated acts of misconduct;
 - e) the student's awareness of the inappropriateness, or disregard of the seriousness, of the acts;
 - f) the impact on the safety or perception of safety by students or employees of the Technological University.
- 7.6.6 The Investigating Officer will initiate the Investigation as soon as possible, and no later than 10 working days, after receipt of the written complaint.
- 7.6.7 The Investigating Officer will inform the *Subject of an Allegation* in writing that there is an allegation of a breach of the *Student Code of Conduct and Discipline*.
- 7.6.8 The written notice to the *Subject of an Allegation* will outline the nature of the concern and indicate that the matter will be dealt with under this stage of the procedure.
- 7.6.9 The *Subject of an Allegation* shall be provided with a copy of this Policy and advised of any appropriate supports available.
- 7.6.10 The Investigating Officer will arrange a meeting with the *Subject of an Allegation* to review the situation in order to allow the student an opportunity to hear and respond to the alleged breach of the *Student Code of Conduct and Discipline*. The Investigating Officer will be accompanied by another Technological University staff member at all meetings with the *Subject of an Allegation*, and a contemporaneous record of the meeting shall be taken.
- 7.6.11 The Investigating Officer may invite additional staff members to attend the meeting and may consult with and seek information from other persons in order to deal with the matter.
- 7.6.12 The *Subject of an Allegation* is entitled to be supported by an accompanying person at all associated meetings. The *Subject of an Allegation* shall inform

the Investigating Officer by, no later than 3 working days before the meeting, as to who will accompany them. The person accompanying the *Subject of an Allegation* shall be given the opportunity to request clarifications but shall not be permitted to speak on their behalf. As this process is internal to the Technological University, legal representation is not permitted.

- 7.6.13 The *Subject of an Allegation* is entitled to request one further meeting after an initial meeting to clarify the content of the first meeting.
- 7.6.14 The Investigating Officer will inform the *Subject of an Allegation* of the alleged breach of the *Student Code of Conduct and Discipline* and discuss the details of the written notice provided to the student. The *Subject of an Allegation* will be provided with the opportunity to respond to the allegation.
- 7.6.15 Following the investigation, the Investigating Officer will decide if the *Student Code of Conduct and Discipline* has been breached and whether any action and/or sanction is necessary. The Investigating Officer may decide:
- a) there is no case to answer;
 - b) the allegation of the breach of *the Student Code of Conduct and Discipline* is upheld.
- 7.6.16 Where the Investigating Officer decides there is no case to answer they may further:
- a) rule that the allegation was without merit;
 - b) rule that the allegation was without merit and actuated by malice or an improper motive;
 - c) direct that a complaint or allegation be withdrawn;
 - d) dismiss or strike out from the student's record any allegations based on vexatious, false or malicious claims;
 - e) direct that the Complainant apologise to the Subject of the Allegation or any relevant parties for making a vexatious, malicious or mischievous complaint.
- 7.6.17 Where an alleged breach of the Student Code of Conduct is upheld the Investigating Officer shall take account of the level and severity of the offence in deciding the action and/or level of sanction to be imposed including taking account of:
1. the degree of intent;
 2. any previous history of breaches of the Code of Conduct.
 3. the extent of the student's knowledge and understanding of the offending behaviour(s) constituting misconduct;
 4. the impact of the sanction on the student's progress;

5. any other factors deemed relevant;
6. repeat offences will be deemed to have a greater severity and may be subject to a higher sanction accordingly.

Every case is considered on an individual basis taking into account the facts of the case and any associated mitigating or aggravating factors.

- 7.6.18 Where an alleged breach of the Student Code of Conduct is upheld, the Investigating Officer, taking account of Sections 7.6.17, shall decide what action and/or sanction is appropriate with respect to their decision. The actions and/or sanctions specify the consequences for the student from this stage of the procedure. Actions may include, but are not limited to, one or more of the following outcomes:
- a) direct that the student cease the behaviour that is in breach of the *Student Code of Conduct and Discipline*;
 - b) direct that the Subject of the Allegation apologise to the Complainant and specify if the apology is to be verbal and/or written.
 - c) recommend that the Technological University apply certain specified sanctions to the Subject of the Allegation with respect to their actions, as follows;
 1. give a caution or written reprimand the Subject of an Allegation;
 2. require the reparation of any damage or loss caused, either to the TUS or to any of its members of staff, students or members of the public;
 3. suspension from some academic exercises;
 4. reduction in marks and/or failure in respect to an element of assessed work;
 5. withdrawal of the student from work based learning setting, work placement, international student exchange, or other such setting;
 6. exclusion from the library, computer service and/or other Technological University facilities for a period of time;
 7. other action as is deemed appropriate by the Investigating Officer in the circumstances.
 - d) direct that the matter be referred for consideration under another Technological University Policy and/or Procedure;
 - e) ensure that any necessary safety precautions are put in place to ensure the safety and well-being of the *Complainant* and Technological University community;
 - f) direct that the matter be referred to the Stage 2, Level 2 Investigation by the Disciplinary Committee;
 - g) give warning as to future conduct and detail possible action for further infringements including initiation of procedures through other Technological University policies;
 - h) determine such other action as is deemed appropriate by the Investigating Officer in the circumstances.

