Student Code of Conduct Policy

1. Of crucial importance to the continuing success of students at the University of Essex Online (UoEO) is that each student interacts harmoniously with other students as well as with members of staff (both academic and administrative) and that students in their dealings with UoEO act in a professional and honest manner and do not engage in any activity that would bring UoEO into disrepute.

2. To continue to achieve this all students are required to abide by the Student Code of Conduct. The Code is not exhaustive but sets out guiding principles.

2.1. The University of Essex Online does not accept from students any of the following:
   
   2.1.1. Discrimination in whatever form whether racial, sexual, religious or any other.
   2.1.2. Verbal and/or physical abuse directed either to other students or to members of staff.
   2.1.3. Conduct amounting to harassment. Harassment is defined as any behaviour that appears or feels offensive, intimidating or hostile, which interferes with individuals’ academic, working or social environment; or which induces stress, anxiety, fear or sickness on the part of the harassed person. The defining features are that the behaviour appears or feels offensive or intimidating to the recipient and would be so regarded by any reasonable person.
   2.1.4. Falsifying data or evidence as well as forgery or misuse.
   2.1.5. Submitting a fraudulent claim of extenuating circumstances.
   2.1.6. Infringement of an UoEO regulation.
   2.1.7. Conviction of a criminal offence in a court of law or having been formally cautioned for a criminal offence by a police officer.
   2.1.8. Attempting or inciting others to commit any breach of discipline.
   2.1.9. Any conduct which obstructs, frustrates or disrupts other UoEO students or UoEO staff.
   2.1.10. Any other activity that would bring UoEO into disrepute.

2.2. UoEO expects all students to follow the rules of netiquette (the word netiquette is short for ‘Internet etiquette’). Further details can be found in your Student Handbook available on the learning platform.

   Rules of netiquette have grown organically with the growth of the Internet to help users act responsibly when they access or transmit information online. Students are expected to be aware of the common rules of netiquette for the Web and to employ a style that complies with those rules. The following are seen as being part of those rules:

   2.2.1. Students should be considerate and must not engage in rude or threatening language, inflammatory assertions (often referred to as ‘flaming’), personal attacks and other inappropriate communications will not be tolerated.
   2.2.2. Students should never post a message that is all in capital letters as this is deemed to constitute shouting. In similar vein, boldface and italics should be used sparingly as they can denote sarcasm.
   2.2.3. Messages should be kept short and to the point.
   2.2.4. Students should always practice good grammar, punctuation and composition.
   2.2.5. Students at all times when communicating online should be respectful and treat everyone as they would want to be treated themselves.

3. When it is alleged that a student has engaged in any of the activities prohibited in paragraph 2.1 above or has regularly or significantly breached the rules of netiquette the matter will be thoroughly investigated by UoEO and if substantiated could lead to disciplinary action being taken which could result in a student being suspended or expelled.

Approved 4 February 2016
Date Due for Review: July 2016
4. All students are required to agree with UoEO Terms and Conditions including that they understand and agree to abide with this Student Code of Conduct Policy as part of their acceptance of an offer of a place.

Procedure for handling alleged breaches of the Student Code of Conduct

5. Alleged breaches of the Student Code of Conduct are initially investigated by the Conduct Officer or nominee.

6. The Conduct Officer will:
   6.1. determine whether the breach is a minor or major offence
   6.2. deal with minor breaches where the student admits guilt
   6.3. refer more serious offences, second breaches and always where a student denies guilt to the Academic Director
   6.4. prepare and present cases at Disciplinary Committee hearings
   6.5. notify the student concerned, in writing, of the charge(s) and draw his/her attention to the Procedure for handling alleged breaches of the Student Code of Conduct
   6.6. report resolutions of alleged breaches to the Academic Director.

Minor Offences

7. Penalties for minor offences will be determined by the Conduct Officer, from a range of penalties including a warning e-mail or payment of a fine. No penalty is to last beyond the student’s period of current student membership.

8. A Statement of the Case will be written, to include details of the charge(s), a brief summary of the evidence and of the relevant findings, the decision, details of any penalty imposed, a brief comment as to the reasons for such findings, decision and penalty, and any further information which is considered to be relevant.

