

STUDENT CODE OF CONDUCT PROCEDURE

Governing Policy

[Student Code of Conduct Policy](#)

Purpose

These procedures set out actions for dealing with alleged cases of misconduct, and the penalties for proven misconduct.

Definitions

Unless otherwise defined in this document, all capitalised terms are defined in the [glossary](#).

Procedure

1. Managing breaches of the Student Code of Conduct Policy

Students and staff who do not comply with AIB's expectations may infringe on others' rights to participate in community life. AIB is obliged to take action where behaviour is inappropriate or interferes with the freedom of another member of the AIB community to pursue their studies, research or professional duties, or behaviour that hinders or disrupts any teaching activity.

AIB reserves the right to refer externally any incidents of misconduct where a second or legal opinion is required.

1.1. Misconduct dealt with summarily

- (a) 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 may exclude the student from the activity being conducted for the duration of that activity.
- (b) Where misconduct is committed by a student in, or in connection with a facility of AIB, including any AIB infrastructure or resources using information technology, 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.
- (c) Where misconduct is reported as sexual assault or sexual harassment committed by a student, the AIB Sexual Assault and Sexual Harassment Procedure will be the primary process for investigating and managing the reported incident. Once that process has been finalised, and where disciplinary

- action against the student by AIB is determined as appropriate, the matter will then be considered under this Student Code of Conduct Procedure.
- (d) A member of staff who excludes or disciplines a student under the above sections must notify the student in writing as soon as possible:
 - of the period and reason for the interim exclusion
 - of details of the alleged misconduct and
 - that the details of the alleged misconduct will be reported to AIB.
 - (e) All parties involved in a proceeding referred to in this Procedure are to maintain confidentiality. Information and records about a misconduct matter are divulged only to those with direct involvement in the case with the possible exceptions where AIB is obligated or able to do so under the AIB Privacy Policy and Procedure, such as:
 - where there is the risk of harm to a person or persons and/or
 - where the matter is subject to legal proceedings or other actions which require that AIB presents records by way of a subpoena or similar methods.
 - (f) Recordkeeping
 - (i) All records created during the application of this Procedure must be retained in accordance with AIB's recordkeeping requirements.
 - (ii) The Student Misconduct Register must be maintained and regular reports to Academic Board be made summarising the number, nature and outcomes of the cases referred to it, and at any time may make recommendations for improvement to AIB processes and practices.

1.2. Breaches dealt with by the Academic Dean

- (a) **Enquiry**
 - (i) Where a member of staff suspects, on reasonable grounds, a student to have committed misconduct as outlined in the Student Code of Conduct Policy, that member of staff must report the misconduct in writing to the Academic Dean.
 - (ii) The Academic Dean will contact the student in writing within 10 business days of receiving the initial report to:
 - advise about the nature of the allegation
 - request an explanation in writing
 - explain the process for investigating the allegation.
 - (iii) The Academic Dean may appoint a committee consisting of at least 3 independent AIB staff members to assist with enquiries into the alleged misconduct. The student may be invited to provide additional information or to explain themselves further in person or through electronic means before the committee. The student may be accompanied by a support person but not a lawyer as this is not a legal proceeding.
 - (iv) The Academic Dean and/or the committee may interview any other person that may be able to assist with the enquiries and may review any other evidence pertaining to the alleged misconduct.
 - (v) The enquiry process of alleged student misconduct may take up to 3 months depending on the nature of alleged misconduct.
- (b) **Suspension**
 - (i) The Academic Dean may, if the Academic Dean 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 3 months during the investigation.

(c) **Outcome**

- (i) At the conclusion of the enquiries and on the basis of the findings, the Academic Dean and/or the committee will determine one or more of the following courses of action:
 - where the allegation of misconduct is not supported by the evidence, dismiss the allegation and take no further action
 - caution the student
 - recommend that the student attends academic support sessions for a specified period of time required for 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
 - suspend the student from any or all academic activities for no longer than 12 months
 - exclude the student from AIB premises and/or infrastructure (or part thereof) for a specified period of time
 - recommend to the Academic Board that a degree or other award be withheld from the student
 - recommend to the Chief Executive Officer that the case be referred to the AIB's legal representatives for legal action
 - recommend to the Chief Executive Officer that the student be expelled from AIB.
- (ii) The Academic Dean must, within 10 business days of making the determination, notify the student in writing of the decision and the reasons for taking the course of action. The Academic Dean must report to the Academic Board the misconduct enquiry, the process and its outcome.
- (iii) Students who are found to be in breach of the Academic Integrity Policy during the course of their studies will be ineligible to be on the Dean's Merit List, regardless of their final GPA.
- (iv) In cases where a student is included in the Dean's Merit List and is later found to be guilty of academic misconduct, the award will be withdrawn, and the associated documentation will be recovered.

1.3. Right of Appeal

- (a) A student affected by a decision of the Academic Dean may appeal to the Student Appeals Committee (Stage Two – Internal Appeal) against that decision and/or the severity of the disciplinary action in accordance with the Student Complaints, Grievances and Appeals Policy and Procedure.

Related Forms and Documents:

Nil

Responsibility:

Academic Dean

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