

# Discipline Regulations

## 1. Version

These Regulations came into force on 1 January 2018.

## 2. Authority

The Pouroki | University Registrar holds authority of these regulations.

## 3. Breach of Discipline

Action may be taken against any student on the grounds of breach of discipline by that student. "Breach of discipline" includes the breach of a regulation of the University or of any instruction to students issued by or under the authority of the Kaunihera | University Council or Poari Akoranga | Academic Board, and also includes any conduct which could reasonably be held to be prejudicial to the functioning or interests of the University, or to the interests of its students.

## 4. Investigations by a University Proctor

- (a) The University Proctor will be responsible in the first instance for the investigation of complaints about breach of discipline within the University or elsewhere.
- (b) If, after investigating the complaint, the Proctor considers that a minor breach of discipline has occurred or the student has admitted a serious breach of discipline, the Proctor may deal with the matter and may, after giving the student a reasonable opportunity to make representations, impose any of the following penalties:
  - i. a reprimand;
  - ii. a direction that the student apologises;
  - iii. a fine not exceeding that specified in the Fees and Fines Regulations;
  - iv. a requirement that the student make restitution in respect of property stolen, lost, or damaged, or of costs incurred by the University through unauthorized activities;
  - v. unpaid University community service not exceeding 40 hours in duration;
  - vi. denial of credit or partial credit in any course (if the matter involves a breach of discipline involving assessment).
- (c) If, after investigating the complaint, the Proctor considers that a serious breach of discipline has occurred, the Proctor may deal with the matter and impose any appropriate penalty as set out in Regulation 4(b), provided that
  - i. if the said breach of discipline is denied, or
  - ii. if the said breach of discipline is of such a nature that it appears to the Proctor that suspension or expulsion from the University or any course or a fine in excess of the limit they can impose (see Fees and Fines Regulations) appears to be justified, the matter will be reported to the Discipline Committee, which will deal with it in accordance with Regulations 5 and 6 below.
- (d) The Proctor may also advise the student to undertake any other action that the Proctor deems to be of assistance to the student, for example, undertaking counselling or mediation, anger management, or a culturally appropriate activity.
- (e) A student who does not satisfy the requirements of a penalty imposed by the Proctor under Regulation 4(b) will be referred by the Proctor to the Discipline Committee, which may enforce the penalty under Regulation 6(b).

## 5. Proceedings of the Discipline Committee

- (a) Notice of the time and place at which the Discipline Committee intends to consider any complaint against a student will be sent by email to the student at the last known address a reasonable time before the hearing. The notice will contain sufficient particulars to inform the student fairly of what is alleged against him or her.
- (b) The student will have a right to appear before the Committee at the hearing of the complaint, and the Committee will give him or her a reasonable opportunity to make representations.
- (c) The student may be represented at the hearing by a person of their choice.

## 6. Powers of the Discipline Committee

- (a) The powers of the Discipline Committee will include the power to:
- i. reprimand,
  - ii. fine,
  - iii. suspend or expel any student,
  - iv. require restitution in respect of property stolen, lost, or damaged, or of costs incurred by the University through unauthorised activities,
  - v. unpaid University community service,
  - vi. denial or partial denial of credit in any courses (if the matter involves a breach of discipline involving assessment),
  - vii. where all credit for a course is denied, an X grade may be recorded on the student record in relation to that course.
- (b) If a student does not satisfy the requirements of the penalty imposed on them, then the Discipline Committee may direct that until the requirements of the penalty are satisfied,
- i. examination results be withheld;
  - ii. the conferment of any certificate, diploma or degree to which the student is entitled be deferred;
  - iii. the student be suspended; and/or
  - iv. the student not be permitted to re-enrol at the University.

## 7. The Pouroki | University Registrar to Act in Matters of Urgency

- (a) This Regulation applies where urgent action is necessary because the conduct of a student:
- i. endangers or threatens to endanger the health or safety of others, or of the student himself or herself; or
  - ii. is so disruptive that it prevents effective teaching and learning or research.
- (b) The Pouroki | University Registrar, after determining that a condition in Regulation 7(a) has been met, may make any of the following orders:
- i. an order that the student be excluded from some or all University premises,
  - ii. an order that the student's enrolment be suspended or cancelled.
- (c) On making such an order the Pouroki | University Registrar may make a recommendation to the student that they seek medical help and may impose a condition that the student may only be readmitted to the University on receipt of a medical certificate that they are fit to return.
- (d) Where the reason for action is also determined to be a breach of discipline then this will be noted on the University Discipline Register.
- (e) The student may within ten working days of the making of the order appeal to Te Tumu Whakarae | Vice-Chancellor, who may appoint an appropriate person or committee to hear the appeal. That person or committee may uphold the order, vary it, or reverse it.

## 8. The Discipline Register

Proven or admitted breaches of discipline will be noted on the University Discipline Register for a period of no more than ten years.

## 9. Right of Appeal

- (a) A student against whom a decision is made by the Proctor under this Regulation may appeal to the Discipline Committee within ten working days of the date of the decision, or within such longer time as the Discipline Committee may allow in a particular case.
- (b) A student against whom a decision is made by the Discipline Committee under these Regulations may appeal to the Council Appeals Committee, whose decision will be final.
- (c) An appeal to the Council Appeals Committee under this Regulation must be lodged in writing with the Pouroki | University Registrar within ten working days of the date of such decision, or such longer period as may be allowed by the Council.