



Disciplinary Procedure (Procedure for Dealing with Allegations of Non-Academic Breaches of the Student Code)

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1. Purpose

Atlantic Technological University (ATU) expects students to comply with the *AQAE006 Student Code Policy* which sets out the behavioural standards expected by all students to support the creation and maintenance of an environment and culture that is safe and respectful and grounded in shared values, rights and responsibilities. The purpose of this document is to outline the procedures for dealing with allegations of non-academic breaches of the Student Code. It details the stages involved in making an allegation, the processes for investigation and adjudicating on allegations.

In all cases, the aim of these processes is

- to ensure that all students are treated with fairness, respect, and understanding while maintaining an environment that upholds and respects the dignity, safety and welfare of all members of the ATU community and,
- to resolve the situation in a way that emphasises the importance of mature, honest and responsible behaviour and conduct.

2. Scope

This procedure applies to any University student (and Officers of the Students' Union) currently registered in ATU against whom an allegation that non-academic breaches of the provisions of the Student Code is made. Non-academic breaches are breaches primarily concerned with personal conduct and behaviour that do not affect the students' academic integrity or standing e.g. vandalism, breach of health and safety regulations, abusive, threatening, intimidating, bullying, or harassing behaviour. Appendix 3 provides an indicative list of breaches and penalties.

An allegation may be made by any student or group of students, staff member of ATU or by a person external to ATU. An allegation is a formal accusation, supported by evidence, that the behaviours and expectations set out in the Student Code have been breached by a student (the respondent). An allegation is distinct from a concern for a student's behaviour which may be discussed with or highlighted to the relevant Head of Department or Programme Chair or to a Student Services Officer.

This procedure is to be followed where an allegation of a breach of the Student Code is made. The University recognises that allegations may be complex and multi-faceted, and that other university policies and procedures may apply to the allegation.

In particular,

- where an allegation involves gender-based violence, the investigation will be conducted in accordance with the *Policy on Preventing and Responding to Gender-Based Violence* and the associated procedure,
- allegations of academic misconduct, for example, breaches of academic integrity (see *AQAE022 Academic Integrity Policy*) or breaches of assessment/examination regulations (see *AQAE042 Procedure for Examination and Assessment Regulations*), are dealt with in *AQAE008 Procedure for Academic Misconduct*, and
- allegations against a student registered on a programme that is designated by the University as subject to the Student Fitness to Practice Policy, may be referred for consideration by the relevant Fitness to Practice Committee (see *AQAE016 Fitness to Practice Policy*).

Where an allegation raises issues relevant to more than one University policy and/or procedure the Vice President Students, Teaching & Learning (VPST&L), or their nominee will decide which procedure and/or policy should have priority or be the most appropriate in the circumstances, and may direct the continuation of some procedure(s) and/or policies and the suspension of others pending the outcome of the former.

If circumstances warrant, the University may suspend a student pending the completion of an investigation and without prejudice to the outcome of disciplinary procedures.

The University may refer matters to An Garda Síochána (Irish Police Force) where it considers this to be appropriate. In such instances, an internal investigation may be suspended until An Garda Síochána advise the University on the matter.

3. Reference Documents

None Applicable.

4. Procedure

This procedure outlines a 3-stage process for investigating and resolving allegations. Where appropriate, efforts will be made to resolve an allegation at the earliest possible stage, before invoking a subsequent stage. The University recognises that there may be occasions where direct entry to a higher stage in the process is necessary from the outset. Accordingly, allegations of serious breaches of the Student Code may proceed directly to Stage 2.

If the student fails or refuses to engage with the process provided for in this procedure the University has the right to continue with the procedure.

Whilst we endeavour to adhere to the timelines set out in this procedure there may be times where the progress of the procedure may be paused, for example during scheduled closure of the University, staff leave or pending final examinations. In such instances both the respondent and complainant will be kept informed.

If during the course of investigating/assessing an allegation, evidence of misconduct by another registered student comes to light, the University may initiate an investigation under this procedure

The standard of proof applied at every stage of this process is the balance of probabilities.