- 7.6.19 The Investigating Officer shall notify the *Subject of an Allegation* and *Complainant* in writing, normally within 5 working days of the meeting, of the decision of the Level 1 Investigation, the reasons for the decision and any further actions to be taken. If there is a delay in the process, the student will be notified in writing and given details of the timeframe involved.
- 7.6.20 If either the *Investigating Officer*, the *Subject of an Allegation* or *Complainant* is dissatisfied with the outcome of the investigation at this stage, they may request that the matter is escalated to a Stage 2, Level 2 Investigation by the Disciplinary Committee.
- 7.6.21 Any party that wishes to escalate the investigation shall do so by completing the *Application to Invoke Stage 2, Level 2 Investigation by Disciplinary Committee into alleged breach of Student Code of Conduct and Discipline (Appendix 4)* and submitting it to the Student Facilitator within 5 working days of receiving the written decision.

7.7 Stage 2, Formal Procedure- Level 2 Investigation by Disciplinary Committee

As part of dealing with any matter under this Stage, the Technological University shall appoint a Disciplinary Committee to investigate the matter. The Technological University may undertake any such investigation as it considers reasonable and appropriate in the circumstances.

- 7.7.1 This stage is used to address concerns where:
- a) any issues are considered too serious to be dealt with under an earlier stage of the Policy;
 - b) an Investigating Officer and/or Subject of an Allegation and/or *Complainant* upon initial formal Stage 2, Level 1 Investigation decides to refer the matter to the Disciplinary Committee;
 - c) the *Subject of an Allegation* has failed to comply with the outcome of an earlier stage under the Policy.
- 7.7.2 The Student Facilitator shall acknowledge receipt of the application to invoke Stage 2, Level 2 Investigation within 5 working days of receipt of the application.
- 7.7.3 The Student Facilitator, in consultation with the Registrar, shall organise the appointment of a Disciplinary Committee.
- 7.7.4 A member of the committee will be nominated by the Registrar to Chair the Disciplinary Committee and act as an Investigating Officer.
- 7.7.5 The Disciplinary Committee shall consist of the following:

- a) Dean of Faculty/School or their nominee, (not previously an Investigating Officer at Stage 2, Level 1);
- b) Head of Department or their nominee, (not previously an Investigating Officer at Stage 2, Level 1);
- c) A Staff member of the Technological University from a different Department;
- d) A representative from the TUS Students Union (not involved in the Level 1 Investigation);
- e) The Secretary to the Disciplinary Committee shall be the Student Facilitator (their role shall include sending all correspondence to the committee and any other relevant parties and convening all associated meetings).

7.7.6 The Chairperson shall convene a meeting of the Disciplinary Committee, normally within 10 working days of receipt of the request.

7.7.7 The Chairperson will determine the process to be followed for the investigation and may speak with the *Subject of an Allegation* concerned and with other students, staff, and where relevant, third parties and call for information. The investigation will be carried out in a transparent and fair manner.

7.7.8 In advance of the Disciplinary Committee investigation or meetings with the Disciplinary Committee, the Chairperson shall write to the *Subject of an Allegation* to:

- a) inform the *Subject of an Allegation* that a Stage 2, Level 2 Disciplinary Committee investigation of an alleged breach of the *Student Code of Conduct and Discipline* has been initiated and provide full details of the nature of the alleged breach of the *Code of Conduct and Discipline*.
- b) provide a copy of this Policy;
- c) indicate that they will be given an opportunity to respond;
- d) provide a copy of the Formal Stage 2, Level 1, Investigation Findings if it is at a preceding Stage;
- e) invite the *Subject of an Allegation* to attend a meeting with the Disciplinary Committee;
- f) give the *Subject of an Allegation* notice of the date, time and place of the meeting with the Disciplinary Committee;
- g) inform the *Subject of an Allegation* that they may be supported by an accompanying person at all associated meetings;
- h) advise of any appropriate internal and external supports available.

