

Misconduct, the Disciplinary Committee and Disciplinary Appeals

Approved by Academic Board
26 November 2008

A student may be considered to be in breach of discipline if they breach the AFTRS Code of Conduct or other AFTRS policies. For the purpose of the Disciplinary Procedures, a student is defined as a person enrolled in any AFTRS course of study.

Where it is believed that a student has breached AFTRS policies in regard to conduct and discipline, the student's conduct may be referred to a Disciplinary Committee.

AFTRS may terminate a student's enrolment at any time for serious breach of discipline or grave misconduct.

Serious breach of discipline or grave misconduct includes (but is not restricted to) conduct involving either dishonesty or harm (or a real fear of possibility of harm) to other person(s) or property. Such offences may include (but not be restricted to):

- Theft or vandalism within AFTRS premises or during an activity which forms part of an AFTRS course of study.
- Wilful behaviour leading to harm, or potential harm, to person(s) or property within AFTRS premises or during an activity which forms part of an AFTRS course of study.
- Disorderly conduct within AFTRS premises or during an activity which forms part of an AFTRS course of study.
- Violence or threatened violence within AFTRS premises or during an activity which forms part of an AFTRS course of study.
- Being under the influence of alcohol or other drugs within AFTRS premises or during an activity which forms part of an AFTRS course of study.
- Being found guilty of criminal offences affecting AFTRS.
- Cases of plagiarism.

A Disciplinary Committee will include the Director of Division (Chair) relevant to your specialisation or course; Head of Studies; the relevant the Head of Discipline; Student Services Manager or representative; and the AFTRS Equal Employment Opportunity (EEO) representative. The Disciplinary Committee's function is to investigate matters which involve any breach of discipline or grave misconduct by a student. The Committee does not concern itself with academic matters.

Depending upon the offence committed, the person who has initiated the disciplinary process will not normally be a member of the Committee. The Secretary for this Committee will be drawn from the Secretariat. The Committee meets at its discretion.

If a student is required to appear before the Committee they are entitled to have a support person or an advocate at the hearing. The student must advise the Chair of the Disciplinary Committee that they will have a support person or that an advocate will be in attendance.

Within 5 working days of the Committee meeting to discuss the matter, the Chair will provide a written report and the recommendations of the Committee for any disciplinary action present to the CEO or their nominee. The report will identify those



~~responsible for implementing the recommendations. The CEO or nominee will either approve the recommendations of the Committee or request further discussion or information before making a decision.~~

The CEO or their nominee will convey the decision to the Chair of the Committee and to the student within 5 working days of receipt of the report. The decision will be sent by certified mail or courier to the student's address last known to the Student Services Manager.

Disciplinary Appeals

Appeals must be lodged in writing with the CEO or delegate within 10 working days of notification of the decision of the Disciplinary Committee.

The Disciplinary Appeals Committee will consist of the CEO, the Director of Corporate and Student Services, a member of the AFTRS Council, a Head of Discipline and a student representative other than those on the initial committee. The Appeals Committee will elect its own Chair. The Secretary for this Committee will be the same as for the Disciplinary Committee. A person directly involved in the situation resulting in the disciplinary action may not sit on the Committee.

A student may appeal to the Disciplinary Appeals Committee against a recommendation made by the Disciplinary Committee regarding misconduct and/or the decision of the CEO or their nominee. The Appeals Committee will determine whether due process was carried out. They may confirm, quash or vary any recommendation made by the Disciplinary Committee or the CEO or their nominee. The Disciplinary Appeals Committee will make its decision within ten working days of the lodgment of the appeal with the CEO.

The Chair will inform the student of the Disciplinary Appeals Committee's decision in writing within 5 working days of the decision being reached. This will be sent by certified mail or courier to the student's address last known to the Student Services Manager.



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