4.1 Definitions

4.1.1 Allegation

An allegation is a formal accusation, supported by evidence, that the behaviours and expectations set out in the Student Code have been breached by a student (the respondent). An allegation is distinct from a concern for a student's behaviour which may be discussed with or highlighted to the relevant Head of Department or Programme Chair.

4.1.2 Complainant

In this procedure, the complainant refers to any person or group that makes an allegation against another student or group of students, alleging that a breaches/breaches of the Student Code have occurred.

4.1.3 Respondent

An ATU student or officer of the students' union, who is alleged to have breached the Student Code and is requested to respond/has responded to the allegation made against them.

4.1.4 Faculty Disciplinary Panel

The Faculty Disciplinary Panel is responsible for managing all allegations of non-academic and academic misconduct against a student registered in the faculty referred to them under both this procedure and the *AQAE008 Procedure for Academic Misconduct*.

4.1.5 Student Disciplinary Committee

For allegations of non-academic breaches of the Student Code referred to the Faculty Disciplinary Panel, a Student Disciplinary Committee drawn from the panel is constituted to manage the allegation in accordance with this procedure.

Further detail on the Faculty Disciplinary Panel and the Student Disciplinary Committee is found in Appendix 1.

4.1.6 Student Disciplinary Appeal Panel

The VP of Academic Affairs and Registrar will appoint a Student Disciplinary Appeals Panel to consider all eligible applications appealing decisions of a Student Disciplinary Committee or Faculty Academic Integrity Disciplinary Committee.

4.1.7 Student Disciplinary Appeal Committee

Student Disciplinary Appeals Committee will be convened from the membership of the Student Disciplinary Appeals Panel by the relevant Assistant Registrar. The committee will adjudicate on any appeals referred to it under this procedure (AQAE007) and the *Procedure for Academic Misconduct (AQAE008)*.

Further detail on the Student Disciplinary Appeal Panel and the Student Disciplinary Appeal Committee is found in Appendix 2.

4.1.8 Student Disciplinary Record

The Student Disciplinary Record is a register of all students who have been found to be in breach of the *AQAE006 Student Code Policy* and/or the *AQAE011 Academic Integrity Policy*.

The record is maintained by the Office of Student Conduct, Complaints and Appeals.

4.2 Support Person

A student may be accompanied by a person in a supportive capacity, at any meeting or hearing associated with this procedure. The support person may be a friend, a fellow student, parent, student services, or a students' union representative. Legal representation is not normally permitted under this procedure.

Students who are under 18 years of age or a vulnerable adult, must be accompanied by a parent/legal guardian or a person over 18 years of age nominated by a parent or legal guardian.

The student must inform the University 24 hours in advance of who, if anyone, is accompanying them, providing a name and email address (where applicable for online meetings).

4.2.1 Role of the support person

The role of the support person is to provide emotional and administrative support to the student. They may offer reassurance to the student and take notes on the students behalf during any meeting or hearing.

The support person does not actively participate in the meeting or hearing and cannot speak or advocate on behalf of the student. The person must conduct themselves with professionalism and respect and refrain from interrupting or engaging in any behaviour that could be seen as disruptive.

The support person must maintain the confidentiality of all information shared during the meeting or hearing.

4.3 Communication with Students

Once a student is registered with the University all communications to them throughout their studies, and up to the conferring or receipt of awards, will be via their ATU email address. Students must check this regularly for official communications.

A personal email address will only be used where a student does not have access to an ATU email yet or their access to the ATU email has expired.

4.4 Withholding of results

AQAE005 Marks and Standards Policy provides for the withholding of results from students. Where an outcome of this procedure has not been resolved at the time of release of results, a Withhold may be applied to the results in the *Student Record System*.

4.5 Making an Allegation

An allegation may be made against a student or group of students. The person(s) making the allegation is referred to as the complainant. All persons considering making an allegation should seek advice from their Head of Department, Student Services or Students' Union personnel, as appropriate.

No person will be disadvantaged for making an allegation in good faith. If, after investigation, an allegation is suspected to be false, vexatious or malicious, such suspicion may be investigated pursuant to the terms of this procedure.