7.7.9 The Disciplinary Committee will arrange a meeting with the *Subject of an Allegation* to review the situation in order to allow the student an opportunity

to hear and respond to the alleged breach of the *Student Code of Conduct and Discipline*.

7.7.10 The *Subject of an Allegation* is entitled to be supported by an accompanying person at all associated meetings. The *Subject of an Allegation* shall inform the Head of Department by, no later than 3 working days before the meeting, as to who will accompany them. The person accompanying the *Subject of an Allegation* shall be given the opportunity to request clarifications but shall not be permitted to speak on their behalf. As this process is internal to the Technological University, legal representation is not permitted.

7.7.11 During the Disciplinary Committee Meeting, the *Subject of an Allegation* will be offered an opportunity to rebut or discuss any concerns expressed about their conduct or behaviour.

7.7.12 The *Subject of an Allegation* may bring witnesses and make written submissions. A list of proposed witnesses (if any) should also be provided to the Chairperson of the Disciplinary Committee by the *Subject of the Allegation*, no later than 3 working days before the meeting. Any written submissions or documents intended to be relied upon should be submitted to the Chairperson of the Disciplinary Committee no later than 3 working days before the meeting.

7.7.13 In certain cases, at the discretion of the Disciplinary Committee, a *Subject of an Allegation* may be permitted to bring a legal representative to the meeting, in which case, the Disciplinary Committee may also request the attendance of a legal representative.

7.7.14 The *Subject of an Allegation* will have 5 working days' notice of the initiation of the investigation and any associated meetings.

7.7.15 The *Subject of an Allegation* may request an extension to the initiation of the Investigation. This must be requested in writing to the Chair of the Disciplinary Committee citing appropriate reasons. The Chair of the Disciplinary Committee in consultation with the Student Facilitator shall decide if an extension is warranted and the student will be informed in writing of this decision.

7.7.16 A contemporaneous record of the meeting shall be minuted by the Student Facilitator.

7.7.17 Following the investigation, the Disciplinary Committee will determine whether the *Subject of the Allegation* breached the *Student Code of Conduct and Discipline* and whether any action and/or sanction is necessary.

The Disciplinary Committee may decide to:

- a) decide there is no case to answer and no further action to be taken;

- b) uphold the allegation of breach of the *Student Code of Conduct and Discipline*;
- c) modify or overturn the findings of the formal Stage 2, Level 1 Investigation if a preceding Stage.

7.7.18 Where the Disciplinary committee decides there is no case to answer they may further:

- f) rule that the allegation was without merit;
- g) rule that the allegation was without merit and actuated by malice or an improper motive;
- h) direct that a complaint or allegation be withdrawn;
- i) dismiss or strike out from the student's record any allegations based on vexatious, false or malicious claims;
- j) direct that the Complainant apologise to the Subject of the Allegation or any relevant parties for making a vexatious, malicious or mischievous complaint.

7.7.19 Where an alleged breach of the Student Code of Conduct is upheld, the Disciplinary Committee shall take account of the severity of the offence in deciding the action and/or level of sanction to be imposed including taking account of the criteria listed in Section 7.6.17. Every case is considered on an individual basis taking into account the facts of the case and any associated mitigating or aggravating factors.

7.7.20 Where an alleged breach of the Student Code of Conduct is upheld the Disciplinary Committee, shall decide what action and/or sanction is appropriate with respect to their decision. The actions and/or sanctions specify the consequences for the student from this stage of the procedure. Actions may include, but are not limited to, one or more of the following outcomes:

- a) direct that the student cease the behaviour that is in breach of the *Student Code of Conduct and Discipline*;
- b) direct that the Subject of the Allegation apologise to the Complainant and specify if the apology is to be verbal and/or written.
- c) recommend that the Technological University apply certain specified sanctions to the Student with respect to their actions, as follows;
 1. give a caution or written reprimand the Subject of an Allegation;
 2. a fine of not exceeding €500 (paid to Student Hardship Fund);
 3. suspend the Subject of an Allegation from some academic exercises;
 4. reduction in marks and/or failure in respect to an element of assessed work;

