

**Appendix II**  
**Policy on Student Code of Conduct**  
**Administrative Process for Student Discipline**

**1.0 Introduction**

All matters of social misconduct by and or against a student shall be reported to the Office of the Vice President of Student Affairs at the Oakes Field Campus; the Dean of Students at the Northern Bahamas Campus; or the University Administrator at satellite campuses/centres. Matters may be brought to the Office by an administrator, faculty, staff or student or by a member of the wider community.

**2.0 Burden of Proof**

The burden of proof rests with the University of The Bahamas. This means that the University is required to present evidence showing that the student or students in question have violated University policies or procedures. Persons charged do not have to “prove” their innocence and may remain silent, if they so choose. Such silence shall not be construed as an indication of guilt.

**3.0 Interim Suspension**

In exceptional cases, if the presence of a student or students against whom a complaint has been lodged is adjudged to constitute a risk to other students, faculty, staff and/or property, the Vice President of Student Affairs/Dean of Students, Northern Bahamas Campus/University Administrator, Satellite Campuses is empowered to suspend the student immediately, pending action by the University Disciplinary Committee. This interim suspension cannot exceed ten (10) business days.

**4.0 Notification to Students**

If a student, once notified of the hearing, fails to respond or appear without just cause on the second occasion, the matter shall be heard in his/her absence. In the case where a student fails to appear owing to circumstances beyond his/her control (e.g., illness), a final decision shall be deferred. It is the student’s responsibility to inform the Office of Student Affairs/Dean of Students/University Administrator and provide proof of circumstance.

**5.0 Stages of the Disciplinary Process**

There shall be a three (3) stage system. The first stage will assess all alleged offences; there will be no decisions relative to expulsion or alterations to students’ transcripts. The second stage will deal with major offences; the third and final stage will deal with appeals.

**5.1 Stage 1 - Case Assessment**

When a complaint is lodged against a student the following steps shall be taken:

- 5.1.1 The student(s) shall be notified within one (1) business day.
- 5.1.2 The student against whom the complaint has been lodged must schedule an appointment with the Vice President, Student Affairs/Dean of Students/University Administrator within one (1) business day after receiving notification.
- 5.1.3 The student shall be required to write a report.
- 5.1.4 The Vice President, Student Affairs/Dean of Students/University Administrator shall meet with the student, assess the case and determine whether the matter should be referred to the University Disciplinary Committee.

**5.2 Stage 2 - University Disciplinary Committee**

When a matter is referred to the University Disciplinary Committee (UDC) the following steps shall be taken:

- 5.2.1 The student shall be notified in writing within one (1) business day.
- 5.2.2 Prior to the meeting of the UDC, the student will be notified to:
  - Review all complaints filed against him/her;
  - Submit in writing a report of his/her case;
  - Be accompanied by an advisor at the hearing;

- Call witnesses on his/her behalf;
- Question witnesses during the hearing;
- Receive the written decision of the UDC within three (3) business days of the conclusion of the hearing; and
- Appeal the case within ten (10) business days if he/she believes the decision is unduly harsh.

5.2.3 After the student has been notified, he/she shall be given five (5) days to prepare for the hearing.

### **5.3 Composition of the Disciplinary Committee**

The committee shall be comprised of seven (7) members. Committee members are not permitted to hear a matter at more than one level of the disciplinary process. If a matter coming before the UDC has been heard by any member of the Committee, the member may not be empanelled for the UDC review of that case.

#### **Committee Composition**

5.3.1 Two (2) Student Affairs Directors, one of whom shall serve as Chair;

5.3.2 One (1) Counsellor;

5.3.3 One (1) Faculty member;

5.3.4 Student Government Association President or designate;

5.3.5 One (1) Student Government Association Senator; and

5.3.6 One (1) Staff member.

### **5.4 Quorum**

The Quorum shall consist of the following five (5) members:

5.4.1 Student Affairs Director (Chair);

5.4.2 Student Government Association President or designate;

5.4.3 One (1) Counsellor;

5.4.4 One (1) Staff member; and

5.4.5 One (1) Student Government Association Senator.

### **5.5 Committee Composition: Northern Bahamas Campus**

5.5.1 Student Affairs Assistant Director (Chair);

5.5.2 Area Vice President Student Government Association or designate;

5.5.3 One (1) Counsellor;

5.5.4 One (1) Staff member;

5.5.5 One (1) Student Government Association Senator or designate; and

5.5.6 One (1) Faculty member.

### **5.6 Quorum: Northern Bahamas Campus**

The quorum shall consist of the following four (4) members:

5.6.1 Student Affairs Assistant Director (Chair);

5.6.2 Area Vice President Student Government Association or designate;

5.6.3 One (1) Counsellor; and

5.6.4 One (1) Staff member.

### **5.7 Stage 3 – University Appeals Board**

There shall be a University Appeals Board to hear and determine appeals from students. Students wishing to appeal their case must do so in writing within ten (10) business days of notification of the Committee's decision. When an appeal is lodged at the Office of Student Affairs, Oakes Field Campus/Dean of Students Northern Bahamas Campus/University Administrator Satellite Campus, the Board shall be notified within two (2) business days.

#### **5.7.1 Grounds for Appeal**

5.7.1.1 Denial of due process.

5.7.1.2 Lack of substantial facts to support the findings.

5.7.1.3 New evidence that was not available at the time of the hearing.

5.7.1.4 Sanctions that the student believes are unduly harsh or arbitrary.

#### **5.7.2 Conduct of the Hearing**

5.7.2.1 When an appeal is lodged, disciplinary sanctions must be suspended pending the outcome of the appeal.

5.7.2.2 The student and his/her advisor may be asked, but not required, to appear before the University Appeals Board.

5.7.2.3 The application for appeal may be denied or granted in whole or in part.

5.7.2.4 The hearing will be organised within forty-eight (48) hours.

5.7.2.5 The decision of the University Appeals Board is final.