More serious offences, second breaches and always where a student denies guilt

9. The Academic Director will, in writing, within 10 working days of the notification of the charge by the Conduct Officer:
   9.1. notify the student that a Disciplinary Committee will be convened to hear the charge(s) and confirm the time and place at which the case will be heard
   9.2. invite the student to be present wherever oral evidence is being heard by the Committee
   9.3. explain the student's right to bring a fellow student, friend or representative of the Student Union to help present their case to the Committee
   9.4. highlight the student's right to appeal, according to these procedures.

10. The Academic Director may, pending a disciplinary hearing or a trial, suspend or exclude a student who is the subject of a complaint of misconduct.

11. A student wanting to be present at a hearing will have the right to request that the case be conducted by telephone conference by the Committee provided there are reasonable geographical and/or other constraints to justify this. The decision as to whether the case can be heard by telephone conference will be made by the Academic Director no later than 3 working days before the actual hearing. If the case is being conducted by telephone conference, the student may have a representative present with the Committee.

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1 The Conduct Officer will be a member of the Academic Team for the individual programme of study.
12. If the student admits to the charge by informing the Academic Director in writing within 5 working days of notification of the charge, he/she need not attend the Disciplinary Committee hearing and the Committee shall be free to proceed in his/her absence. In such a case a student may submit a statement in mitigation.

13. The Academic Director will check that the student and members of the Committee have received details of the case and any supporting documentation in advance of the hearing.

Disciplinary Committee

14. Membership

14.1. Two members are required to constitute a Disciplinary Committee.
14.2. The Chair will be the Academic Director or other senior member of staff, and will have the casting vote.
14.3. The second member will be a Member of the Academic Team, usually for the relevant programme of study.

15. Procedure

15.1. Non-attendance of the student charged or his/her representative shall not bar the Committee from proceeding.
15.2. The case against the student will be presented by the Conduct Officer, with the student and his/her representative being able to put questions to the Conduct Officer. Thereafter the student will be able to put forward his/her case if they wish to do so, with members of the Committee being able to put questions to the student.
15.3. It will be the responsibility of the student charged and the Conduct Officer to arrange for respective witnesses to give evidence. A witness may be questioned by the Committee. The Committee shall not consider evidence from persons who are not prepared to have their names revealed to the Committee.
15.4. Evidence to the Committee shall normally be presented orally. The student, Conduct Officer and any witnesses may present written evidence if they so wish. The Committee may at its discretion permit or require evidence to be presented in writing.
15.5. The Chair shall have the power to determine the order of proceedings and to exclude any material which appears irrelevant or unduly repetitive.
15.6. Only members of the Committee and the Secretary shall be present while a Committee is reaching a decision on innocence or guilt or on any penalty or other action.
15.7. If the Committee finds the student guilty of a breach of discipline, it shall, before deciding on penalty, be informed by the Conduct Officer of any previous breaches committed by the student and any penalties imposed.
15.8. Following the Committee hearing, a Statement of the Case will be written, to include details of the charge(s), a brief summary of the evidence and of the relevant findings, the decision, details of any penalty imposed, a brief comment as to the reasons for such findings, decision and penalty, and any further information which is considered to be relevant.
15.9. The student will be notified of the Committee’s decision in writing.

16. Powers of the Disciplinary Committee

16.1. In the event of the student being found guilty, the Committee can either impose no penalty, or impose one of the following penalties on the student, or impose one of the following penalties and suspend its implementation. In any event no penalty is to last beyond the student’s period of current student membership.
16.2. The penalties which can be imposed in instances of a breach of discipline are as follows:

16.2.1. Oral warning as to future conduct
16.2.2. Written warning as to future conduct
16.2.3. Payment of a fine not exceeding £50
16.2.4. Suspension from the course for a stated period of time not exceeding three months
16.2.5. Exclusion from the course.

Disciplinary Committee of Appeal

17. Any student who considers that he or she has proper grounds for appealing against the decisions of a Disciplinary Committee may appeal the decision in writing to the Director of Operations at, West Gate, 6 Grace Street, Leeds LS1 2RP. A student must appeal in writing within 15 working days after receipt of the Statement of the Case issued by the Disciplinary Committee.

A student shall have the right of appeal to a Disciplinary Committee of Appeal against any resolution (where the student admits guilt) or a Disciplinary Committee on one or more of the following grounds:

17.1. that there is material evidence now available which was not previously reasonably available to the Disciplinary Committee; or
17.2. that the Disciplinary Committee departed from the provisions of paragraphs 15.1 – 15.9 of the Disciplinary Committee Procedures in a manner prejudicial to the interests of the appellant; or
17.3. that the facts set out in the findings of the Disciplinary Committee do not warrant the resolution that there was a breach of discipline as charged; or
17.4. that the penalty imposed was unreasonable having regard to all the circumstances of the case.

