



# 1 Introduction

The Institute of Technology Sligo (IT Sligo) provides educational opportunities to the maximum sustainable extent through high quality teaching, and research and development. IT Sligo is a regional Higher Education Institution with a national dimension and international perspectives. IT Sligo has a particular duty to support the development of its region in economic, social and cultural terms. Recognising the history and traditions of its region, IT Sligo is founded on moral and ethical values and the principles of equality, justice and academic freedom.

IT Sligo is committed, through a partnership of management, staff and students, to ensuring that its activities are conducted in a fair and equitable manner, which is conducive to good working relations on campus and an efficient and effective academic environment. This Student Charter, which sets out the rights and obligations of students, has been prepared and is implemented in that spirit. IT Sligo is committed to providing students with the best possible experience in higher education.

# 2 Scope

The Student Charter applies to all registered students and to officers of the Students' Union.

The Student Charter sets out:

- The Rights of students, the Standards of Service they can expect and the Values on which these are based;
- IT Sligo's Student Code of Conduct and the Responsibilities of students;
- IT Sligo's Student Disciplinary Procedure by which complaints against students will be considered.

The provisions of The Student Charter may be reviewed from time to time and the most current version will be available at

HTTP://ITSLIGO.IE/STUDENT-HUB/STUDENT-HELP/STUDENT-CHARTER/

## 3 Rights and Values

IT Sligo provides student-centred learning and high quality education through delivery of relevant programmes in thematic areas in order to equip students with the knowledge, skills and competencies for prosperity in the knowledge based society. Our approach is grounded in the following values:

- **EXCELLENCE:** Progressiveness, Independence, Courage, Quality
- INCLUSION: Diversity, Equality, Openness, Partnership
- **RESPECT:** Honesty, Integrity

A student has the following rights:

- 3.1 The right to expect from IT Sligo, tuition of a professional standard on the programme of study for which they are registered and adequate educational and support facilities consistent with the resources available to IT Sligo.
- 3.2 The right to study in an atmosphere free of harassment and intimidation, and that promotes personal integrity and dignity.
- 3.3 The right to fair and just procedures, including the right of appeal, and, where considered necessary, recourse to the Office of the Ombudsman.
- 3.4 The right to be treated as a responsible member of a third-level institution, to be able to represent personal views in a reasonable manner and to be treated with normal standards of courtesy by all other members of IT Sligo.

- 3.5 The right to be recognised by IT Sligo authorities in a partnership approach to the administration of IT Sligo through open and constructive consultation with students and their representatives, as members of the "college" created by the *Institute of Technology Acts* 1992 to 2006.
- 3.6 The right to have two student members, one male and one female, on the Governing Body of IT Sligo.
- 3.7 The right to be represented on Programme Committees for each programme.
- 3.8 All statutory rights including, data protection, freedom of information, and the right to be treated equally without fear of discrimination in accordance with the provisions of the Equal Status Acts 2000-2011.

# 4 Standards of Service and Responsibilities of Students

Summarised below are the standards of service which IT Sligo will endeavour to deliver for all students, having regard to its available resources, as well as the responsibilities which students are expected to undertake as members of IT Sligo.

#### 4.1 IT SLIGO WILL:

- 4.1.1 Publish comprehensive and accurate information about our activities, procedures and regulations;
- 4.1.2 Operate a fair and efficient admissions procedure;
- 4.1.3 Provide a suitable environment within which teaching and learning can take place:
- 4.1.4 Offer appropriate student support services;
- 4.1.5 Provide for student participation in IT Sligo's decision-making processes;
- 4.1.6 Conduct appeals and complaints procedures which are both fair and easily accessed.

# 4.2 THE RESPONSIBILITIES OF STUDENTS INCLUDE THAT EACH STUDENT IS EXPECTED TO:

- 4.2.1 Be informed about and comply with IT Sligo's regulations and procedures relating to students, including the IT Sligo Code of Conduct set out below;
- 4.2.2 Respect and treat with dignity all staff, other students, visitors to IT Sligo and members of the local community and to treat every person in a way which is non-discriminatory and respects difference:
- 4.2.3 Attend lectures, practical sessions, tutorials and submit all course work as required, apply yourself to your studies and abide by deadlines set for the submission of work:
- 4.2.4 Respect IT Sligo property:
- 4.2.5 Pay all fees required by IT Sligo as they become due;
- 4.2.6 Take all reasonable steps to ensure the Health & Safety of themselves, other students and staff of the Institute.