5. require the reparation of any damage or loss caused, either to the TUS or to any of its members of staff, students or members of the public;
 6. withdrawal of the student from work based learning setting, work placement, international student exchange, or other such setting;
 7. exclusion from the library, computer service and/or other Technological University facilities for a period of time;
 8. recommend to the Registrar for the suspension of the student from the Technological University;
 9. recommend to the Registrar for the expulsion of the student from the Technological University;
 10. other action as is deemed appropriate by the Investigating Officer in the circumstances.
- d) direct that the matter be referred for consideration under another Technological University Policy and/or Procedure;
 - e) ensure that any necessary safety precautions are put in place to ensure the safety and well-being of the *Complainant* and Technological University community;
 - f) give warning as to future conduct and detail possible action for further infringements including initiation of procedures through other Technological University policies;
 - g) determine such other action as is deemed appropriate by the Disciplinary Committee in the circumstances.
- 7.7.21 The Chairperson of the Disciplinary Committee shall notify the *Subject of an Allegation* and *Complainant* in writing, normally within 5 working days of the meeting, of the decision of the Level 2 Investigation, the reasons for the decision and any further actions to be taken. If there is a delay in the process, the parties will be notified in writing and given details of the timeframe involved.
- 7.7.22 Where the decision cannot be communicated within 5 working days, the *Subject of an Allegation* and *Complainant* shall be informed in writing of the revised timescale for receiving a response and the reason(s) for the delay.
- 7.7.23 The *Complainant* and the relevant Dean of Faculty/School and Head of Department will also be notified in writing of the decision and any actions recommended.
- 7.7.24 Both the *Subject of an Allegation* and the *Complainant* shall have the right to appeal the decision of the Disciplinary Committee.
- 7.7.25 If either the *Subject of the Allegation* or *Complainant* is dissatisfied with the outcome they must notify the Chairperson of the Disciplinary Committee in writing, within 10 working days of notification of the decision that they wish to invoke the Appeals Process.

7.7.26 Any decision to be appealed will retain full force and effect during the currency of the appeal.

7.8 Appeal to the Disciplinary Appeals Board

7.8.1 An appeal can only be made for a Stage 2, Level 2 investigation after the other Stages of the Procedures have all been completed. An appeal is not a forum for a *de novo* investigation of a complaint but rather an opportunity to appeal matters of process

7.8.2 The purpose of the Appeal to the Disciplinary Appeals Board is to:

- a) consider and review the Appeal of the Formal Stage 2, Level 2, Investigation as applicable;
- b) assess if the decisions and actions taken were reasonable in the circumstances;
- c) aim to reach an internal Technological University decision, which is fair and just.

7.8.3 Both the *Subject of an Allegation* or the *Complainant* may appeal:

- a) the decision of the Disciplinary Committee;
- b) the actions imposed by the Disciplinary Committee with respect to their decision;
- c) both (a) and (b) above.

7.8.4 The appeal should be submitted to the TUS Student Facilitator in writing, using the *Application to Appeal to the Disciplinary Appeals Board* (Appendix 5). This should be submitted within 10 working days of receipt of the written response to the preceding stage. The *Subject of the Allegation* or *Complainant* should detail the reasons for requesting the Appeal.

7.8.5 The TUS Student Facilitator will acknowledge receipt of the request for Appeal within 5 working days of receipt of the appeal.

7.8.6 The TUS Student Facilitator, in consultation with the Vice President of Academic Affairs and Registrar, shall arrange the appointment of a Disciplinary Appeal Board. The Disciplinary Appeal Board shall comprise of:

- a) the Chairperson, who shall be a Dean of Faculty/School not previously involved in Stage 2;
- b) a member of Academic Council;
- c) a Staff member of the Technological University from a different Department/Faculty (not involved in the preceding Stages);

- d) a representative from the TUS Students Union (not involved in the preceding Stages);
 - e) an external member, normally an academic staff member of another Technological University engaged by the Vice President of Academic Affairs and Registrar;
 - f) the Secretary to the Appeal Board shall be the Student Facilitator, (their role shall include sending all correspondence to the Appeals Panel and any other relevant parties and convening all associated meetings).
- 7.8.7 The Chairperson shall convene a meeting of the Disciplinary Appeals Board, normally within 10 working days of receipt of the request.
- 7.7.8 As part of its review, the Disciplinary Appeals Board will have access to all prior records and documents relating to any Stages of the Procedure that preceded the Appeal. The Panel may request to meet with all parties involved, including the *Subject of the Allegation, Complainant*, relevant Dean of Faculty/School and Heads of Department, the Disciplinary Committee and other relevant Technological University staff, individually or collectively as appropriate.
- 7.8.9 The Disciplinary Appeals Board will arrange a meeting with the *Subject of an Allegation* to review the situation in order to allow them an opportunity to hear and respond to the alleged breach of the *Student Code of Conduct and Discipline*. A contemporaneous record of the meeting shall be taken by the Student Facilitator.
- 7.8.10 The *Subject of an Allegation* is entitled to be supported by an accompanying person at all associated meetings. The *Subject of an Allegation* shall inform the Secretary to the Disciplinary Appeals Board, no later than 3 working days before the meeting, who will accompany them. The person accompanying the *Subject of an Allegation* shall be given the opportunity to request clarifications but shall not be permitted to speak on their behalf. As this process is internal to the Technological University, legal representation is not permitted.
- 7.8.11 In certain cases, at the discretion of the Disciplinary Appeals Board, a *Subject of an Allegation* may be permitted to bring a legal representative to the meeting, in which case, the Committee may also request the attendance of a legal representative.
- 7.8.12 Any additional or new information may normally only be submitted if it was reasonably not available during the preceding Stages. However, the Appeal Board may at its discretion, accept new information if it deems it appropriate.

