

ACADEMIC POLICY - STUDENT DISCIPLINE RULE

<p>1. Policy Statement</p>	<p>This Rule should be considered carefully in conjunction with the provisions of the Code of Conduct, the Academic Honesty Policy, and the Student Progression, Exclusion and Graduation Policy of SAE Institute Pty Ltd trading as SAE.</p>
<p>2. Purpose</p>	<p>This Rule applies to all students of SAE. In conjunction with the Code of Conduct, it specifies the responsibilities and rights of students regarding appropriate student conduct, and the reserved rights of SAE in relation to the management of student misconduct. It provides processes for investigation of alleged misconduct, for the imposition of penalties in the case of proven misconduct, and an appeals process.</p>
<p>3. Scope</p>	<p>This policy applies in the context of SAE Institute Pty Ltd operations in Australia and its approved offshore delivery sites, and is applicable to students enrolled with, or intending to enrol with SAE.</p> <p>Procedures for SAE campuses internationally may vary in compliance with statutory requirements in other countries of operation. Students registered with SAE Institute Pty Ltd who transfer their studies to a campus outside Australia, will have their registration with SAE in Australia terminated and are required to adhere to the guidelines, policies and procedures of the legal entity to whom they have transferred their registration. This policy is applicable to all students or prospective students of SAE, irrespective of their place of residence, campus or mode of study.</p>
<p>4. Associated Policies and Procedures</p>	<p>This policy should be read in conjunction with the following policies and procedures:</p> <ul style="list-style-type: none"> • Code of Conduct • Academic Honesty Policy • Student Progression, Exclusion and Graduation Policy • Grievance Policy • Student Grievance Policy and Procedure
<p>5. Associated Documents</p>	<p>This policy should be read in conjunction with the following documentation:</p>
<p>6. Policy</p>	<p>6.1 Introduction</p> <p>Academic Misconduct is defined in the Academic Honesty Policy.</p> <p>Non-Academic Misconduct includes, without limitation:</p> <ol style="list-style-type: none"> (a) breaching any provisions of the Code of Conduct e.g. discriminating against or bullying other people, or inciting other people to do so; (b) using SAE grounds, facilities or services (including, without limitation, computer or communications facilities or services) for any illegal purpose, or in any way that is inconsistent with any policy, guidelines or directions of SAE, or which is otherwise contrary to the purpose or manner for which they are intended to be used; (c) stealing, damaging or destroying anything that does not belong to that student; (d) unreasonably disrupting a class, meeting or other organised activity; (e) intimidating, harassing, threatening or assaulting any one; (f) attempting to access or alter any records without authorisation; (g) non-compliance with any direction or order lawfully given by the SAE staff or other people authorised to give them; (h) failing to comply with any penalty imposed by SAE through the application of rules, regulations, policies or procedures; (i) impairing or interfering with the freedom of other people to pursue their studies or research, or to carry out their functions at SAE; (j) any other behaviour that is inconsistent with any rules, policies or guidelines of SAE including, without limitation, those relating to traffic and parking, and consumption of alcohol; or (k) any behaviour that is inconsistent with or otherwise prejudicial to the good order, government or reputation of SAE.

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6.2 Rights of students

Students at SAE have the right:

- (a) to have access to information and to be informed about the Code of Conduct, this Rule, and relevant policies and the implications of misconduct;
- (b) if suspected of misconduct, to have the case investigated in a way that, whenever possible given the circumstances of the misconduct, observes procedural fairness and confidentiality;
- (c) to bring a support person (but not a legal representative) to any hearing into alleged misconduct. A support person does not have a role in the proceedings or the right to speak without approval, but may assist a student to clarify the processes involved during any hearing.

6.3 SAE Pty Ltd Reserved Rights

Giving due reason, the Campus Manager may immediately suspend a student found responsible for serious misconduct where in the opinion of the College Manager the well-being or safety of students, staff or SAE property is at risk. All final decisions in this regard are at the Campus Manager's discretion although, where applicable, relevant members of the staff and/or the student community and/or student representatives will be consulted before such action is taken. Immediate suspension will be followed by written confirmation and a misconduct investigation.