If a person is considering making a complaint against a student or if they are unsure about whether an issue or concern constitutes an allegation, they are encouraged to discuss the issue with their Head of Department or a Student Support Services Officer (SSSO). At this meeting the process for making a complaint, including the possible outcomes of doing so, will be explained.

The criteria set-out in Table 1 should be considered in deciding whether an issue constitutes a concern or an allegation.

Criteria	Concern/Issue	Allegation of Misconduct
Nature of the Behaviour	Minor, possibly unintentional behaviour that causes discomfort or confusion	Serious behaviour that appears to breach the Student Code of Conduct
Intent	Often perceived as accidental, due to misunderstanding or lack of awareness	Suggests deliberate or reckless disregard for rules or others' rights
Impact	Limited or localised impact; may be resolved informally	Significant impact on individual(s) or groups
Evidence Required	No formal evidence; based on perception or experience	Requires specific, verifiable evidence

Table 1. Distinguishing between a concern and an allegation of misconduct.

An allegation is a formal accusation and must be outlined in writing by the complainant using the *AQAE007_001 Disciplinary Breach Form*. An allegation must be evidence-based and the *AQAE007_001 Disciplinary Breach Form* requires specific, impartial, and comprehensive information including details of the complainant (for students this must include *Student Name*, *Student Number* and *Programme*), details of the respondent, and the specific details of the allegation (dates, locations, and witnesses, other evidence, as appropriate).

The *AQAE007_001 Disciplinary Breach Form* is submitted to the Office of Student Conduct, Complaints and Appeals.

4.6 Procedure for dealing with an allegation of a breach of the Student Code

4.6.1 Stage 1 Preliminary Review

Once the Office of Student Conduct, Complaints and Appeals receives an allegation using the *AQAE007_001 Disciplinary Breach Form* they must verify that the allegation is valid.

If the allegation is not valid this must be communicated to the complainant, outlining the reasons.

If an allegation is valid, the Office of Student Conduct, Complaints and Appeals must contact the complainant to provide them with a copy of this procedure (AQAE007) and make them aware that:

- the completed *AQAE007_001 Disciplinary Breach Form* will be provided to the respondent,
- the respondent will be given an opportunity to address the allegation,
- both the complainant and the respondent may enter witness statements to support their assertions,
- in the event of an oral hearing

- the complainant and the respondent may call witnesses,
 - witnesses cannot be compelled to attend and/or provide written statements, and
- they may be accompanied by a Support Person as per Section 4.2., and of the Student Support Services available to support them at this time.

Within 5 working days of the receipt of the *AQAE007_001 Disciplinary Breach Form*, the Office of Student Conduct, Complaints and Appeals will inform the respondent, by writing to them via their ATU student email, that an allegation against them has been reported.

The correspondence must also:

- (i) include a copy of
 - the *AQAE007_001 Disciplinary Breach Form* received,
 - the *Student Code (AQAE006)*, and
 - this procedure (*AQAE007*).
- (ii) offer to explain the procedure and processes.
- (iii) request the respondent to make a written response to the allegation including any relevant submission they may wish to make within 5 working days of receipt of the email.

The Office of Student Conduct, Complaints and Appeals will inform the VPST&L who nominates a senior member of staff (Central Service Manager/Senior Lecturer 1 or above) to deal with the allegation in collaboration with the respondent's Head of Department. The manager must not have connection with either the complainant or respondent.

The Office of Student Conduct, Complaints and Appeals must then inform the respondent's Head of Department and the nominated senior member of staff that an allegation has been received and that a date for review of the submissions must be organised. When all submissions have been received, the Office of Student Conduct, Complaints and Appeals will provide forward the correspondence detailed in (i) above and any response received (see (iii) above)) from the respondent, when it is received. If a response is not received within 5 working days the review will proceed.

The nominated senior staff member and Head of Department must conduct a preliminary review of the allegation. They may meet with the complainant and/or respondent and/ or invite them to provide further information as part of the review.

They must decide:

1. to dismiss the allegation,
2. to uphold the allegation, in full or in part, and apply an appropriate penalty/penalties (see Appendix 3 Schedule of Indicative Penalties),
3. to uphold the allegation and refer it to Stage 2 of this procedure, or
4. not in a position to make a determination, refer to Stage 2.