7.8.13 The Disciplinary Appeals Board shall endeavour to have completed its review within 30 working days of receipt of the Appeal and has the authority to take the same action as the Stage 2, Level 2 Investigation by the Disciplinary Committee. Having completed its review, the Appeal Board will make a determination which may include one or more of the following:

- a) upholding the original decision of the preceding Investigation;
- b) modifying the original decision of the preceding Investigation;
- c) overturning the decision of the preceding Investigation;
- d) referring the matter to a *de novo* investigation to be undertaken by a different disciplinary committee;
- e) questing a further Stage 2, Level 2 formal hearing and/or reconsideration of findings;
- f) making a further determination as specified in Stage 2, Level 2 Investigation by Disciplinary Committee, Section 7.7.20.

7.8.14 The Chairperson of the Disciplinary Appeals Board shall notify the *Subject of an Allegation* and *Complainant*, and relevant Head of Department in writing, normally within 10 working days of the meeting, of the decision of the appeal, the reasons for the decision and any further actions to be taken. If there is a delay in the process, the parties will be notified in writing and given details of the timeframe involved.

7.8.15 The decision of the Disciplinary Appeal Board shall be final and binding stage of this Procedure.

7.8.16 The decision of the Disciplinary Appeal Board does not interfere with the Statutory Rights of any parties to the Disciplinary Procedure who may wish to give consideration of pursuing matters further by means of legal proceedings.

7.9 Conduct of meetings of the Disciplinary Committee/Disciplinary Appeals Board

7.9.1 The meetings of the Disciplinary Committee and Disciplinary Appeals Board take place in private and all such meetings shall be minuted by the Student Facilitator. The minutes of the meeting must be approved by the Chair and the other members of the Committee before being signed by the Chair.

7.9.2 All meetings must be notified in writing to all members, and documentation must be made available, a minimum of five working days in advance.

7.9.3 The proceedings shall be ordinarily conducted through the Chair. Questions may be submitted, through the Chair by the *Subject of an Allegation*, *Complainant* or by a witness. The Chair may put these to the party at whom they are directed. The Chair is responsible for ensuring that the proceedings

are conducted in an appropriate and respectful manner and that no person intervenes in any way that could cause offence to another. As this process is internal to the Technological University, legal representation is not permitted.

- 7.9.4 When adjudicating on each case, the Committee will hear:
- the *Complainant*, or a relevant member of staff, as appropriate;
 - the *Subject of an Allegation* charged with an offence and, where appropriate;
 - any witnesses called by the *Subject of an Allegation* or *Complainant*;
 - any person the Committee considers might be of assistance in enabling it to come to a decision.
- 7.9.5 If the *Subject of an Allegation* is not available to attend a meeting as scheduled, they may request an adjournment. The Chair of the Disciplinary Committee/Disciplinary Appeals Board shall normally grant the adjournment where the request is deemed reasonable.
- 7.9.6 If the *Subject of an Allegation* does not attend a meeting as originally scheduled or as rescheduled, the proceedings may be conducted in their absence.
- 7.9.7 If a case involves more than one *Subject of an Allegation*, each will be called before the Disciplinary Committee/Disciplinary Appeals Board individually.
- 7.9.8 All decisions made by the Disciplinary Committee/Disciplinary Appeals Board shall be made by simple majority. In the case of a tied vote, the Chair (or their nominee) shall have a casting vote.
- 7.9.9 All penalties which have implications for the student's academic record shall, before being communicated to any relevant party, be checked with the Registrar's Office and/or relevant Faculty Office to ensure that the consequences for the academic record will be consistent with the intentions of the Disciplinary Committee/ Disciplinary Appeals Board.
- 7.9.10 The Student Facilitator shall submit an annual report to VP Council and Academic Council, outlining the number and type of breaches that occurred, categorising them into relatively less serious, and relatively more serious breaches, and indicating the types of penalties imposed.
- 7.9.11 The proceedings and details of student disciplinary cases are private and confidential and where student disciplinary data is reported to Academic Council, VP Council and/or Governing Body, it is done on an anonymised basis. However, in certain circumstances, the Technological University may need to communicate decisions made under this *Student Code of Conduct and Discipline* to staff members where it is deemed necessary or appropriate.