## 5 IT Sligo Student Code of Conduct

- 5.1 IT Sligo respects third-level students as responsible members of the community. Accordingly, it expects that each student of IT Sligo will behave in a mature, reasonable and honest manner which protects the good name of IT Sligo, meets the requirements of his/her programme of study, has due regard to the rights of others and does not adversely affect the conduct of IT Sligo business and its good name. Behaviour which damages IT Sligo's good name in the wider community or engaging in behaviour which causes IT Sligo to come into disrepute is not acceptable.
- 5.2 IT Sligo accepts that social activity is part of student life. While self-discipline will be expected and encouraged, failure to meet the normal standards expected by society may result in sanctions under the Student Disciplinary Code set out below up to and including suspension and exclusion from the education and facilities provided by IT Sligo.
- 5.3 Students should note that by becoming registered students at IT Sligo, they are agreeing to comply with the policies, regulations and disciplinary procedures of IT Sligo and that they:
  - Affirm that they have read and agree to be bound by all *IT Sligo Regulations* including the
    - i Student Network, Computing and Software Usage Regulations
    - ii Social Media Policy
    - iii Examination Regulations and the IT Sligo Student Code of Conduct;
  - II Submit to IT Sligo's Student Disciplinary Procedure should a complaint be made against them.
- 5.4 Only students who are validly registered may be admitted to classes. Registration is valid up to a maximum of one year at a time.
- 5.5 Students shall at all times obey the lawful instructions of IT Sligo staff.
- 5.6 Students shall carry their Student Card (which is issued to each student at the time of registration) at all times while on IT Sligo property. IT Sligo reserves the right to charge for the replacement of lost cards.
- 5.7 Student Cards shall be produced upon request by any members of IT Sligo staff on campus.
- 5.8 Persons unable to show evidence of registration may be required to leave IT Sligo grounds.
- 5.9 Students shall refrain from conduct liable to infringe the rights of others.
- 5.10 Students shall not engage in any form of bullying, harassment, or sexual harassment of any student or of any staff member of the Institute.
- 5.11 Students will not use social media (or any other means) for the publication of any material that may be illegal, sexist, obscene, offensive or defamatory or which encourages hatred, violence or participation in illegal activity.
- 5.12 Students shall not post material on social media that could potentially tarnish the reputation of IT Sligo or to cause the good name of IT Sligo to come into disrepute.

- 5.13 Students shall respect IT Sligo property at all times. Students may be held liable for the cost of repair or replacement of IT Sligo property damaged by them.
- 5.14 Students shall respect the property and persons of all members of the campus community and visitors to the campus.
- 5.15 Unauthorised entry to IT Sligo or to a restricted area within IT Sligo or use of its facilities is prohibited.
- 5.16 Students shall pay the appropriate IT Sligo fees and charges prescribed for each year in advance of registration or must satisfy IT Sligo that the appropriate payments will be made on their behalf within such a period as IT Sligo may allow. Fees are non-refundable unless otherwise specifically provided.
- 5.17 Students shall keep the Registrar's Office informed of their current address while registered as students.
- 5.18 Students shall comply with the academic discipline laid down for their programme, including the requirements of attendance and assessments and examinations as laid down by the School or Department. The right to continue on a programme of study depends upon satisfactory enrolment, the maintenance of satisfactory attendance, the level of academic performance and satisfactory conduct.
- 5.19 Students shall comply with the *Assessment Regulations* outlined in Chapter 3 of *IT Sligo's Quality Assurance Manual*. All decisions of the Board of Examiners are subject to IT Sligo's procedures on rechecks, reviews and appeals. Students may have Disciplinary Procedures initiated against them in respect of an alleged breach of the Assessment Regulations.
- 5.20 Students shall comply with all safety regulations that may be in force at the time, including those laid down at School/Department level and those governing the buildings and facilities such as laboratories, workshops and library.
- 5.21 Alcohol consumption and substance abuse (that is, use of illegal drugs and the misuse of prescribed drugs and substances) on campus are prohibited.
- 5.22 Smoking, including vaping, is not permitted within IT Sligo buildings. Smoking, including vaping is restricted to designated smoking areas.
- 5.23 The display of posters is subject to the approval of the Registrar's Office or Students' Union Office. Posters and notices concerning student social activities may only be displayed on the appropriate notice boards.
- 5.24 Vehicles and bicycles must be parked in authorised places and are parked at owner's risk.
- 5.25 IT Sligo does not accept responsibility for any loss of student property, whether or not such property was left in lockers or cupboards. Students should report any such loss to IT Sligo authorities.
- 5.26 IT Sligo's jurisdiction under the Student Charter is not limited to its own property.

