

STUDENT DISCIPLINE PROCEDURE

PURPOSE

This document sets out the procedure by which CG Spectrum Institute (CGSI) addresses allegations of serious misconduct by students. It should be read in alignment with the CGSI *Student Discipline Policy*.

The procedure is in accordance with the Higher Education Standards Framework, 2021 (HES) and the National Code of Practice for Providers of Education and Training to Overseas Students, 2018 (National Code).

SCOPE

This procedure applies to all members of the CGSI community.

DEFINITIONS

Suspension means a student is excluded from participation in classes, but may still use the CGSI's resources (such as the library).

Exclusion means the student may not enter the campus facility, and all access to CGSI resources is withdrawn for a defined period.

RESPONSIBILITIES

The Academic Director is responsible for:

- the implementation of this procedure;
- taking reasonable steps to ensure that all breaches of the Code of Conduct by students are addressed;
- reporting any serious breach of the Code of Conduct by a student to the CEO as soon as possible.

The CEO is responsible for:

- considering reports of disciplinary hearings;
- considering recommendations for proposed disciplinary actions;
- briefing the Board of Directors about serious breaches of the Code of Conduct by students.

PROCEDURE

1. When CGSI staff members have reasonable grounds to conclude that a student(s) has breached the Code of Conduct, they will report this allegation to the Academic Director in writing.
2. The Academic Director will assess whether the alleged breach of the Code of Conduct has substance.
3. The Academic Director will contact the student to discuss the allegation.
4. Following the discussion, the Academic Director will provide the student with written notification (via email and mail) of the alleged breach of the Code of Conduct.

5. When the alleged breach is a risk to the health, safety, security and wellbeing of one or more members of the CGSI community, the student will be required to attend a disciplinary hearing.
6. A student who is required to attend a disciplinary hearing will be advised of the date and time of the hearing by the Academic Director in writing (via email and mail) with at least ten (10) working days notice.
7. Disciplinary hearings will be conducted by the Academic Director and one other senior staff member who has no conflict of interest in the matter.
8. A student who is required to attend a disciplinary hearing has the right to:
 - i. be heard;
 - ii. make a written submission;
 - iii. submit relevant documentary evidence;
 - iv. be accompanied and assisted by a support person (the name of the support person must be notified to CGSI at least two (2) days prior to the hearing).
9. If the student does not respond to the notification or attend the disciplinary hearing, the hearing will proceed.

10. Penalty Options:

When a disciplinary hearing finds a breach of the Code of Conduct has occurred, the penalty applied will be based on the seriousness of the breach, on a continuum from minor to serious risk to the health, safety, security and well-being of a member or members of the CGSI community.

Penalties include:

- the student may be required to apologise formally to another party, in person or in writing;
 - the student may receive a formal warning, which will be recorded on the student's file and on a register kept with the Academic Director or CEO;
 - the student may be required to pay reasonable compensation for intentional damage to CGSI property or facilities;
 - the student may be required to refrain from having any, or specified, contact with particular student(s) or staff member(s) (relevant to the breach) for such period of time as deemed necessary or appropriate;
 - the student may be suspended from the course for a specified period of time;
 - the student may be excluded from the course for a specified period of time;
 - the student's enrolment in the course may be terminated;
 - the student's actions may be reported to the police when a criminal act has been committed, for example, destruction or theft of CGSI's property, or harassment or assault of another student or staff member.
11. The recommendations of the disciplinary hearing and proposed penalty will be referred to the CEO for approval before any penalty is applied. Approved findings and penalty will be documented in the student's record and in a register.
 12. In addition to or in lieu of the penalties outlined above, the Academic Director will recommend to the CEO that the student be required to consult a counsellor, medical practitioner or specialist. When such a requirement is recommended, any substantive penalty will remain in effect until that requirement is satisfied.

APPEALS

Students may appeal against decisions made within the framework of this procedure. Appeals must follow the *Grievances, Complaints and Appeals Policy and Procedure*.

RELATED

Student Discipline Policy
Code of Conduct
Academic Integrity Policy
Academic Integrity Procedure
Conflict of Interest Policy
Grievance Complaints and Appeals Policy
Grievance Complaints and Appeals Procedure
Privacy Policy
Sexual Harassment and Sexual Assault Policy
Students at Risk Policy
Students at Risk Procedure
Student Assessment Policy
Student Assessment Procedure
Student Progression, Exclusion and Graduation Policy
Student Progression, Exclusion and Graduation Procedure

Version Control

Document: Student Discipline Procedure		
Approved by: Academic Board		Date: 24 February 2020
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V2.0	CRICOS minor adjustments	
V1.2	Minor edits and logo	