

## Department for Continuing Education Regulations 1 of 2009

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### Preamble

[Note: Statutes and Regulations may be consulted at <http://www.admin.ox.ac.uk/statutes/>. Amendments may be published in *Oxford University Gazette* from time to time (<http://www.ox.ac.uk/gazette/>)]

1. Under Statute XI, Section 4(1) (<http://www.admin.ox.ac.uk/statutes/352-051.shtml>) the Department may, subject to the statutes and regulations, make and enforce regulations applying to all students using its facilities and services.
2. Statute XI includes a code of discipline, and makes provision for this to be applicable to all candidates for university examinations, whether or not they are matriculated or members of the university. Breaches of that code, and any alleged intentional or reckless breach of these regulations by any such person, are covered by the provisions of Statute XI.
3. If the Department has reasonable grounds to believe that a student is likely or threatens to cause damage to property or inconvenience to other users, the Department may make a complaint under the provisions of Statute XI, Section 41.
4. The University's regulations relating to the use of Information Technology facilities (<http://www.admin.ox.ac.uk/statutes/regulations/196-052.shtml>) apply to all students in the Department.

### **DISCIPLINARY REGULATIONS FOR STUDENTS**

1. No student on the Department's courses shall in a university context intentionally or recklessly:
  - a. disrupt or attempt to disrupt teaching or study or research or the administrative, sporting, social, cultural, or other activities of the University;
  - b. disrupt or attempt to disrupt the lawful exercise of freedom of speech by members, students, and employees of the University or by visiting speakers;
  - c. obstruct or attempt to obstruct any officer, employee, or agent of the University in the performance of his or her duties;
  - d. deface, damage, or destroy or attempt to deface, damage, or destroy any property of or in the custody of the University or of any college or of any member, officer, employee, or agent of the University or of any college, or knowingly misappropriate such property;
  - e. occupy or use or attempt to occupy or use any property or facilities of the University or of any college except as may be expressly or impliedly authorised by the university or college authorities concerned;
  - f. forge or falsify any university certificate or similar document or knowingly make false statements concerning standing or results obtained in examinations;
  - g. engage in action which is likely to cause injury or to impair safety;

- h. engage in violent, indecent, disorderly, threatening, or offensive behaviour or language;
  - i. engage in any dishonest behaviour in relation to the University or the holding of any university office;
  - j. disobey a reasonable instruction given within their authority by one of the Proctors or their deputies;
  - k. refuse to disclose his or her name and other relevant details to an officer or an employee or agent of the University or of any college in circumstances where it is reasonable to require that that information be given;
  - l. possess, use, offer, sell, or give to any person drugs, the possession or use of which is illegal;
  - m. engage in the harassment of any member, visitor, employee, or agent of the University or of any college;
  - n. fail to comply with an order made under sections 10, 11, 16, or 25 of Statute XI;
  - o. Consume alcohol to excess on any premises where University or Departmental courses are held;
  - p. Contravene the regulations pertaining to the course on which they are enrolled with respect to academic conduct;
2. No student on the Department's courses shall intentionally or recklessly breach any regulation relating to the use of the libraries or the information and communications technology facilities of the University.
  3. Every student on the Department's courses shall, to the extent that such provisions may be applicable to that student, comply with the provisions of the Code of Practice on Freedom of Speech issued from time to time by Council pursuant to the duty imposed by section 43 of the Education (No. 2) Act 1986 and duly published in the *University Gazette*.
  4. No student on the Department's courses shall intentionally or recklessly:
    - a. create or provide directly or indirectly for a candidate or candidates in any examination of this University or elsewhere material that constitutes a model or draft intended to meet substantially or wholly the requirements of any exercise in that examination, and which, in part or in whole, could be submitted without attribution by an examination candidate in order to meet or to attempt to meet the requirements of the examination;
    - b. enter into any agreement to act in breach of section 4a. of these Regulations;
    - c. assist or encourage directly or indirectly any person or persons to act in breach of sections 4a. and 4b. of these Regulations.
  5. If a student commits a serious offence which is open to police action (e.g. physical assault, sexual assault, misuse of drugs, computer misuse, theft, fraud, certain kinds of harassment) the Department's policy is to refer the matter to the police. This does not preclude the Department dealing with the specific offences under its own disciplinary procedures as well.