8.0 Referral to the National Ombudsman's Office

If a student feels that they have been unfairly treated, or dissatisfied with the Technological University's decision, they are free to contact the Office of the National Ombudsman. By law, the National Ombudsman can investigate complaints about any of the Technological University's administrative actions or procedures. The National Ombudsman provides an impartial, independent and free dispute resolution service.

8.1 The time limit for making a complaint to the Ombudsman is 12 months from the date the action complained of occurred or the date that the complainant becomes aware that action occurred (whichever is later).

9.0 Recording of the Procedure

A record of all formal Disciplinary Procedures pursued under this policy shall be kept by the relevant Head of Department in the Students' file for the duration of their registration on the programme. For cases deemed to be of a serious nature, a record may be held for a period of time as designated by the Technological University, on a case-by-case basis, in accordance with the Technological University's records policy.

9.1 The Student Facilitator shall complete the *Official Use Only* sections of the Forms associated with the Procedure of the formal Stages of Investigation and Appeal (Appendices 3, 4, and 5).

9.2 Offences which constitute breaches of the Technological University's Academic Regulations may be recorded in the relevant section of the Student Record.

9.3 All records held in relation to the implementation of this Procedure shall be compliant Data Protection Acts 1988 to 2018^[7]; and the General Data Protection Regulation (EU) 2016/679^[8] and the *TUS Data Governance Policy*^[9].

10.0 Communication of the Policy

The Technological University is committed to promoting a learning environment that is supportive and respects the rights of its students and the wider Technological University community. It is committed to the principle that each student is entitled to a fair and effective procedure and process for investigating and resolving disciplinary matters that may arise.

- a) Bringing the policy to the attention of management, staff, students and relevant external parties that students engage with as part of their studies;
- b) Referencing the policy as part of induction training for new students;
- c) Providing a clear reference to the policy in the student handbook;
- d) Providing a link to the handbook on the Student Portal weblink;

- e) Referencing the policy as part of induction training for new staff;
- f) Including reference to the policy in Student Union publications and initiatives.

11.0 Training and Staff Development Needs

TUS will address training and development needs arising from the implementation of this Policy to ensure that Staff know how to act appropriately when advising Students and dealing with the different Stages of the Procedure.

11.1 Relevant Training and Staff Development will be provided to all parties involved in the Procedures as outlined in Section 7.2.

11.2 Specific training will be provided to interested TUS Staff members in Mediation to enable them to act as a Mediator at the Informal Resolution Stage of this Procedure.

12.0 References

1. [Technological Universities Act 2018](#)
2. TUS Policy on Dignity and Respect: Dealing with Harassment and/or Bullying among Students
3. TUS Fitness to Study Policy
4. [Equal Status Acts](#) 2000-2015
5. [Employment Equality Acts](#) 1998-2015
6. [Child First Act](#) 2015
7. [Data Protection Acts](#) 1988 to 2018,
8. [General Data Protection Regulation \(EU\)](#) 2016/679
9. TUS Data Governance Policy

13.0 Appendices

Appendix 1. The Role of the Student Facilitator

Appendix 2. Student Code of Conduct and Discipline Process Outline

Appendix 3. Application to Invoke Stage 2, Level 1, Investigation into alleged breach of Student Code of Conduct and Discipline

Appendix 4. Application to Invoke Stage 2, Level 2 Investigation by Disciplinary Committee into alleged breach of Student Code of Conduct and Discipline