The Head of Department will provide records of the decision using the *AQAE007_001 Disciplinary Breach Form* and forward a draft outcome letter for the respondent to the Office of Student Conduct, Complaints and Appeals.

Within 10 working days of the decision made the Office of Student Conduct, Complaints and Appeals will:

- inform both the complainant and respondent via email of the outcome of Stage 1,
- forward *AQAE007_001 Disciplinary Breach Form* detailing the outcome of Stage 1 to the VPST&L, and
- take further action, as required, to implement the decision from Stage 1.

If the respondent accepts the penalty, then the issue is considered resolved. The Office of Student Conduct, Complaints and Appeals will record the incident on the Student Disciplinary Record.

Where either the complainant or the respondent is dissatisfied with the outcome of Stage 1 they may apply to have the allegation referred to a Student Disciplinary Committee by writing to the Office of Student Conduct, Complaints and Appeals within 5 working days of receipt of the Stage 1 outcome. The correspondence must set out the grounds on which they believe their case should be given further consideration.

A failure to engage with outcome/penalties may be considered a further breach of the Student Code and referred to Stage 2.

4.6.2 Stage 2 Student Disciplinary Committee

Upon notification that the allegation is to be dealt with at Stage 2, the VPST&T or their nominee, will request the Chair of the relevant Faculty Disciplinary Panel to convene a Student Disciplinary Committee to deal with the allegation (See Appendix 1).

The Student Disciplinary committee determines whether to deal with the complaint by way of oral hearing or by written submission. Where the Student Disciplinary Committee deems it appropriate, it may offer the respondent the choice of having the complaint dealt with by way of an oral hearing or by written submission.

The Office of Student Conduct, Complaints and Appeals notifies the complainant and the respondent. The correspondence must:

- advise the parties that a hearing of the Student Disciplinary Committee has been convened and the manner in which the matter will be dealt with (oral hearing or written submissions),
- specify the date and time of the hearing/deadline for written submissions giving both parties at least 5 days' notice,
- provide full details of the allegation made, including the details of the allegation, any supporting documentation and the report of the Head of Department outlining the outcome of Stage 1,
- inform both parties that they may be accompanied by a support person to an oral hearing, where applicable (see Section 4.2),
- advise both parties that they may invite other persons who have a contribution to make relevant to the specifics of the allegation to the oral hearing or to provide a written submission (It is the responsibility of the complainant and the respondent to arrange for attendance or to submit statements on their behalf of the relevant person and they cannot be compelled to attend/provide written statements under this procedure),
- advise them of the Student Support Services available to support them at this time, and
- request that they acknowledge receipt of the email and confirm whether they intend to attend the hearing/ submit written statements.

If either party does not acknowledge the communication or fails to attend, the committee will proceed in their absence to deliberate on the matter, arrive at an outcome and penalty, and communicate that outcome to both parties.

There are circumstances where it is not appropriate to have both parties in the same location at the same time. The Chairperson has discretion to make arrangements to hear both parties.

Conduct of the Student Disciplinary Committee:

The Chairperson initiates the hearing by welcoming the respondent and explaining the purpose of the hearing.

The Chairperson introduces the members of the committee to the complainant and respondent and confirms the name, ID number and the programme of study of the complainant and respondent attending for the hearing.

The Chairperson then reads out the allegation and presents any supporting documentation.

The respondent must be given the opportunity to admit or deny the allegation and respond to the particulars of the concern raised.

If the respondent accepts the substance of the allegation the Chairperson will ask the student if they wish to add anything further and concludes the hearing, informing the student that they will be notified in writing of the outcome.

The committee may also seek clarification as they deem necessary from the respondent.

If the respondent refutes or challenges the allegations the hearing will continue.

The committee must give both the complainant and respondent an opportunity to give any evidence regarding the allegation and invite any other persons present to provide any information relevant to the allegation.

The committee may ask questions of all parties and the chairperson may adjourn the hearing as necessary for the proper discharge of its obligations. The Chair may seek advice on any matters as deemed necessary.

Before concluding the hearing the Chair will ask both the complainant and the respondent if they wish to add anything further and informing both parties that they will be notified in writing of the outcome.