6. In the case of incidents involving violent behaviour or a threat of violent behaviour, or the abuse of drugs or alcohol, or in any other instance in which the Department in its discretion considers this to be necessary or appropriate, the Department reserves the right to suspend a student immediately until investigation of the circumstances has been undertaken.
7. The following procedure will be followed in relation to breaches of discipline:
  - a. An incident will be reported as soon as possible to the relevant Deputy Director, who will consider whether there is a case to be addressed. The Deputy Director will investigate by seeking information, as necessary, from the student and the tutor (or other member of the Department as relevant) together with any other witnesses or persons thought to have relevant information;
  - b. In addressing general disciplinary matters, there will in many cases be a less serious issue which reaches closure, which may for example include giving the student a warning, requiring that financial reparation be made, or confirming the decision to exclude a student who has been suspended. The Deputy Director should in such cases take appropriate action to settle the case;
  - c. In cases where there is a conflict of evidence on matters of fact which requires detailed investigation, where an appeal is made against the Deputy Director's decision under b., or in other cases where a fuller examination seems warranted, the Deputy Director shall consult the Director of the Department, who after due consideration of the issues may ask the Secretary of the Continuing Education Board to convene a Disciplinary Panel.
8. The members of a Disciplinary Panel convened under 7c, shall be: the Director of the Department (who shall chair the panel), a Deputy Director (other than the Deputy Director who considered the matter under 7a. or 7b), the Secretary to the Continuing Education Board.
9. The panel shall conduct its investigation as follows:
  - a. Before the Panel meets, the Secretary to the Continuing Education Board shall:
    - i. Inform the student in writing of the disciplinary matter which the panel will investigate, set a date for the panel hearing, and provide to the student written material detailing the circumstances of the case which will be made available to the panel;
    - ii. Provide an opportunity for the student to provide further information in writing for the consideration of the Panel, including providing supporting information from third parties, subject to it being provided not less three working days before the date set for the Panel;
    - iii. Seek advice from the Proctors' Office on the case particulars as appropriate, and place such advice before the Panel.
  - b. The Panel shall normally meet within six weeks of the disciplinary matter being identified.
  - c. The Panel shall determine its own procedure for conducting the hearing.
  - d. The Panel will issue its decision subsequently in writing to the student, normally within ten working days of the hearing.

- e. In setting out its decision, the Panel shall also provide the reasons behind its decision.
  - f. If the Panel finds that the case submitted against the student is proven, it will also set out the penalty to be incurred. This may include one or more of the following:
    - i. Temporary suspension from the course;
    - ii. Payment of costs incurred by the department as a result of the student's actions, which must be settled before the student can resume their studies;
    - iii. Expulsion from the current course;
    - iv. Debarment from future courses, either permanently or for a stated fixed period.
10. Students who are found to have provided false information to the Panel or other investigating officer may, irrespective of the outcome of the disciplinary case, be debarred from the department's courses.
  11. Students who wish to appeal against the Disciplinary Panel's decision may do so in writing to the Chairman of the Continuing Education Board within four weeks of being notified of Panel's decision.
  12. In considering an appeal, the Chairman may call for whatever further evidence or information he/she considers appropriate, and shall issue a conclusion in writing to the student. The Chairman's conclusion shall be binding on those concerned.
  13. The Secretary of the Continuing Education Board shall keep a record of cases considered and provide annually to Continuing Education Board and to the Proctors an anonymised report of cases which have been heard by the Disciplinary Panel.

## **EXAMINATION MATTERS**

[Note. The Department's regulations in relation to any specific course are set out in course handbooks, and in the examination conventions of the course.]

14. For examination matters, students studying on courses leading to a University degree or other academic award, whether matriculated or non-matriculated, are subject to the jurisdiction of the University's Proctors. Students who are suspected of any form of misconduct during examinations/assessments will be referred to the University's Proctors under Statute XI (<http://www.admin.ox.ac.uk/proctors/info/pam/index.shtml>).
15. Students on courses not leading to a University degree or other academic award or on the Certificate of Higher Education who are suspected of any form of misconduct during examinations/assessments will be referred to the Chairman of the Board of Studies of the Continuing Education Board. The Chairman will investigate the case, and he/she may, if he/she finds that there is a case to answer, disallow the student's work.
16. The Chairman may consult the Proctors regarding the details of the case to ensure due consistency with the Proctors' practice and procedures for students taking University examinations.

17. Students who wish to appeal against the decision of the Chairman of the Board of Studies may do so in writing to the Director of the Department within four weeks of being notified of the decision. The Director will refer such appeals to the Proctors..
18. Specifically in relation to plagiarism, cases arising in relation to any courses offered by the Department shall be considered in accordance with the Department's Guidance Note on Plagiarism. Where the Examiners consider there is prima facie a case of plagiarism, they shall form a view as to whether the alleged plagiarism was inadvertent, as defined within the Department's guidance note, or deliberate. Cases of alleged deliberate plagiarism will be referred to the Proctors; cases of alleged inadvertent plagiarism will be referred to the Chairman of the Board of Studies, who may determine that the student revise and resubmit the piece of work for assessment, or that the assessment mark be reduced. Appeals against the decision of the Chairman of the Board of Studies on allegations of plagiarism shall be referred to the Proctors.

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