Appendix 5. Application to Appeal to the Disciplinary Appeals Board

Appendix 1. The Role of the Student Facilitator

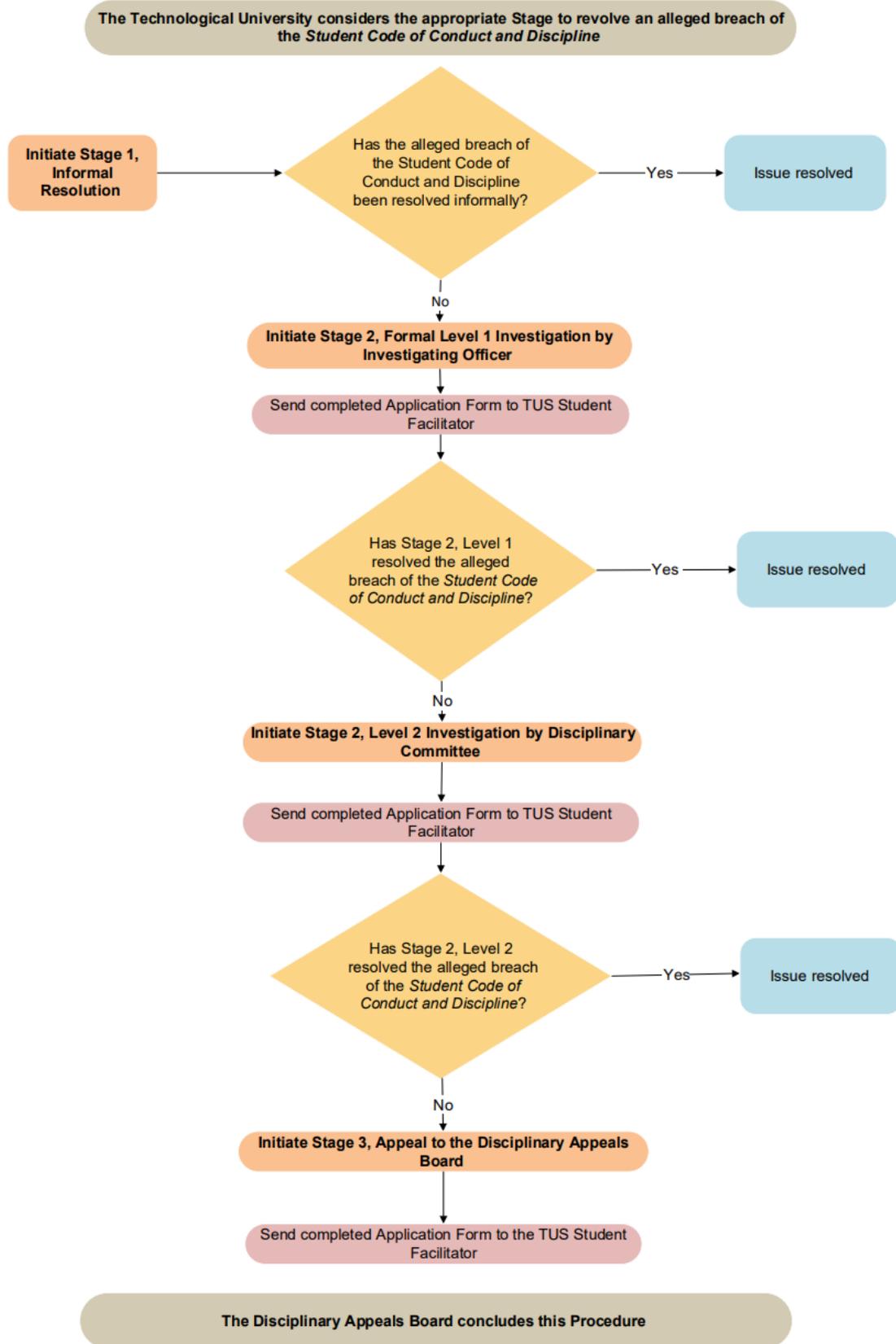
1.0 Role of the Student Facilitator

- 1.1 The Student Facilitator is a person nominated by the Technological University to assist with the implementation of this procedure.
- 1.2 The authority of the Student Facilitator lies in the prestige of the office, the independence of the individual from any institutional influence, and the fairness, objectivity, and impartiality of the attempts to resolve conflicts.
- 1.3 The Student Facilitator shall have access to all relevant documentation within the Technological University.
- 1.4 The Student Facilitator does not have authority to take disciplinary action, reverse decisions or over-ride regulations.
- 1.5 The Student Facilitator serves as a facilitator to resolve issues raised informally rather than as an arbitrator and plays a role in the coordination of the formal stages of the procedure.

2.0 Confidentiality

- 2.1 All inquiries to the Student Facilitator will remain confidential and the Student Facilitator will not report the names of those who use the service to anyone without their permission, except in cases of serious threat to life or property or where required by law.
- 2.2 The Student Facilitator will protect the identity of individuals and their concerns and will not disclose having met or talked with a party or parties, without permission of the party or parties, except in cases of serious threat to life or property or where required by law.
- 2.3 The Student Facilitator will take specific action related to an individual's concerns only with the individual's express permission and only to the extent permitted, subject to 2.1 and 2.2 above.
- 2.4 Communication with the Student Facilitator is not relayed to the Technological University. The Student Facilitator's Office is not an office of record. Speaking with the Facilitator is not "notice to the Technological University" of problems or policy violations.

