

 <p>S P Jain School of Global Management DUBAI • MUMBAI • SINGAPORE • SYDNEY</p>	<h2>Student Misconduct Policy and Procedures</h2>
Document Type	Policy and Procedures
Administering Entity	Vice President – Administration, Registrar, Heads of Campuses (HoCs)
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1. Purpose and Scope

- a. As a higher education provider, S P Jain School of Global Management (S P Jain) is committed to upholding the reputation of its higher education operations and the quality of the student learning experience. S P Jain is committed to protecting its students from harmful, inappropriate, disruptive or distressing behaviour by other students and expects all its students to behave respectfully, appropriately and in line with S P Jain’s values.
- b. This Policy defines the actions that constitute non-academic student misconduct; describes the School's processes for investigating and hearing allegations of student misconduct; and, describes the penalties that will apply, where allegations are proven.
- c. Academic misconduct or breaches of academic integrity are dealt with in the Academic Integrity Policy and Procedures.
- d. This Policy applies to all students enrolled at the S P Jain School of Global Management.

2. Principles

- a. S P Jain respects the rights of higher education students to study in an environment conducive to learning
- b. S P Jain expects all higher education students regardless of mode of study or location:
 - i. to take responsibility for their own behaviour and ensure that all physical and online interactions with other students, staff or other people associated with the S P Jain community including guests or agents, are fair and respectful
 - ii. to respect S P Jain’s property and equipment

- iii. to respect a diversity of opinions and promote academic freedom
 - iv. to recognise the responsibilities inherent in free expression and refrain from offensive behaviour
- c. S P Jain respects students' right to confidential procedures and to privacy and will observe the following values of procedural fairness:
- i. Students are presumed to be innocent unless they admit to misconduct, or evidence is found or observed of misconduct
 - ii. Students will be given opportunity to respond to allegations of misconduct and will be entitled to bring support persons to any formal meeting
 - iii. A previous instance of misconduct will be taken into account in investigating an allegation of misconduct only when it is similar in nature, and the student has been provided with a formal warning or penalty.
- d. Once it is determined that a student has committed a misconduct, details of the misconduct and penalty awarded will be noted on the student's record.

3. Definition of non-academic misconduct

- a. S P Jain is committed to ensuring the wellbeing and safety of students and staff regardless of their mode of study and location.
- b. During orientation, the Heads of Campuses (HoCs) provide students with an overview of the Student Code of Conduct and what constitutes misconduct.
- c. Misconduct can be defined as occurring in both physical settings or online and can include:
 - behaving or acting dishonestly
 - Sexual assault and sexual harassment
 - behaving improperly or inappropriately in a class, meeting, or other activity in or under the control or supervision of the School, on School premises, or on any other premises to which the student has rightful access
 - failing to comply with the provisions of a placement at another institution or business
 - harassing or engaging in any other form of improper or discriminatory behaviour towards another student, staff or visitor
 - harassing or interfering with other students or staff
 - interfering with the freedom of others to pursue their studies, carry out their functions or participate freely in the life of the School
 - knowingly making any false or misleading representation as a student of the School
 - fraudulently altering or attempting to alter or destroying S P Jain documents or records
 - misusing, stealing, destroying, damaging or causing loss or incurring a cost to a facility or to property of the School
 - misusing computing or communications equipment
 - mistreating or destroying S P Jain property, or the property of other students or staff
 - engage in defamatory behaviour

- discriminating against or vilifying others on the basis of race, ethnic or national origin, gender, marital status, sexual preference, disability, age, political conviction or religious belief
 - refusing to identify oneself when asked lawfully to do so
 - breaching the terms or conditions of a penalty imposed for misconduct
 - obstructing a representative of the School in the performance of their duties
 - otherwise acting in an inappropriate manner.
- d. Students are responsible for their own behaviour on or off campus which violates civil or criminal laws. Any legal action taken against a student is the student's own responsibility.
- e. S P Jain will report criminal acts as per the local jurisdictions' laws.

4. Investigation of allegations of misconduct

- a. If a person believes that misconduct has occurred, they must report it to the Heads/Directors of Campuses (HoCs) or department head.
- b. In case of a sexual assault or sexual harassment the procedures as detailed in the Student Sexual Assault and Sexual Harassment Policy and Procedures will be followed
- c. For all other incidents of misconduct, when a HoC or department head receives a report of alleged misconduct, they have three working days in which to make a preliminary investigation.
- d. All complaints received by department head must also be accelerated to the HoC. The HoC must decide in consultation with the concerned department head whether to dismiss the complaint or refer it to an ad hoc investigative committee (members to be decided by the HoC and department head).
- e. Based on the severity of the complaint, if the HoC determines to handle the case, the student/s involved must be advised in writing about the general nature of the complaint. The student will be provided with an opportunity to formally respond to the allegation in writing. The penalty decision will be taken accordingly by the HoC and communicated to student/s within two weeks. In exceptional circumstances and only with the concurrence of the Vice President - Administration, the investigation may be extended for a further finite period of time.
- f. If the case is forwarded to an ad hoc committee, before the committee begins its inquiry, the student involved must be advised in writing within three working days about the general nature of the complaint. The student will be provided with an opportunity to formally respond to the allegation in writing. A decision on the allegation must be conveyed to the student in writing within 2 weeks of the complaint being lodged. In exceptional circumstances and only with the concurrence of the Vice President- Administration, the investigation may be extended for a further finite period of time.

5. Procedural fairness

- a. A student is entitled to procedural fairness in the handling of an allegation of misconduct, including during any appeal proceedings. An allegation of misconduct must specify each individual act of alleged misconduct in writing. A student about whom misconduct is alleged shall be given a reasonable opportunity to prepare a defence, and to call witnesses or other evidence in his/her defence. An independent person with no conflict of interest, and who can consider the matter objectively, shall evaluate the allegation after hearing evidence and examining any exhibits available.

6. Penalties

- a. Penalties for misconduct may include:
 - i. a reprimand or caution
 - ii. exclusion from a facility for a specified period
 - iii. payment of a fine when property or facilities have been damaged
 - iv. imposition of conditions on attendance
 - v. suspension from a course for up to twelve (12) months
 - vi. expulsion

7. Appeals Process

- a. All decisions made by the School in relation to student misconduct issues can be appealed through the processes set out under non-academic grievances in the Student Grievance and Mediation Policy and Procedures.
- b. As noted in the Student Grievance and Mediation Policy and Procedures:
 - i. If the enrolled or prospective student is dissatisfied with the outcome of the grievance mediation, they may appeal the decision through Director Secretariat requesting for an external independent arbiter. The student must access the external independent arbitrator appointed by the Board of Directors within 30 days of receipt of the decision.
 - ii. Any external independent arbitrator arrangements identified by the School will be at no cost or at reasonable cost of no more than AUD 100/- to students, and will be applied consistently, fairly and without reprisal.
 - iii. Any student who accesses the complaints and appeals process will maintain their enrolment until the case is resolved.

Related Policies

- a. Academic Integrity Policy and Procedures
- b. Student Code of Conduct Policy
- c. Student Grievance and Mediation Policy and Procedures
- d. Student Sexual Assault and Sexual Harassment Policy and Procedures