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Student Regulations

Reference to “NorthTec” means Te Pūkenga / NZIST Trading as NorthTec.

Local policies and procedures apply until replaced by National Policies

1 TITLE

The NorthTec Student Regulations relate to all non-academic matters.

Breaches of these regulations are dealt with according to the Student Disciplinary Regulations.

2 SAFETY

Students are required to:

- 2.1 Comply with any instruction relating to safety given by a member of staff or Safety Manager, or stipulated in Programme Regulations;
- 2.2 Wear safety glasses, prescribed footwear and/or protective clothing in designated areas or as required by any staff member;
- 2.3 In the event of fire or other emergency, proceed in accordance with evacuation procedures;
- 2.4 Provide information on disabilities and health status that may endanger themselves or other students in a given situation;
- 2.5 Report to staff accidents or incidents that have or may lead to accidents to themselves or others;
- 2.6 Act in a manner that does not jeopardise their safety or the safety of others.

3 STUDENT CONDUCT

- 3.1 Students shall uphold a standard of behaviour that reflects NorthTec’s values. In addition, students will
 - Treat others with respect
 - Build relationships of trust, and
 - Act with integrity.

4 MIND-ALTERING SUBSTANCES (e.g. drugs and alcohol)

Students shall not:

- 4.1 Bring alcohol on to NorthTec teaching sites or consume alcohol in any teaching area (includes work experience, polytechnic vehicles, field trip or any other part time activity), except as part of supervised learning activities;
- 4.2 Attend a class, work experience, field trip, or any other activity under the influence of alcohol or any controlled drug;
- 4.3 Use or have in their possession or control within any of NorthTec teaching sites, or while on work experience or field trips any controlled drug not lawfully prescribed for that person (A controlled drug is any substance so designated and listed in the *Misuse of Drugs Act 1975*, together with any amendments and re-enactments).

5 HARASSMENT

- 5.1 Students shall not harass other students or NorthTec staff at any time while engaged in Polytechnic activity. For the purposes of this section harassment has the meaning given in the policy *Anti-Bullying and Harassment (04.014)*.

6 BEHAVIOUR

Students shall not:

- 6.1 Behave in any way that compromises the safety of others, interferes with the learning of other students, or interferes with staff in the performance of their duties;
- 6.2 Bring any animal, excluding certified service animals, onto any of NorthTec teaching sites without permission from the Manager Capital Assets;

- 6.3 Engage in dangerous, reckless, careless or inconsiderate driving in or about NorthTec teaching sites. Pedestrians have right of way at all times. Drivers of vehicles shall comply with driving and parking directions as given by authorised NorthTec staff;
- 6.4 Behave in a disorderly manner or engage in any behaviour that is detrimental to or interferes with others or their property, including the property of NorthTec;
- 6.5 Seek or be in possession of information gained by unauthorised entry to NorthTec information systems;
- 6.6 Engage in dishonest practices:
 - (a) falsify or attempt to falsify any official and/or personal record relating to their attendance and/or performance at NorthTec or the qualifications/ results issued to them by NorthTec;
 - (b) engage in a way that discredits the name and/or integrity of NorthTec
 - (c) falsely represent the records of NorthTec;
 - (d) act in a way that constitutes criminal conduct.

Student Disciplinary Regulations

Reference to “NorthTec” means Te Pukenga/NZIST Trading as NorthTec.

Local policies and procedures apply until replaced by National Policies

1 TITLE

The NorthTec Student Disciplinary Regulations outline procedures in the event of a student breaching NorthTec Student Regulations.

2 EXCLUSION FROM CLASS

- 2.1 A tutor may exclude a student from attending the remainder of a class session where the student’s behaviour in class interferes with the learning of other students or endangers the safety of themselves or others, provided that the student has been told the required standard of behaviour and warned of the consequences of failing to modify their behaviour.

Where a student’s behaviour is likely to cause harm to self or others, the student may be excluded from class with immediate effect.

- 2.2 A tutor who excludes a student from a class session must report this to the Director Product and Delivery as soon as possible on the day of the exclusion. The Director Product and Delivery will investigate the incident and determine if disciplinary or other action is warranted against the student.

- 2.3 Exclusion from class is to protect the learning of other students and safety of others; in itself it is not a disciplinary action.

3 PRINCIPLES

The following principles shall apply to disciplinary procedures:

- 3.1 Promptness - Any remedial action to be taken with regard to a student must be taken as soon as practicable after the event.
- 3.2 Impartiality - The disciplinary procedures must be applied in an equitable and fair manner to all students.
- 3.3 Consistency - The disciplinary procedures must be applied consistently. Similar disciplinary action must be taken in respect of similar offences made in similar circumstances.
- 3.4 Prevention - The preferred outcome is to prevent re-occurrence, not to take punitive measures.
- 3.5 Advance Warning - All students are entitled to know what kind of behaviour is expected of them, and to a warning if their behaviour breaches the student regulations.
- 3.6 Fairness - The degree of disciplinary action must be related to the nature of the offence and regard should be had to the following factors:
- (a) The seriousness of the problem and/or issue
Is the student’s behaviour interfering with the learning of the other students? Is the behaviour abusive of other people?
 - (b) Time span
Have there been any other discipline problems and/or issues in the past and over how long a time span?
 - (c) Frequency in nature of the problem and/or issue
Is the current problem and/or issue part of an emerging pattern?
Is the student presently subject to any previous warning?
 - (d) Student history
What has been the quality of the performance and conduct?
 - (e) Extenuating factors
It is imperative the student is given an opportunity to explain his/her side of the story.
 - f) Degree of communication

To what extent has an earlier effort been made to inform the student causing the problem and/or issue about the existing discipline rules and procedures and the consequences of violation?

g) Implications for other students

What impact will any decision have on other Northland Polytechnic Limited students?