Post-Hearing

Following the Hearing the committee must decide:

1. to dismiss the allegation,
2. to uphold the outcome of Stage 1 (where either party have requested escalation to Stage 2),
3. to uphold the allegation, in full or in part, and apply an appropriate penalty/penalties (see Appendix 3 Schedule of Indicative Penalties)

In determining the outcome and penalty to be applied, the committee take into consideration

- the seriousness, nature and extent of the alleged breach of the Student Code and supporting documentation presented,
- whether there are any professional, statutory or regulatory body requirements attached to the programme the student is registered on, including Fitness to Practice Statements,
- any admission of misconduct, and
- any previous record of breaches of the Student Code.

Appendix 3 contains a Schedule of Indicative Breaches/Penalties. Please note this is an indicative schedule only. The committee may apply another penalty of similar impact/weighting depending on the circumstances.

The Chair of the committee will complete the relevant section of the *AQAE007_001 Disciplinary Breach Form* detailing the outcome of the hearing and forward a draft outcome letter for the respondent to the Office of Student Conduct, Complaints and Appeals. The communication to the respondent will advise on the right to appeal, as detailed in Section 4.7 of this procedure.

The Office of Student Conduct, Complaints and Appeals will notify both parties and the Head of Department of the respondent of the outcome. Where the result of the investigation of the alleged breach includes consequent action or recommendations, the Office of Student Conduct, Complaints and Appeals will notify all appropriate person(s). Sanctions or penalties imposed on the respondent will only be communicated to complainant where necessary.

The University will endeavour to complete the Stage 2 procedure within 30 days of notification of acceptance of a valid complaint.

If a suspension is recommended by the Student Disciplinary Committee, this will be forwarded to the Chief Academic Officer for final approval.

If an expulsion is recommended by the Student Disciplinary Committee, this must be forwarded to the President for final approval.

Failure to comply with any sanctions imposed will be regarded as a further breach of the Student Code.

4.6.3 Stage 3: Record and Review

The Office of Student Conduct, Complaints and Appeals must record the breach in the Student Disciplinary Record.

An anonymised report of all disciplinary incidents recorded in the Student Disciplinary Record must be submitted annually to the Quality Office.

The report should also be reviewed by the Faculty Disciplinary Panel.

4.7 Appeal

Students have a right to appeal the decision of the Student Disciplinary Committee. Appeals must be made in good faith and in the spirit of the principles of the *AQAE006 Student Code Policy*, and must comply with the grounds for appeal set out in 4.7.1 below.

4.7.1 Grounds for appeal

The only grounds for appeal are:

1. New information is presented, which was not, for good reason, available to the Student Disciplinary Committee.
2. Evidence of procedural irregularity, which has impacted the outcome.
3. A disproportionate penalty was applied.

4.7.2 Making an Appeal

To appeal a decision the student must make a request in writing within 5 working days of receipt of the outcome to the Office of Student Conduct, Complaints and Appeals. The request must indicate the ground on which the appeal is based and any additional information to support the appeal.

The Office of Student Conduct, Complaints and Appeals will notify the relevant Assistant Registrar of the request and arrange to review the request.

The Office of Student Conduct, Complaints and Appeals and Assistant Registrar will review the request for appeal and determine if the grounds for appeal have been met.

If the grounds have been met the Assistant Registrar will convene a Student Disciplinary Appeal Committee from the Student Disciplinary Appeals Panel.

The Assistant Registrar will request all documentation from the Student Disciplinary Committee.

4.7.3 Outcome of Appeal

Where an appeal proceeds, the Appeal Committee will:

- review the grounds of the appeal,
- review the original outcome and penalty determined by the Student Disciplinary Committee,
- review the student's response to this (if any),
- review any additional information that has been submitted, and
- make a decision.

The Appeal Committee may decide:

1. to uphold the original outcome and penalty,
2. to change the penalty whilst upholding the original outcome, or
3. to dismiss the original outcome.

The Assistant Registrar will inform the student and their Head of Department in writing of the outcome of the Student Disciplinary Appeal Committee and the basis of the decision.

The decision of the Student Disciplinary Appeal Committee is final and cannot be appealed to any higher authority by any further process in the University.