### 6 Student Disciplinary Procedure

THE STUDENT CHARTER ASSUMESS THAT STUDENTS WILL COMPLY WITH THE REQUIREMENTS OF THE CODE OF CONDUCT ON A VOLUNTARY BASIS THROUGH THE EXERCISE OF MATURE SELF-DISCIPLINE.

All formal complaints made under the Student Charter will be processed in accordance with the provisions of the Student Disciplinary Procedure.

In general, the proposed method for recording a tribunal meeting will be that a neutral person be present to take notes, which will be circulated to relevant parties afterwards. In a case where a tribunal deems it appropriate, the Chair of the Disciplinary Tribunal may arrange for the electronic recording of proceedings in the interests of capturing all of the facts accurately through the use of an appropriate professional. Where it is decided to record a meeting in this way, data collected will be treated as "personal data" and will be processed in accordance with the provisions of the Data Protection Acts. Covertly recording any such meetings is deemed a breach of confidentiality and may be actioned separately.

Breaches of specific academic regulations may be dealt with under procedures set out in those regulations.

#### 6.1 ROLES

In order to implement the provisions of this Charter in a professional manner, specific roles are assigned as follows:

#### 6.1.1 The Registrar

The Registrar will have overall responsibility for the management of the disciplinary procedures. The Registrar may appoint a nominee to fulfil this role on his/her behalf. The Registrar (or his/her nominee) is responsible for making decisions related to the initial complaint as set out below.

#### 6.1.2 The Student Support Services Officer

The Student Support Services Officer (SSSO) will manage the administration of the student disciplinary process. S/he will co-ordinate the Institute's response to complaints made under this Charter to ensure that they are processed, managed and administered in line with the procedures. The SSSO will provide administrative support for implementing the disciplinary procedures. In respect of complaints referred to the Student Disciplinary Committee, the SSSO will work closely with the Chair of the Student Disciplinary Committee to ensure that appropriate administrative support is provided in a timely fashion and that all parties to a complaint are kept informed of progress as appropriate.

#### 6.1.3 Head of Department and Head of School

The Head of Department and/or Head of School will work with the Registrar (or his/her nominee) to investigate complaints made and to strive to have them resolved swiftly at an appropriate level as set out below.

6.1.4 The Chair of the Student Disciplinary Committee Where a complaint is referred to the Student Disciplinary Committee, the Chair of the Student Disciplinary Committee will be responsible for overseeing the investigation process through to completion under the provisions below and will work closely with the SSSO to ensure that the procedures run smoothly and effectively.

#### 6.2 **COMPLAINTS**

All complaints about a student(s) made under the Student Disciplinary Procedure will be dealt with seriously and fairly in a professional manner. No student will be disadvantaged for making a complaint under the Student Disciplinary Procedure in good faith. If after investigation a complaint is suspected to be malicious such suspicion may be investigated pursuant to the terms of this Student Disciplinary Procedure.

#### 6.2.1 Making a complaint

Complaints (from students, staff or members of the public) concerning breaches of the IT Sligo Student Code of Conduct contained in this Student Charter should be made in writing on the form SC2 available at HTTP://ITSLIGO.IE/FILES/2010/02/IT-STUDENT-COMPLAINT-FORM-2012.PDf

The completed form should be addressed to the Student Supports Services Officer (SSSO). As a matter of course, the SSSO will give the Complainant an outline of the student disciplinary procedure and its processes and a copy of The Student Charter. In particular, the Complainant will be made aware that:

- Full details of the complaint will be put to the Respondent;
- II The Respondent will be given an opportunity to address the Complainant;
- III In the event of an oral hearing by the Student Disciplinary Tribunal, the Complainant and Respondent may call witnesses and may enter witness statements. It is the responsibility of the parties seeking to call witnesses to arrange for the attendance at an oral hearing of witnesses on their behalf or to procure witness statements on their behalf to support their assertions for submission to the Student Disciplinary Tribunal.
- IV Witnesses cannot be compelled to attend under this Code.
- 6.3 Dealing with Complaints made under the Code of Conduct On receipt of a complaint, the Registrar (or his/her nominee) will:
  - Carry out a preliminary review of the complaint and the available evidence;
  - II Obtain any supporting evidence/documentation from the Complainant to support the allegation;
  - III Inform the Respondent of the allegations and provide them with a copy of The Student Charter and completed Form SC2;
  - IV Advise the Respondent that they may be accompanied by another student, a member of IT Sligo or a member/officer of IT Sligo Students Union at internal disciplinary tribunals conducted in accordance with the provisions of the IT Sligo Students Charter. There is no right to legal representation or to be represented by any person or body unconnected with IT Sligo in the event of the case going to a Disciplinary Hearing.
  - V Explain the complaints procedure and its processes:
  - VI Request the Respondent to make a response to the accusation including any relevant submission they may wish to make.

- 6.3.1 Assessment of the complaint and the response received
  The Registrar (or his/her nominee) may, in consultation with the relevant Head
  of Department and Head of School assess the evidence available and then make
  any of the following decisions and advise all appropriate parties.
- 6.3.2 Dismiss the complaint. In the case of a complaint being dismissed, the Complainant may apply to have their original complaint referred directly to the Student Disciplinary Committee, by writing to the Registrar setting out the grounds on which they believe the complaint should be given further consideration.
- 6.3.3 Issue a formal warning (verbal and/or written) to the Respondent. A formal warning will be noted on the student's record for a period of 12 months and may be taken into account by IT Sligo in responding to requests for character references. Where a formal warning is issued, the Respondent may apply to the Registrar in writing to have the matter referred to the Student Disciplinary Committee for a full investigation pursuant to the terms of this Student Disciplinary Procedure.
- 6.3.4 Refer the matter to mediation, if appropriate, with the consent of the Complainant and the Respondent. The mediation process shall be independent, confidential to those involved and shall be without prejudice to any subsequent hearing, in the event that the mediation process is unsuccessful. Any concessions or admissions made within the mediation framework shall not be used in evidence at any subsequent hearing. All aspects of the mediation will be kept strictly confidential between the parties. In the event that mediation is unsuccessful, the Registrar (or his/her nominee) shall have discretion on the appropriate follow up action.
- 6.3.5 Refer the matter to the Student Disciplinary Committee by forwarding a summary report of the alleged complaint and the outcome of the consideration given to the complaint and the response of the student who is the subject of the complaint.
- 6.3.6 Where the circumstances warrant it, (such as in the case of a Health & Safety Risk and/or a Garda investigation) the Registrar (or his/her nominee), in consultation with the relevant Head of School and/or relevant Head of Department, may suspend a student pending the completion of inquiries and without prejudice to the outcome of the disciplinary procedure.
- 6.3.7 Nothing in this Student Charter shall prevent the Institute from referring matters to the Gardaí where this is considered to be appropriate. In such instances, and where a Garda investigation is initiated, the Institute will suspend any internal investigation until the Garda investigation is concluded.
- 6.3.8 In the event that a student subject to Student Disciplinary Proceedings applies for mitigation based on mental health grounds, or if the Student Disciplinary Committee in dealing with a disciplinary case is of the opinion that a student may have a mental health difficulty that is negatively impacting the Student Disciplinary Process, the Student Disciplinary Committee may apply the provisions of IT Sligo's Mental Health Policy.

#### 6.4 THE STUDENT DISCIPLINARY COMMITTEE

In hearing serious complaints made under this Student Disciplinary Procedure, members of the Student Disciplinary Committee are expected to assess all of the evidence presented to them and to give due and fair consideration to all parties involved in accordance with principles of natural justice. Where the Committee deem appropriate sanctions may be imposed as set out below.