(h) Right to representation

Students must always be informed of their right to have representation. All students under the age of 18 years shall have representation.

4 DISCIPLINARY ACTION

4.1 The Executive Director or delegated representative has the authority to discipline students.

4.2 Disciplinary action may include:

- (a) Requiring a student to remedy a situation;
- (b) Excluding a student from some NorthTec facilities;
- (c) Excluding a student from some NorthTec activities;
- (d) Expulsion.

4.3 Grounds for disciplinary action will exist if a student fails to comply with the Student Regulations or other NorthTec regulations and policies.

4.4 When a staff member believes there are grounds for disciplinary action against a student, they shall report the matter to the Director Product and Delivery.

4.5 The Director Product and Delivery shall ensure that the matter is investigated; inform the Student Advisor and either issue a warning to the student, or when it is considered disciplinary action is warranted, refer the matter to the Chief Executive, or take no further action.

5 INVESTIGATING INCIDENTS

5.1 No disciplinary action shall be taken until the Executive Director, or delegated representative, has the relevant facts and has sufficiently evaluated and considered them, including any explanations which the student offers. The student is to be given the right to representation.

5.2 When the investigation involves a student aged under 18 the student must be asked if they wish their parent(s)/caregivers to be informed and present at any meetings with NorthTec staff regarding the investigation. The institution shall ensure that adult support is available throughout the process.

6 WARNINGS

6.1 Except when summary expulsion is justified, by reason of the nature and severity of an incident or offence, a student whose behaviour is unsatisfactory shall, before disciplinary action is taken, be:

- (a) Informed about the grounds for concern about his/her behaviour (the aspect in question, the nature of the fault, etc);
- (b) Allowed to reply or respond;
- (c) Warned of the consequence of failure to improve;
- (d) Given reasonable opportunity to correct his/her behaviour.

6.2 The notification of complaint, and any warnings given, must be recorded in writing and sighted, and preferably signed, by the student concerned. The student must be provided with a copy.

6.3 The fact that a warning has been given shall be recorded in the student's file. The student should be advised that the written record has been placed on his/ her personal file.

Student's rights to respond

6.4 a student in receipt of a warning may, if he/she wishes:

- (a) Respond in writing and have a copy of the response placed in their personal file;
- (b) Appeal against the warning.

7 STAND-DOWN

Definition

- 7.1 A student who is stood down cannot attend NorthTec classes or activities for the stand down period. Stand down is not, in itself, a disciplinary action: it is a step which may be taken in order to investigate whether or not disciplinary action is needed, though his/her status as a student at NorthTec is unchanged.

Use of Stand-Down Provisions

- 7.2 A student shall only be stood down by the Executive Director or delegated representative. Stand down is to be used only in serious cases where it would be inappropriate in the circumstances for the student to remain in class. Such circumstances include:
- (a) Where the student is judged to be under the influence of mind-altering substances (e.g. drugs or alcohol) and it is intended to give the student another chance or to seek an explanation before consideration of expulsion;
 - (b) Where there has been, or appears to have been, a serious breach and it appears necessary or advisable that the student be removed from class while the matter is investigated or while expulsion or other action is considered. It is serious if the behaviour interferes with the learning of other students or is abusive of others or compromises the safety of others;
 - (c) Where the student has been charged in a court of law with an offence punishable by a maximum of two or more years' imprisonment, and the charge is such that the continued presence of the student is likely to cause concern to NorthTec staff or other students or members of the public and it is therefore desirable that until the matter is resolved the student be removed from class;
 - (d) Where a student receives more than two written warnings.
- 7.3 At the conclusion of any period of stand down the student shall either be allowed to return to class or be expelled. Where investigation into the circumstances is continuing, the student shall be notified of ongoing actions and informed of the decision as soon as the investigation is concluded.
- 7.4 The decision to take any disciplinary action or allow the student to return to class following stand down should be made as soon as possible.

Procedure

- 7.5
- (a) Oral advice to a student that he/she has been stood down must be followed promptly by written confirmation stating reasons and duration of stand down.
 - (b) A student who has been stood down must come into NorthTec when requested upon reasonable notice.
 - (c) The student's file will be annotated to record the final decision made in regard to the student's stand down, and whether or not any disciplinary action was considered necessary.
 - (d) If no disciplinary action follows the stand down, the details of the investigation will be destroyed, but a summary will be kept on the student's file outlining the incident and the result of the investigation.

