

DISCIPLINE PROCEDURES

Students

1. Preamble

The *Code of Conduct (Students)* and the *Discipline Procedures (Students)* have been designed to ensure a productive learning environment and pleasant atmosphere for all students and staff, both in and out of the formal class situation.

Members of the Institute staff are responsible for ensuring that there is a productive, safe, and secure learning environment for the delivery of its courses, and these procedures have been designed to support them in this. Institute staff have the authority to ensure that student rights are protected and that students carry out their responsibilities.

The *Code of Conduct* applies whenever and wherever the student is participating in an activity under the auspices of Yalga-binbi Institute, whether or not the student is on Institute premises. The Discipline Procedures may also be applied in relation to any incident that occurs whenever and wherever the student is participating in an activity under the auspices of Yalga-binbi Institute, whether or not the student is on Institute premises.

2. Application

A student who:

- commits any breach of the rules of the Committee of Management of the Yalga-binbi Institute which apply to students;
- commits a breach of any provision of the Institute's *Code of Conduct (Students)*;
- wilfully disobeys or disregards any lawful order or direction made or given by a member of the staff of the Institute; or
- otherwise misconducts himself or herself,

may be deemed to have committed a breach of discipline.

3. Procedures

- a) Where a breach of discipline is committed by a student in, or in connection with, a class, workshop, practicum, excursion, or other activity conducted by a member of the staff of the Institute, that member may exclude that student from the class or workshop then being conducted.
- b) The Institute Librarian, or such other members of the staff of the Institute as may be authorised by the Committee of Management, may exclude a student from the Library for a period not exceeding two (2) days, for a breach of discipline arising out of the use of the Library or its facilities by the student.
- c) A member of the Institute staff charged by the Committee of Management or the Director with the responsibility for the operation or maintenance of any facility of the Institute may exclude a student from access to or use of that facility for a period not exceeding two (2) days, for a breach of discipline arising out of the use of that facility by that student.
- d) A member of staff who excludes a student under Subclause 3 a, b, or c shall, within 24 hours, report the breach of discipline and the subsequent exclusion to the Training Co-ordinator in writing.
- e) Where a breach of discipline is known by a member of staff to have been committed, or is suspected by a member of staff on reasonable grounds to have been committed, by a student in or on Institute premises, or in connection with an examination or other activity

authorised and conducted by the Institute, the member of staff shall report in writing that breach of discipline to the Training Co-ordinator.

- f) Where the Training Co-ordinator receives a report under Subclauses 3 a, b, c, or e, the Training Co-ordinator shall make such inquiries into the alleged breach of discipline as he/ she thinks fit.
- g) The Training Co-ordinator may take any of the following action, as he/ she deems appropriate:
 - Confirm the action of the staff member in Subclause 3 a, b, c, or e and take no further action.
 - Counsel the student.
 - Lift the exclusion imposed under Sub-clause 3 a, b, c, or e.
 - Caution or reprimand the student, orally or in writing.
 - Warn the student that any repetition of misbehaviour could result in further exclusion from classes and other activities of the Institute or in expulsion.
 - Exclude that student from the use of any or all Institute facilities, including the Library or Institute residences or vehicles, for a defined period not exceeding one calendar month.
 - If the breach of discipline arose in connection with an examination or assessment, suspend the student's participation in that examination or assessment and refer the matter to the Director.
- h) If, in the opinion of the Training Co-ordinator, the breach of discipline is a serious offence, or if the student persists in committing breaches of discipline so that his/ her course, or the course of other students, or the operations of the Institute is significantly disrupted, or if the student's behaviour is likely to bring the Institute into disrepute, then the Training Co-ordinator may refer the matter to the Director.
- i) The Director may or, if requested to do so by the student alleged to have committed a breach of discipline, shall appoint a committee consisting of at least three (3) members to assist in such inquiries into the alleged breach of discipline as he/ she thinks fit. The Director may, at his/ her discretion, delegate responsibility for acting under this Sub-clause to the Training Co-ordinator.
- j) One of the members of the committee referred to in Sub-clause 3 (i) should be a member of staff who has not been involved with the incidents leading to this inquiry. At least two (2) of the members of the committee shall be students.
- k) The Director, or the committee appointed by the Director under Sub-clause 3 (i) as part of the inquiries conducted under Sub-clause 3 (i):
 - a. shall give the student alleged to have committed the breach of discipline full opportunity to explain the conduct;
 - b. may interview any other person the Director or committee, as the case may be, feels may be able to assist in the inquiries;
 - c. shall complete the inquiries and determine the action to be taken, or, in the case of the committee, shall make a recommendation to the Director, within seven days of the referral to the Director or the formation of the committee (whichever is the latter);
 - d. will, in the case of the formation of a committee, make a decision on the action to be taken within three days of receiving the committee's recommendation.
- l) The Director may, if he/ she deems it necessary for the well-being, management, and good operations of the Institute to do so, suspend the student alleged to have committed the breach of discipline for a period not exceeding ten (10) days or until completion of the inquiries under Sub-clause 3 (i), whichever is the earlier.

- m) At the conclusion of the inquiries under Sub-clause 3 (i), with or without the assistance of a committee, and on the basis of the findings, the Director shall, in respect of the student concerned, take one or more of the following courses of action:
- i. take no further action;
 - ii. lift any suspension or exclusion imposed;
 - iii. caution the student;
 - iv. reprimand the student;
 - v. suspend the student from a particular class or workshop for a period not exceeding seven (7) days;
 - vi. exclude the student from the use of any Institute facility, including the Institute Library or residences, for a period not exceeding seven (7) days;
 - vii. suspend the student for a period not exceeding twenty-eight (28) days, whether or not the student has been suspended during the currency of the inquiries under Sub-clause 3 (I);
 - viii. if the breach of discipline arose in connection with the assessment of a student in a subject, cancel that assessment;
 - ix. expel that student.
- n) The Director shall, as soon as possible and no later than three (3) days after taking action under Sub-clause 3 (m), notify the student in writing of the decision to take that action, and inform him/ her of appeal provisions that are available if he/ she wishes to contest the decision.
- o) The Director may exercise any of the powers conferred in Subclause 3 (m), notwithstanding that the student may have been excluded from a class, workshop, the Library, or any other Institute activity or facility under Subclause 3 a, b, or c.
- p) The Director shall, as soon as possible and no later than seven (7) days after taking action under Subclause 3 (m), notify the student in writing of the decision to take that action.
- q) Where action is taken under Subclause 3 (m), the Director shall report in writing to the Committee of Management at its next meeting what action was taken and the circumstances in which it was taken.