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The Student Disciplinary Procedure

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Instructions for Document Users

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Continuous Improvement

Procedures are meant to be 'living' documents that need to be applied, executed, and maintained. If the procedure does not reflect the current, correct work practice, it needs to be updated. Please contact us on: +356 2145 6310

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1. Aim

The Student Disciplinary Procedure is intended to provide a clearly formulated and impartial process for dealing with allegations relating to student discipline or behaviour within a reasonable timescale having due regard to the spirit of fairness.

2. Scope

- a) This procedure covers all IDEA Academy students.
- b) This procedure does not cover allegations of academic misconduct, for example cheating or plagiarism, which will be considered under the Procedures relating to plagiarism and cheating.

3. Definitions and Acronyms

Academic Misconduct	Academic misconduct is any type of cheating that occurs in relation to a formal academic exercise. Examples include but are not limited to: plagiarism, collusion, falsification, cheating, deceit, or personation.
Alleged Misconduct	A suspicion of potential misconduct and breaching IDEA Academy regulations.
Cheating	It is any attempt to obtain or to give assistance in an assessment without due acknowledgement. This includes submitting work which is not one's own.
Collusion	It is a form of plagiarism. It is an unauthorised and unattributed collaboration of students in a piece of assessed work.
Deceit	It is dishonesty in order to achieve advantage. For example, by resubmitting one's own previously assessed work.
Falsification	It is an attempt to present fictitious or distorted data, evidence, references, citations, or experimental results, and/or to knowingly make use of such material.
Personation	It is the assumption of the identity of another person with intent to deceive or gain unfair advantage.
Plagiarism	Plagiarism is the presentation of another person's work as the student's own, without proper acknowledgement of the source, with or without the creator's permission, intentionally or unintentionally.
SDB	Student Disciplinary Board

4. Key Principles

- a) As a community of individuals with different values, beliefs and aspirations, students of the Academy have a responsibility to ensure their behaviour does not negatively impact on others, and that they act as good ambassadors for themselves and the Academy which they represent.
- b) IDEA Academy is committed to conducting a fair process when considering student discipline issues.
- c) IDEA Academy is committed to fair, equal and non-discriminatory treatment for all and this principle is set out in its Internal Quality Assurance Policy as well as Equality and Inclusion Policy.
- d) Appropriate levels of confidentiality will be maintained throughout the process. Students and staff involved in this process will also be required to maintain confidentiality.
- e) When it is alleged that a student has committed a breach of the IDEA Academy regulations the student will be referred to this procedure. Academic misconduct, for example cheating or plagiarism, are considered under the Procedures relating to plagiarism and cheating.
- f) The Procedure may be initiated in response to reports from staff and students.
- g) Reports from students and staff are forwarded to the Principal.
- h) IDEA Academy will investigate allegations without undue delay.
- i) Student discipline issues will be recorded in writing.
- j) Once a case is being considered it is a matter between the IDEA Academy and the student(s) concerned. The Procedure is not used to resolve third party concerns or matters that would be more appropriately dealt with through other channels (e.g., criminal, or civil courts).
- k) Mitigating circumstances: A student's medical or personal circumstances shall not constitute grounds for excusing a student from an offence of misconduct, other than in exceptional cases. However, in appropriate circumstances, the IDEA Academy will consider mitigating the penalty imposed on a student for misconduct, subject to evidence of mitigating circumstances.

5. Reporting

IDEA Academy staff and students may report a disciplinary case by emailing to support@ideamalta.com

These are viewed by and acknowledged by Director of Studies Support who forwards the case to Principal who appoints the Student Disciplinary Board (SDB) accordingly.

6. Procedures for Considering Allegations of 'Misconduct'

6.1 Student Behaviour

- 6.1.1 Students are expected to comply with regulations of IDEA Academy. When IDEA Academy rules and regulations are breached, IDEA Academy shall be constrained to implement measures to rectify matters, ensure conformity and safeguard the interest of IDEA Academy learning community.
- 6.1.2 All allegations of breaches of IDEA Academy regulations will be taken seriously by the Academy and considered as alleged Misconduct to be investigated.

6.2 Responsibility for Considering Allegations of Misconduct

- 6.2.1 All allegations of 'misconduct' will be considered by the SDB appointed by the Principal.
- 6.2.2 SDB interviews the student during which the student is given an opportunity to respond to the allegation, and where appropriate inform IDEA Academy of any mitigating circumstances. The appropriate staff member considering the case will consider the mitigating circumstances and may take them into account when imposing a penalty.
- 6.2.3 SDB completes the misconduct interview report and emails it to the Director of Studies Support and the Principal email account.
- 6.2.4 SDB may interview anyone who he or she believes can provide information that might be useful in considering whether the student has breached the Idea Academy regulations and in determining the appropriate penalty. Staff and students asked to attend an interview or to provide other information or documents are expected to co-operate with IDEA Academy in its conduct of the investigation.