8 EXPULSION

- 8.1 The authority to expel students lies with the Executive Director or delegated representative.
- 8.2 Expulsion of a student is a serious matter and will occur when the Executive Director or delegated representative is satisfied that there is no other appropriate means of resolving the situation.
- 8.3 Whether expulsion is summary or by giving notice, a full investigation must be made and there must be sound reasons for the action taken, the student must be allowed to state reasons for the breach. Except in cases of summary expulsion, no student will be expelled without previous warning(s) being given and following a reasonable opportunity to improve.

Definition of Expulsion

- 8.4 When a student is expelled their enrolment is cancelled, all student rights and privileges are withdrawn, and they may not enrol again with NorthTec without the permission of the Executive Director.

Notice of Expulsion/Summary Expulsion

- 8.5 A student may be expelled by:
- (a) Notice of Expulsion, means expulsion by notice being given in accordance with NorthTec disciplinary and stand down procedures;
 - (b) Summary Expulsion means expulsion without notice. Summary expulsion shall only be justified where there are substantial reasons such as gross misconduct.

Procedure

- 8.6 To expel a student, he/she should be informed, in writing, by the Executive Director:
- (a) That he/she is being expelled;
 - (b) The effective date of the expulsion;
 - (c) The reasons for the decision; and
 - (d) His/her rights of appeal against the expulsion.

9 FURTHER ACTION

- 9.1 Where a student may have committed a criminal offence, disciplinary action against the student does not limit the ability of the Executive Director to refer the matter to the New Zealand Police.

10 DISCIPLINARY APPEAL RIGHTS

- 10.1 Students who are the subject of disciplinary action have the right to appeal against any decision made affecting them and they must be advised of their rights at the time disciplinary action is taken against them.
- 10.2 Students must appeal the disciplinary decision within 10 Northland Polytechnic Limited working days of being notified of the decision.
- 10.3 A disciplinary decision must be appealed, in writing, to the Executive Director. The appeal must include the grounds for appeal, the desired outcome, and any additional relevant information.
- 10.4 Students cannot appeal disciplinary decisions made by the Executive Director. Where a student is not satisfied with such a decision, they should be referred to the appropriate external agencies as listed in the national policy *Ākonga Appeals Policy*

Academic Regulations

NorthTec Academic Regulations have been planned to be replaced by Te Pūkenga Kawa Maiooro (Educational Regulatory Framework) 01 January 2023 for all new enrolments.

The link to the Educational Regulatory Framework is <https://www.xn--tepkenga-szb.ac.nz/our-work/our-pathway/academic-delivery-and-innovation/academic-regulatory-framework/>

Local policies and procedures apply until replaced by National Policies.

The link to the National Policies is <https://www.xn--tepkenga-szb.ac.nz/our-work/about/policies/>

Academic Disciplinary Regulations

1 TITLE

The **Academic Disciplinary Regulations** outline the procedures in the event of a student does not comply with the Academic Regulations.

The principles in the Student Disciplinary Regulations will be applied when a complaint under this section of the regulations is received.

2 INVESTIGATION AND DISCIPLINARY ACTION

- 2.1 Any complaint that a student has breached the Academic Regulations will be referred, in writing, to the Director Product and Delivery or delegate.
- 2.2 The Director Product and Delivery or delegate shall notify the student of the complaint and investigate the complaint. When the investigation involves a student aged under 18 the student must be asked if they wish their parent(s)/caregivers to be informed and present at any meetings with NorthTec staff regarding the investigation. The institution shall ensure that adult support is available throughout the process.
- 2.3 The Director Product and Delivery or delegate may require the student to remedy a breach of the Academic Regulations within a specified time. If the student satisfies the Director Product and Delivery, they have remedied the breach of the regulations in the specified time, no further action will be taken.
- 2.4 Where the Director Product and Delivery or delegate is satisfied that a student has breached the regulations, or has failed to remedy a breach within the specified time the Director Product and Delivery or delegate may impose any one or more of these penalties:
 - (a) Decline to grant credit for a course or courses;
 - (b) Cancel a pass that has been credited;
 - (c) Disqualify a student from sitting an assessment for a prescribed time;
 - (d) Exclude a student from a programme of study;
 - (e) Refer the matter to the Chief Executive for further action.
- 2.5 The Executive Director may use the provisions in the Student Disciplinary Regulations (Section 8) to expel a student for breaching the Academic Regulations when warranted by the seriousness of the breach.

3 APPEAL RIGHTS

- 3.1 Students have the right of appeal against decisions on academic matters made by NorthTec staff, Programme Committees or Academic Committee and its sub-committees.
- 3.2 The appeals process will be consistent with the *Te Pūkenga Ākonga Concerns and Complaints Policy* read in conjunction with NorthTec procedures and *Te Pūkenga Ākonga Appeals Policy* read in conjunction with NorthTec Procedures.
- 3.3 When a student is not satisfied with a decision, he/she should refer to the agencies listed in the national policy *Ākonga Concerns and Complaints Policy*.