Appendix 2. Student Code of Conduct and Discipline Process Outline





Appendix 3. Application to Invoke Stage 2, Level 1, Investigation into alleged breach of Student Code of Conduct and Discipline

1. Complainant Details (*Please complete Section A or B as relevant*)

Section A: Staff Only

Name of Complainant: _____

Staff Number: _____

TUS Department: _____

Section B: Student Only

Name of Complainant: _____

Student Number: _____

Academic Department: _____

Programme Title: _____

2. Subject of the Allegation Details (enter in the following details if available)

Name of Subject of an Allegation:	_____
Student Number:	_____
TUS Department:	_____
Programme Title:	_____

3. Please provide details of alleged breach of the Student Code of Conduct and Discipline.

Note

When setting out the complaint please provide the facts of the Complaint only. Avoid using language that could be considered inappropriate. Please note that a copy of this complaint will be provided to the Subject of an Allegation. (please continue overleaf if necessary)

X

Complainant Signature

Date: ____/____/____

OFFICIAL USE ONLY (Completed by Students Facilitator)

Enter the dates for each of the following:

Complaint received by the <i>Student Facilitator</i> :	Date: ____/____/____
Acknowledgement sent:	Date: ____/____/____
Investigating Officer Appointed:	Date: ____/____/____
Complaint Forwarded to Investigating Officer:	Date: ____/____/____
Acknowledged by:	Date: ____/____/____
Decision made:	Date: ____/____/____
Decision communicated to Complainant	Date: ____/____/____
Decision communicated to Subject of Allegation	Date: ____/____/____

Specify action(s) and dates on which action is taken:



Appendix 4. Application to Invoke Stage 2, Level 2 Investigation by Disciplinary Committee into alleged breach of Student Code of Conduct and Discipline

1. Complainant Details (*Please complete section A or B as relevant*)

Section A: Staff Only

Name of Complainant: _____

Staff Number: _____

TUS Department: _____

Section B: Student Only

Name of Complainant: _____

Student Number: _____

Programme Title: _____

TUS Department: _____

2. Subject of the Allegation Details (enter in the following details if available)

Name of Subject of an Allegation:	_____
Student Number:	_____
TUS Department:	_____
Programme Title:	_____

3. Please provide details of alleged breach of the Student Code of Conduct and Discipline:

(please continue overleaf if necessary)

Note:

When setting out the complaint please provide the facts of the Complaint only. Avoid using language that could be considered inappropriate. Please note that a copy of this complaint will be provided to the Subject of an Allegation.

X

Applicant Signature

Date: ____/____/____

OFFICIAL USE ONLY (Completed by Student Facilitator)

Enter the dates for each of the following:

Complaint received by the <i>Student Facilitator</i> :	Date: ____/____/____
Acknowledgement sent:	Date: ____/____/____
Investigating Officer Appointed:	Date: ____/____/____
Complaint Forwarded to Investigating Officer:	Date: ____/____/____
Acknowledged by:	Date: ____/____/____
Decision made:	Date: ____/____/____
Decision communicated to Complainant	Date: ____/____/____
Decision communicated to Subject of Allegation	Date: ____/____/____

Specify decision and action(s) taken:



Appendix 5. Application to Appeal to the Disciplinary Appeals Board

1. Complainant Details (*Please complete Section A or B as relevant*)

Section A: Staff Only

Name of Complainant: _____

Staff Number: _____

TUS Department: _____

Section B: Student Only

Name of Complainant: _____

Student Number: _____

TUS Department: _____

Programme Title: _____

2. Subject of the Allegation Details (enter in the following details if available)

Name of Subject of an Allegation:	_____
Student Number:	_____
TUS Department:	_____
Programme Title:	_____

3. Please provide details of why you would like the findings of the Stage 2, Level 2 Investigation to be reviewed by the Disciplinary Appeals Committee

(please continue on additional pages if necessary)

X _____
Applicant Signature

Date: ____/____/____

OFFICIAL USE ONLY (Completed by Student Facilitator)

Enter the dates for each of the following:

Application received by the *Student Facilitator*: Date: ____/____/____

Acknowledgement sent: Date: ____/____/____

Appeal Board Appointed: Date: ____/____/____

Decision made: Date: ____/____/____

Decision communicated to Complainant Date: ____/____/____

Decision communicated to Subject of Allegation Date: ____/____/____

Specify action(s) and dates on which action is taken:

(please continue on additional pages if necessary)