Specifically, SAE Pty Ltd reserves the right to suspend a student if:

- The student fails to uphold or maintain any of SAE regulations or those stipulated by academic partners relevant to the course in which the student is enrolled;
- There is a serious breach of SAE Rules, Code of Conduct, or Policies eg the student makes offensive racist or sexist remarks or in any other way seriously breaches the anti-discrimination provisions in the Code of Conduct;
- Fees are not paid;
- The student is absent for more than 10% of the required attendance time as specified in any unit outline without giving good reason or prior notification, or, if the incidence of late arrival for scheduled classes is greater than 10%;
- The student's lack of practice or contribution causes a hindrance to the progress of a class and/or disruption of the learning of peers;
- The student's persistent behaviour or lack of personal hygiene is offensive to other students and SAE staff.

Any student suspension or any allegation of student misconduct from any source shall be followed by a misconduct investigation.

The Campus Manager may also issue a verbal or written warning to a student in the case of minor misconduct that need only proceed to an investigation if the misconduct persists.

6.4 Misconduct Investigation and Outcomes

The relevant Campus Manager and/or the Campus Academic Coordinator or nominee will conduct a formal hearing into any allegation of non-academic misconduct, and where both are present as a panel, the Campus Manager shall act as Chair. The student may attend the hearing or, if the student requests, participate in the hearing through telephone conferencing or similar facility (at his or her own cost). If the student declines to attend the hearing (or participate by other means) the hearing shall proceed in the absence of the student.

The student may make a written submission to the hearing and/or be accompanied at the hearing by a companion who may be either a relative or friend, or an SAE staff member or student, but not a member of the legal profession. The companion is present as a support to the accused student and is not permitted to act as an advocate or spokesperson for the student. In exceptional cases, for example a student with a disability that affects his or her communication, permission may be granted by the Chair for the companion to speak on behalf of the student. Neither the student nor any other person participating in the hearing is entitled to be legally represented.

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At least 5 days prior to the hearing, the student shall be provided with a copy of (or given reasonable access to) relevant written materials and other evidence that is available in the case, at the discretion of the Chair in order to protect the rights of other students. The Chair may call witnesses to give evidence at a hearing or may receive written statements of evidence.

If the Chair deems it appropriate, or if the student requests it, the Chair may require persons to attend the hearing and to answer questions. The accused student may ask questions of any witnesses in attendance at the hearing. The student may make verbal or written submissions to the panel after the evidence of all witnesses has been given, but the student shall not be present for the deliberations of the Chair or the panel following the student submission at the end of proceedings.

As an outcome of the hearing, the Chair or the panel may decide as follows:

- to dismiss the allegation of misconduct;
- to seek further information;
- to provide the student with a warning together with advice about what is acceptable conduct;
- to decide that the student is guilty of misconduct and impose a penalty.

The student shall be informed in writing of the decision of the Chair or panel, together with reasons, within five working days of the hearing.

6.5 Penalties

The penalties for misconduct imposed by the investigation panel may include one or more of the following, and the most serious penalties may be considered in the case of repeated misconduct:

- Issue of a formal written warning with conditions, which may include conditions regarding the student's future behaviour or participation in SAE activities;
- Payment by way of restitution within a specified period of time;
- Imposition of a fine payable within a specified period of time;
- Suspension or confirmation of suspension from candidature for a specified period of time;
- Suspension and exclusion from SAE premises for a specified period of time;
- Expulsion.

6.6 Appeals

A student may appeal any decision resulting from a misconduct investigation including any penalty imposed by writing to the Managing Director and CEO, who shall consider the matter. The Managing Director and CEO shall consider carefully all aspects of the case and the procedures followed, and his or her decision shall be timely and final in all matters relating to this Rule and any associated Code or Policy.

7. Records

13 July	2007 policy implemented (approved Academic Board)
9 September	2009 policy amendment (approved by Prof. Zbys Klich, Chair, Academic Board)
10 September	2010 policy approved (by Dr. Helen Lancaster, Chair, Academic Board)
28 February	2011 policy approved (by Prof. Zbys Klich, CEO & Managing Director)
20 September	2012 policy updated (Approved by Prof. Zbys Klich, Chair, Academic Board)

Policy to be reviewed: 20th September 2014

Approved By: Prof. Zbys Klich, Chair, Academic Board
 Date: 20th September 2012
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