4.8 Right to Review by Ombudsman

If a student feels that they have been unfairly treated or are not satisfied with the decision/outcome, it is open to them to contact the Office of the Ombudsman. By law, the Ombudsman can investigate complaints about any of the administrative actions or procedures of the university, as well as delays or inactions in the student's dealings with the university. The Ombudsman is fair, independent, and free to use. The Ombudsman does not consider matters of academic judgment.

The Ombudsman will ask the student for details of the student complaint and a copy of the ATU appeal response. Contact the Ombudsman by:

- Clicking on the 'Make A Complaint' link at www.ombudsman.ie
- Or writing to Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2, D02 W773
- Or calling the Ombudsman on 01 639 5600 if the student has any queries or if the student needs help making the student complaint.

4.8.1 Ombudsman for Children's Office (OCO)

The OCO investigates complaint about services provided to children by public organisations. The service is free and independent. The Ombudsman for Children's Office is a human rights institution that promotes the rights and welfare of young people under 18 years of age living in Ireland.

Millennium House, 52-56 Great Strand Street, Dublin 1, D01 F5P8, Ireland

Phone: +353 1 865 6800

Email: oco@oco.ie

Homepage: <http://www.oco.ie/>

4.9 Record Retention and Record Sharing

All documents and records related to this procedure, including forms, minutes of meetings, recommendations and decisions of committees, will be securely stored for a period of 7 years following the conclusion of the case.

If the student appeals the decision, all related records will be retained until the appeal process is fully completed, plus the specified retention period thereafter. During an appeal, relevant records will be made available to the Student Disciplinary Appeals Committee for review, ensuring that they have access to all necessary documentation from the original process.

4.9.1 Storage

Records will be stored in a secure, access-controlled system in compliance with the university's data protection policies / procedures, and applicable laws and regulations (GDPR).

4.9.2 Destruction

At the end of the retention period, records will be permanently deleted / securely destroyed, in accordance with the university's policy for data disposal.

4.9.3 Confidentiality

All records related to the process are treated as strictly confidential. They will only be shared with individuals or bodies who have a legitimate need to access them, such as, members of the Student Disciplinary Committee, the Dean of Faculty, Head of School and Department, staff involved in implementing any outcomes/penalties, relevant university bodies (e.g. Registrar, legal advisers, appeals committee), and external professional accreditation bodies, where legally required.

4.9.4 Student Access

Students have the right to access the records pertaining to their case, in accordance with the university's policy on data access requests.

4.9.5 External Requests

Records will only be shared with external parties (e.g., employers, regulatory bodies) when:

- the student has provided explicit written consent,
- there is a legal obligation or a court order requiring the university to disclose the records, or
- the university deems it necessary to inform external professional, regulatory or statutory bodies about a case. The student will be notified prior to sharing the information in this instance.

5. Documents Related to this Procedure

5.1 Policies

- AQAE006 Student Code Policy
- AQAE016 Fitness to Practice Policy
- AQAE022 Academic Integrity Policy
- ATU Policy on Preventing and Responding to Gender-Based Violence

5.2 Procedures

- AQAE008 Procedure for Academic Misconduct
- AQAE042 Procedure for Examination and Assessment Regulations

5.3 Forms

AQAE007_001 Disciplinary Breach Form

6. Measurement of Effectiveness of this Procedure

An anonymised report of all incidents of breaches of the Student Code and any appeals must be submitted annually by the Quality Office to Academic Council.

7. Revision History

Revision No	Description of Change	Approval Date
000	New Procedure. Approved by Academic Standards and Policy Committee of Academic Council	19/06/2025

Appendix 1: Faculty Disciplinary Panel

Purpose

Each faculty shall establish its own Faculty Disciplinary Panel, ensuring representation from all schools and departments within the faculty.

The purpose of the panel is to maintain oversight of student disciplinary matters within the faculty and convene disciplinary committees (as required) to consider and adjudicate on incidents of alleged misconduct (academic and non-academic) ensuring fairness, consistency and compliance with university policies and procedures.