The Student Disciplinary Committee shall be constituted annually with not less than 10 members proposed by the Registrar and approved by the Academic Council. Membership shall comprise:

- 7 members of staff to include the Chairperson and Vice Chairperson.
- II Student nominations by the executive body of the Students' Union, up to a maximum of 3 students.
- 6.4.1 The Registrar shall not be a member of the Student Disciplinary Committee.
- 6.4.2 Members of the Student Disciplinary Committee will receive and participate in training as appropriate to enable them fulfil their role on the Committee.

#### 6.5 PROTOCOL FOR OPERATION OF THE STUDENT DISCIPLINARY COMMITTEE

6.5.1 On notification from the Registrar (or his/her nominee) that a formal complaint is being referred to the Student Disciplinary Committee, the Chairperson or in their absence, the Vice-Chairperson, will convene a Student Disciplinary Tribunal to deal with the complaint.

#### 6.6 STUDENT DISCIPLINARY TRIBUNAL

- 6.6.1 No less than three members of the Student Disciplinary Committee, to include two staff members and one student, shall be convened as the Student Disciplinary Tribunal to deal with the complaint
- 6.6.2 The Student Disciplinary Tribunal will determine whether to deal with the complaint by way of oral hearing or by written submission. Where the Student Disciplinary Tribunal deems it appropriate, it shall offer the student who is the subject of the complaint (the Respondent) the choice of having the matter dealt with by way of an oral hearing or by way of written submission. While the Respondent has a right to have an oral hearing, it may be more convenient to have the matter dealt with by way of written submission.
- 6.6.3 A notice shall then be sent by registered post to the home address of the complainant and to the home address of the respondent and/or handed personally to them. This notice shall:
  - I Provide full details of the complaint made including the complaint, any supporting documentation and the report of the preliminary review undertaken by the Registrar (or his/her nominee);
  - II Advise the parties that a hearing of the Student Disciplinary Tribunal has been convened:
  - III Advise both parties that the matter will be dealt with by way of oral hearing or by written submission;
  - IV Specify the date and time of the hearing, giving the parties at least 5 days' notice:
  - V Should the respondent require further notice of the hearing an extension of up to 5 days may be granted. All parties will be advised accordingly:

- VI In the case of an oral hearing, advise both parties that they may be accompanied at the hearing by another student, a member of IT Sligo or a member/officer of IT Sligo Students Union at internal disciplinary tribunals conducted in accordance with the provisions of the IT Sligo Students Charter. There is no right to legal representation or to be represented by any person or body unconnected with IT Sligo.
- VII Where a student is less than 18 years of age, advise both parties that they should be accompanied at the oral hearing by a parent or guardian;
- VIII Advise both parties that, at an oral hearing, they may call witnesses. If the matter is to be dealt with by way of written submission, both parties may enter witness statements. It is the responsibility of both the Complainant and Respondent to arrange for the attendance at an oral hearing of witnesses on their behalf or to produce witness statements on their behalf for submission to the Student Disciplinary Tribunal;
- IX Advise both parties that they will be required to provide the Student Disciplinary Tribunal with at least 2 days advance notice of the number and identity of any witnesses;
- Make both parties aware that witnesses cannot be compelled to attend under this code.
- 6.6.4 If the Respondent fails to turn up for an oral hearing (having been notified correctly in according with the provisions of the Student Disciplinary Procedure), the hearing shall continue in their absence.
- 6.6.5 At the Student Disciplinary Tribunal hearing, the complaint shall be set out by the Registrar or by another officer of IT Sligo nominated by the Registrar.
- 6.6.6 The Respondent shall be asked to accept or refute the allegations.
- 6.6.7 If the Respondent accepts the substance of the allegations or complaint as true, it shall not be necessary for the Registrar (or his/her nominee) and the Complainant to offer further evidence.
- 6.6.8 If the Respondent refutes/challenges the allegations then a full hearing should be held.
- 6.6.9 The Complainant shall be given an opportunity to give evidence with regard to the complaint and any other supporting witnesses shall be heard.
- 6.6.10 The Respondent shall then be given an opportunity to present their evidence and that of any witnesses they may wish to call.
- 6.6.11 All evidence shall be heard in the presence of the Respondent and their representatives and they shall be given an opportunity to cross examine all witnesses or to challenge any evidence presented to the Tribunal.
- 6.6.12 The relevant Head of Department or Head of School may be called to make a submission.
- 6.6.13 After the evidence has been heard, both parties may make submissions in regard to the penalty.
- 6.6.14 The Student Disciplinary Tribunal may adjourn any hearing from time to time as necessary for the efficient and proper discharge of its obligations. The Chairperson of the Student Disciplinary Tribunal shall be entitled to seek legal advice on any matters arising in the course of the proceedings if deemed necessary.
- 6.6.15 Decisions of the Student Disciplinary Tribunal shall be taken by simple majority with the Chairperson having a casting vote in the event of a tie.