18. The Director of Operations will either:

18.1. refer the appeal to a Disciplinary Committee of Appeal if in his/her judgement there are grounds for appeal
18.2. determine that there are no grounds for appeal.

19. The Director of Operations will notify the student in writing of his/her decision within 10 working days of the receipt of the written appeal and, if applicable, will endeavour to schedule a Disciplinary Committee of Appeal within 14 working days of notification of decision. In the event that the student, witnesses, members of the Committee of Appeal and/relevant members of staff are unable to attend a Committee of Appeal hearing within 14 days, an extension may be granted.

20. Unless further information supporting an appeal is submitted within the stated deadlines and referred to a Disciplinary Committee of Appeal, rejection of an appeal on the basis that there are no grounds for appeal represents the final stage of the Student Code of Conduct Procedures, after which there is no further right to appeal.

Disciplinary Committee of Appeal

21. Membership

21.1. At least two members or more are required to constitute a Disciplinary Committee of Appeal.
21.2. The Chair will be the Director of Operations or another senior member of staff who has not previously been involved in the case. The Chair will have the casting vote.
21.3. Additional members will be selected from the Academic Team or be other senior members of staff nominated by the Chair, who were not members of the Disciplinary Committee.

22. Procedure

22.1. If the Director of Operations has decided that there are grounds for appeal, he/she will:

22.1.1. notify the student that a Disciplinary Committee of Appeal will be convened to hear the charge(s) and confirm the time and place at which the case will be heard

22.1.2. invite the student to be present wherever oral evidence is being heard by the Committee of Appeal

22.1.3. explain the student’s right to bring a fellow student, friend or representative of the Student Union to help present their case to the Committee of Appeal

22.1.4. provide the student and members of the Committee of Appeal with a copy of the Statement of the Case issued by the Disciplinary Committee, together with any additional supporting documentation.

22.2. A student wanting to be present at a hearing will have the right to request that the case be conducted by telephone conference provided there are reasonable geographical and/or other constraints to justify this. The decision as to whether the case can be heard by telephone conference will be made by the Director of Operations no later than 3 working days before the actual hearing. If the case is being conducted by telephone conference, the student may have a representative present with the Committee of Appeal.

22.3. The student may, within 10 working days of lodging an appeal, write to the Director of Operations to withdraw the appeal. A student who does not withdraw the appeal within this period must proceed with it unless the Disciplinary Committee of Appeal gives leave for its withdrawal.

22.4. Non-attendance of the student charged or his/her representative shall not bar the Committee of Appeal from proceeding.

22.5. The case against the student will be presented by the Conduct Officer, with the student and his/her representative being able to put questions to the Conduct Officer. Thereafter the student will be able to put forward his/her case if they wish to do so, with members of the Committee of Appeal being able to put questions to the student.

22.6. It will be the responsibility of the student charged and the Conduct Officer to arrange for respective witnesses to give evidence. A witness may be questioned by the Committee of Appeal. The Committee of Appeal shall not consider evidence from persons who are not prepared to have their names revealed to the Committee of Appeal.

22.7. Evidence to the Committee of Appeal shall normally be presented orally. The student, Conduct Officer and any witnesses may present written evidence if they so wish. The Committee of Appeal may at its discretion permit or require evidence to be presented in writing.

22.8. The Chair shall have the power to determine the order of proceedings and to exclude any material which appears irrelevant or unduly repetitive.

22.9. Only members of the Committee of Appeal and the Secretary shall be present while a Committee is reaching a decision on which actions to take.

22.10. The student will be notified of the Committee’s decision in writing.

Approved 4 February 2016
Date Due for Review: July 2016
22.11. The Disciplinary Committee of Appeal represents the final stage of the Student Code of Conduct Procedures. The decision is final and there is no further right to appeal.

23. Powers of the Disciplinary Committee of Appeal

23.1. A Disciplinary Committee of Appeal has the power to take one or more of the following actions:

23.1.1. Rescind a resolution that a student be found guilty by a Disciplinary Committee, in which case any penalties imposed will also be rescinded.

23.1.2. Confirm a resolution that a student be found guilty.

23.1.3. Confirm or amend any penalties imposed by the Disciplinary Committee.