Scope

The Faculty Disciplinary Panel convenes committees to consider and adjudicate on cases referred to it under the following procedures:

- AQAE007 Disciplinary Procedure
- AQAE008 Procedure for Academic Misconduct

The Faculty Disciplinary Panel review the outcomes and penalties applied in disciplinary matters to ensure that they applied fairly and consistently to students.

The Chair of the Faculty Disciplinary Panel compiles an annual anonymised report to the Quality Office.

Composition

The Dean of Faculty constitutes the Faculty Disciplinary Panel and nominates a chair (SLIII). The panel will have a minimum 40% female and 40% male membership. In convening committees from the panel gender balance must be sought and a panel must not proceed with single-gender membership (i.e. a minimum one male or female).

The membership of the Faculty Disciplinary Panel is as follows:

- All senior academic staff members in the faculty (i.e. SLI, SLII or SLIII grades)
- 8 x academic staff members from the faculty
- 3 x academic staff members from the other three faculties (i.e. external to the faculty)
- Nominee of the Vice President Academic Affairs & Registrar
- Nominee of the Vice President Student, Teaching & Learning
- 4 x students, nominated by the Students Union.

Administrative support (Secretary (non-voting)) to be provided from the Faculty Office.

The panel members will be appointed for a term of 4 years and the membership will be provided to Academic Council for noting. Student members may change annually.

Convening a Student Disciplinary Committee

Student Disciplinary Committees are convened, as required, to consider and adjudicate on allegations of breaches of the Student Code referred to the Faculty Disciplinary Panel.

Each committee will be convened from the membership of the Faculty Disciplinary Panel by the VP STL, or their nominee. The committee will be composed of a Chair (Dean of Faculty/Head of School) and a minimum of three other panel members, including a student member. In exceptional cases, the Chair may determine that the committee should proceed without student representation. This may be due to the sensitive nature of an allegation.

The quorum for a valid meeting shall be a minimum of four voting members, including the Chair and one external (to the faculty) member.

Conduct of Committee meetings:

- No person connected with the case under review may be a member of the committee and any conflict of interest should be raised at the earliest opportunity in order for the individual to be recused and replaced by an alternative panel member.
- Proceedings and decisions are kept confidential and shared only with relevant parties. Decisions are made by majority vote, with the Chair holding a casting vote in the event of a tie.
- All documentation, including meeting minutes and decision records, are maintained by the Faculty Office and shared with the Student Disciplinary Appeals Committee, as required.
- The committee may invite relevant individuals with specialist knowledge/experience in an area to advise the committee.

Appendix 2: Student Disciplinary Appeals Panel and Committee

The VP of Academic Affairs and Registrar will appoint a Student Disciplinary Appeals Panel to consider all eligible applications. The panel will include representatives from faculty, professional staff and members of the Academic Council. The panel members will be appointed for a term of 4 years and the membership will be provided to Academic Council for noting.

The appeal panel will have the following membership:

- Assistant Registrar for Quality Standards and Compliance (Chair),
- 4 x Deans of Faculty,
- 4 x senior members of academic staff,
- 2 x members of Academic Council,
- 4 x Central Services Managers (CSM), and
- 2 x student members, nominated by the Students Union.

Each Student Disciplinary Appeals Committee will be convened from the membership of the Student Disciplinary Appeals Panel by the Assistant Registrar for Quality Standards and Compliance. The committee will be composed of a Chair (Dean of Faculty) and a minimum of three other panel members.

No person connected with the case under review may be a member of the committee and any conflict of interest should be raised at the earliest opportunity in order for the individual to be recused and replaced by an alternative panel member.

A non-voting member from the Quality Office will be present for administrative purposes.

The Student Disciplinary Appeal Panel will have a minimum 40% female and 40% male membership. In convening committees from the panel gender balance must be considered and a panel must not proceed with single-gender membership (i.e. a minimum one male or female).

All decisions of the committee will be by majority vote. In the event of a tie, the Chair will have the casting vote.