6.3 Penalties for Misconduct Offences

- 6.3.1 SDB having considered all of the circumstances including any mitigating circumstances submitted by the student, recommends penalties listed below, though not limited to, to the Principal or his delegate who makes a final decision on penalty to be imposed on student.
- A notification letter;
 - Formal warning;
 - Require the student to write a letter of apology;
 - Redo assignment;
 - Reduction of marks;
 - Exclusion from IDEA Academy;
 - Suspension;
 - A student may not be granted an award, obtain certification of an award, or attend a graduation ceremony whilst a matter of alleged misconduct is still in the process of being dealt with under this Procedure;
 - Withdraw, subject to subsequent confirmation by the Principal, any degree, diploma, certificate, or other distinction already conferred on the student.

6.4 Investigating the Allegation

- 6.4.1 To investigate the allegation, the Student Disciplinary Board will normally interview the student against whom the allegation of serious misconduct has been made.
- 6.4.2 The student has the right to be accompanied to the interview by a 'companion' who, for this purpose, is defined as a:
- friend (any person who is not formally representing law);
 - currently registered student of the IDEA Academy; and
 - support worker for students with disabilities.

A person who does not fall within these categories will not be able to act as a 'companion' unless otherwise agreed by the Student Disciplinary Board.

- 6.4.3 The role of the 'companion' is to support the student in preparation for the interview and accompany the student at the interview. The 'companion' may speak on the behalf of a student, with the permission of the Student Disciplinary Board. It is not the role of the 'companion' to present the student's case on his or her behalf or to answer questions directed at the student, except in the most exceptional circumstances.
- 6.4.4 The student should notify the Student Disciplinary Board of any special requirements to allow them to attend and/or participate fully in the interview minimum one week in advance to allow the Board to make appropriate reasonable adjustments.
- 6.4.5 The interview will be formally minuted by a selected member of the Student Disciplinary Board.
- 6.4.6 The student and the 'companion' will normally be present throughout the interview, but the Student Disciplinary Board may ask them to withdraw at any stage. If any person obstructs the proceedings, the Disciplinary Board may require all or any of those present to leave the interview.
- 6.4.7 The proceedings of the investigation will not be invalidated by the failure of the student or the 'companion' to attend the interview or by the exclusion of the student or the 'companion' from the interview.
- 6.4.8 The Student Disciplinary Board may invite the student to any subsequent interview(s) where appropriate.
- 6.4.9 The Student Disciplinary Board may interview anyone who he or she believes can provide information that is material to considering whether the student has breached the Programme Regulations. Staff and students asked to attend such an interview or to provide other information or documents are expected to co-operate with IDEA Academy in its conduct of the investigation.

6.5 Confidentiality and Record Keeping

- 6.5.1 At the conclusion of a disciplinary matter, a formal record of the penalty imposed on the student for 'alleged misconduct' and 'misconduct' offences will be retained in accordance with the IDEA Academy policies on data protection.
- 6.5.2 It is IDEA Academy's aim to deal with conduct matters sensitively and with due respect for the privacy of any individuals involved. All parties must treat as confidential any information communicated to them in connection with a matter which is subject to this procedure, subject to the need to seek appropriate advice and guidance. IDEA Academy will, during or at the conclusion of the procedure, inform such members of its staff as it considers necessary, having due regard to all the relevant circumstances.

7. Appeals

- a) The student will have the right to appeal, against the penalty imposed under this procedure, to the Appeals Board.
- b) The student may request to meet with the Appeals Board, and/or the Appeals Board may request to meet with the student. If neither the student nor the Appeals Board request a meeting the appeal may proceed by considering the appeal file only. The appeal file will comprise:
 - the student's misconduct interview report;
 - the student's statement of appeal, and
 - any other documents that are relevant to the case.
- c) The proceedings will not be invalidated by the failure of the student to attend a meeting or by the exclusion of the student from the meeting.
- d) The student will have 10 days to formally appeal a penalty that has been imposed under this procedure. The Appeals Board shall process the appeal within 14 days from receipt of formal appeal.
- e) The Appeals Board reports directly to Principal who has overall responsibility to:
 - (i) Overturn the finding that the student (i) has been found to have breached the Idea Academy regulations; e.g., decision made on lack of evidence; OR
 - (ii) Confirm or reduce the penalty that has been imposed for the breach of the Idea Academy regulations.

8. Supporting Documents

- Doc_008_22 The Student Grievance Policy and Procedure
- Doc_029_22 Code of Academic Integrity
- Doc_31_22 Student Rights and Responsibilities
- Doc_037_22 General Programme Regulations

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