

**Disciplinary Procedure for the Academy Students**

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## A. Principles

1. Sound institution-student relations are critical to the functioning of the Academy. Sound relations are based upon the applications of a set of rules which governs the conduct of each student. The set of rules (the disciplinary code) is based upon the code of conduct and relevant legislation. The disciplinary procedure, derived from the Labour Relations Act, 1995 is used to enforce the code and procedure is intended to assist both students and management in promoting relationships that focus on maintaining the effective functioning of the Academy, in the interests of all parties.
2. This procedure sets out the steps to be followed by the Academy to act against offending students and ultimately expel them if necessary. Where an offending student is in the employ of any organisation, the relevant person (CEO / director) in that organisation will be informed in writing about every action taken with regard to an offending student.
3. The disciplinary procedure (see Appendix A) is intended to promote smooth and co-operative functioning of the organisation. It aims to minimise conflict with and between students and to protect the interests of both the students and the organisation. Discipline should be seen as, and is, a corrective measure and not a punitive one.

## Part 1: Grievance Procedure

### A. Definition

1. A grievance is any dissatisfaction with or feeling of injustice, on the part of a student, in connection with the student's studies, and which is brought to the attention of the Academy in writing.

### B. Intention

1. It is the intention of the Academy to set up and maintain a grievance procedure, which is capable of resolving student dissatisfaction. The stages of application of the grievance procedure appear in **Appendix B**.

## Schedule of Offences as may apply to Students

### 1. Disobedience

Offence	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence	3 <sup>rd</sup> Offence
1.1 Insolence <sup>1</sup>	Written warning <sup>2</sup>	Final written warning	Expel
1.2 Non-compliance with prescribed procedures and regulations <sup>3</sup>	Written warning	Final written warning	Expel

<sup>1</sup> Unwillingness to submit to authority. (Directly challenging the authority of a lecturer)

<sup>2</sup> All written warnings will be sent to the employer of any student and informed about the possible consequences and implications.

## 2. Dishonesty and lying

Offence	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence
2.1 Theft <sup>4</sup>	Final written warning or Expel	Expel
2.2 Fraud / forgery <sup>5</sup>	Final written warning or Expel	Expel
2.3 Bribery/ Corruption <sup>6</sup>	Final written warning or Expel	Expel
2.4 Misappropriation <sup>7</sup>	Final written warning or Expel	Expel
2.5 Cheating <sup>8</sup>	Final written warning / Disciplinary hearing <sup>9</sup> / Paper destroyed	Expel
2.6 Plagiarism <sup>10</sup>	Final written warning or Expel	Expel

## 3. Disorderly conduct

Offence	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence	3 <sup>rd</sup> Offence
3.1 Sexual Harassment <sup>11</sup>	Expel or final written warning	Expel	
3.2 Abuse, derogatory or insulting language <sup>12</sup>	Written warning	Final written warning	Expel
3.3 Violence, assault or attempted assault <sup>13</sup>	Final written warning or Expel	Expel	
3.4 Intimidation or incitement <sup>14</sup>	Final written warning or Expel	Expel	
3.5 Prejudicial conduct <sup>15</sup>	Final written warning	Expel	

<sup>3</sup> Re any procedure, rule regulation or instruction such as; safety security regulations; including abuse of the Internet for access to pornographic sites.

<sup>4</sup> The unauthorised removal or taking of the Academy's property or the property of an employee or another student and/or visitor

<sup>5</sup> Any wilful misrepresentation by any student with a view to derive personal gain or to damage/harm or potentially damage / harm to the Academy

<sup>6</sup> Giving or receiving or attempting to give or receive any bribe to induce or attempting to induce any other person to perform any corrupt/dishonesty that will be detriment to the Academy.

<sup>7</sup> The incorrect application of the Academy's assets, or property, for reasons of gain or other such purposes.

<sup>8</sup> Any student that acts contrary to the written or oral instructions re any test, exam, assignment will be subject to a disciplinary hearing and upon proven guilty will receive a nil mark.

<sup>9</sup> Academy will offer to convene a disciplinary hearing, but has to be accepted by student.

<sup>10</sup> The representation of someone else's work by the student as their own, thereby defrauding the author of the credit deserved.

<sup>11</sup> Behaviour of a sexual nature, affecting the dignity of women or men during contact sessions. Such behaviour is unacceptable if it is unsolicited, unreasonable and offensive. The conduct creates an intimidating, hostile and humiliating situation Also see Annexure

<sup>12</sup> The uttering of any words or any written expression or showing hatred, ridicule or contempt for any person. The offence is more serious when it is wholly or mainly because of race, tribe, creed, place of origin or colour

<sup>13</sup> Threatening to injure or actual physical injury or harm to any employee or other student. Causing or attempting to cause bodily harm to any employee or other student. Action taken is dependant on inter alia: Provocation; Self-defence; Intention; or Nature and severity of injury sustained.

<sup>14</sup> To incite intimidate other students to: Use violence; Damage the Academy's property; Adopt impermissible industrial action; or indulge in any other disorderly behaviour

<sup>15</sup> Any conduct prejudicial to the maintenance of good order and the smooth running of AFM or contact sessions

#### 4. Alcohol and/or Prohibited Substances

Offence	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence	3 <sup>rd</sup> Offence
4.1 Under the influence of intoxicating liquor/drugs <sup>16</sup>	Written warning	Final written warning	Expel
4.2 Unauthorised consumption of intoxicating liquor/drugs while attending a contact session	Written warning	Final written warning	Expel
4.3 Selling or distributing of liquor/drugs while attending a contact session <sup>17</sup>	Final written warning or Expel	Expel	

#### 5. Other Misconduct

Offence	1 <sup>st</sup> Offence	2 <sup>nd</sup> Offence	3 <sup>rd</sup> Offence
5.1 Unlawful industrial action <sup>18</sup>	Final written warning	Expel	
5.2 Gross Misconduct <sup>19</sup>	Final written warning	Expel	
5.3 Failure to notify the Academy of being absent from workplace during experiential learning	Verbal warning	Final written warning	Suspension
5.4 Sabotage <sup>20</sup>	Final written warning or expel	Expel	

<sup>16</sup> Reporting to a contact session in an unfit condition or whilst under the influence of alcohol or drugs

<sup>17</sup> Refers to the actual selling or distribution of liquor or drugs during a contact session.

<sup>18</sup> Strikes, work stoppages, demonstrations or picketing can only take place within the framework of applicable labour legislation.

<sup>19</sup> A student shall be guilty of misconduct, if she/he, falsifies records or any other document; gives false statements or evidence in his/her capacity as a student; commits a common law or statutory offence while on the Academy property or a venue hired by the Academy; misuses his/her position to promote or to prejudice the interest of any political party. Prejudices the administration, discipline or efficiency of the Academy.

<sup>20</sup> Any act by a student to interfere with the normal operation of the Academy by damaging equipment or services necessary to the operations, any bomb threats, whether intended or as a joke or not.