Appendix 3: Schedule of Indicative Penalties

Breach	Indicative Penalties
Smoking / Vaping in a non-designated area (outside)	Written warning Formal reprimand recorded on the Student disciplinary Record
Smoking / Vaping in a prohibited area (inside)	Written warning Formal reprimand recorded on the Student disciplinary Record
Consuming alcohol and/or drugs on campus	Written warning Formal reprimand recorded on the Student disciplinary Record
Failure, without reasonable cause, to produce accurate identification upon request to ATU staff	Written warning Formal reprimand recorded on the Student disciplinary Record
Disruption to classes, or any course activities, in-person or on-line	Written apology to class group and lecturer. Formal reprimand recorded on the Student disciplinary Record
Minor anti-social disturbance	Written apology to affected parties Formal reprimand recorded on the Student disciplinary Record
Vandalism or malicious damage to property	Restitution of damages Formal reprimand recorded on the Student disciplinary Record
Unauthorised display of posters or notices	Written warning/ Formal reprimand recorded on the Student disciplinary Record
Failure to comply with health and safety regulations	Formal reprimand recorded on the Student disciplinary Record Restriction or prohibition of use of appropriate services for a specified time period
Failure to comply with any regulations associated with ATU Professional Services, including Library, Building and Estates	Formal reprimand recorded on the Student disciplinary Record Restriction or prohibition of use of appropriate services for a specified time period
Failure to comply with a penalty previously imposed under Stage 1 process	Referral to Stage 2
Minor breach committed by a student with a disciplinary record	Formal reprimand recorded on the Student disciplinary Record
Misuse use/vandalism of fire or other safety equipment	Formal reprimand recorded on the Student disciplinary Record Restitution of damages Restriction or prohibition of use of appropriate services
Vandalism or malicious damage to property.	Formal reprimand recorded on the Student disciplinary Record Restitution of damages
Taking property without the consent of the owner	Referral to An Garda Síochána

Unauthorised entry to ATU or to a restricted area within ATU or the use of facilities or equipment to which restrictions apply is prohibited.	Formal reprimand recorded on the Student disciplinary Record Restriction or prohibition of use of specified services
Behaviour or participation in an activity that causes ATU to come into disrepute.	Formal reprimand recorded on the Student disciplinary Record Possible suspension
Use of ATU brand assets in an inappropriate or fraudulent manner	Formal reprimand recorded on the Student disciplinary Record Possible suspension/expulsion
Misappropriation of property or funds of the University, or any associated club, society	Formal reprimand recorded on the Student disciplinary Record Possible suspension Restitution of funds Referral to An Garda Síochána
Misuse of IT Services	Formal reprimand recorded on the Student disciplinary Record Requirement to undertake appropriate training Restitution of damages Restriction or prohibition of use of specific services Possible suspension/expulsion
Use of language and/or imagery that is discriminatory, threatening, or abusive - online or in-person	Written apology Requirement to undertake awareness training Formal reprimand recorded on the Student disciplinary Record Possible suspension
Abusive, threatening, intimidating, bullying, or harassing behaviour - online or in-person	Written apology Requirement to undertake awareness training Formal reprimand recorded on the Student disciplinary Record Possible suspension Possible referral to An Garda Síochána
Gender-Based Violence	<i>(Will be investigated under the ATU Procedure for Preventing Gender-Based Violence)</i> Requirement to undertake awareness training Possible suspension Referral to An Garda Síochána
Use of obscenity in verbal or written communication or submissions to ATU staff or students	Written apology Requirement to undertake awareness training Formal reprimand recorded on the Student disciplinary Record Possible suspension Possible referral to An Garda Síochána
Making false, frivolous, or vexatious complaints	Formal reprimand recorded on the Student disciplinary Record Possible Suspension
Attending classes, workshops, or laboratories whilst under the influence of alcohol or other controlled substances	Formal reprimand recorded on the Student disciplinary Record Possible suspension

Possession of an illegal substance or illegal possession of a controlled drug, or possession of any prescription drug which has not been prescribed directly to the student.	Possible suspension Possible referral to An Garda Síochána
Production of, offer of, sale of or giving to any person, any illegal substance, controlled drug, or prescription drug.	Possible suspension/expulsion Possible referral to An Garda Síochána
Fabrication or falsification of evidence or information provided to the University.	Possible suspension Possible referral to An Garda Síochána
Failure to comply with a penalty previously imposed under Stage 2	Possible suspension