#### 6.7 **OUTCOME**

At or following the conclusion of the hearing, the Student Disciplinary Tribunal will make its decision, based only on the evidence presented to it. The Student Disciplinary Tribunal will decide whether the complaint has been upheld and, if so, shall apply a suitable penalty. The Student Disciplinary Tribunal will notify the Respondent, the Complainant, the Registrar, the President of IT Sligo, and the relevant Head of Department in writing of their decision within 28 days of the conclusion of the hearing or as soon as is practicable thereafter. The Respondent will be notified by registered post.

#### 6.8 PENALTIES & SANCTIONS

The Student Disciplinary Tribunal has discretion as to the appropriate penalty having regard to the circumstances of the particular case. Where a complaint is upheld and a student found to be in breach of the provisions of the Disciplinary Code, the Tribunal is empowered to impose a penalty or a combination of penalties from the list below. Where the Student Disciplinary Tribunal decide to impose a sanction against a student, that fact will be noted on the student's record and may be taken into account by IT Sligo in responding to requests for character references if such is deemed relevant and appropriate.

The penalties listed are indicative and not absolute. The Student Disciplinary Tribunal has discretion to impose penalties other than those listed as may be deemed appropriate:

- The imposition of a Written Warning or a Final Written Warning.
- II Removal of privileges and/or facilities at IT Sligo for a stated period of time at the discretion of the Student Disciplinary Tribunal.
- III An order that the student pays compensation in relation to any loss or damage resulting from their behaviour.
- IV A fine not exceeding €1.000.
- V Suspension from IT Sligo for a stated period of time.
- VI Expulsion from IT Sligo.
- VII In a case in which alcohol or drugs misuse was a contributory factor, an order that the student avail of Counselling Support for an appropriate period of time.
- VIII Such other sanctions as maybe deemed appropriate by the Student Disciplinary Tribunal.

#### 6.9 **RIGHT OF APPEAL**

6.9.1 The Respondent may appeal a decision of the Student Disciplinary Tribunal by writing to the President, IT Sligo within 10 days of the date of the decision notification clearly setting out the reason for the appeal and the facts and contentions on which the appeal are based.

The President (or his/her nominee) shall base a decision on a transcript of the evidence presented and the documents considered at the hearing. An appeal may be made against the decision of the Student Disciplinary Tribunal or the severity of the penalty imposed. The Respondent will be able to make a written submission, which may include statements from others.

- 6.9.2 The President (or his/her nominee) may:
  - I Uphold the decision of the Student Disciplinary Tribunal.
  - II Uphold the decision but impose a penalty of less severity.
  - III Uphold the decision and impose a penalty of greater severity.
  - IV Overturn the decision of the Student Disciplinary Tribunal and make such consequential decision(s) as the President (or his/her nominee) considers appropriate.
- 6.9.3 All decisions of the President (or his/her nominee) in these matters this will be final and binding.

#### 6.10 INTERPRETATION

If any doubt or ambiguity with regard to the interpretation of or the exercise of any power or function arises under the Student Disciplinary Procedure, a ruling of the President thereon will determine the issue.

#### 6.11 RECOURSE TO OFFICE OF THE OMBUDSMAN

If a student feels that they have been unfairly treated or if they are not satisfied with the decision of the Tribunal, it is open to them to contact the Office of the Ombudsman. By law the Ombudsman can investigate complaints about any of our administrative actions or procedures as well as delays or inaction. The Ombudsman provides an impartial, independent and free dispute resolution service.

Contact details are as follows:

#### OFFICE OF THE OMBUDSMAN

18 Lower Leeson Street Dublin 2

TEL: Lo-call 1890 22 30 30



