



STUDENT DISCIPLINARY CODE POLICY AND PROCEDURE

2019 (REVISED)

1.0 DEFINITION OF MISCONDUCT

Misconduct which may be the subject of disciplinary procedures under this Code is defined as improper interference with the proper functioning or activities of Zambia Information and Communications Technology College (ZICTC), or of those who work or study at ZICTC, or action which otherwise damages ZICTC and/or its staff or students, including, but not limited to, the following:

- i. Academic Misconduct;
- ii. Residence Misconduct;
- iii. Discriminatory Misconduct; and
- iv. Sexual Misconduct.

which all constitute Disciplinary Misconduct arising in specific circumstances. Disciplinary Misconduct may include conduct on and through social media.

2.0 PURPOSE

- 2.1 The purpose of this disciplinary code is to provide a framework for good decision-making within which the College exercises discipline over students. It aims to create and maintain an environment which supports the college's values.
- 2.2 For that purpose, this disciplinary code provides clear rules for acceptable Student conduct and sets out disciplinary measures and procedures which ensure that disciplinary action by the College is taken efficiently and in a manner that is reasonable, lawful and procedurally fair.
- 2.3 The disciplinary code recognises that the restoration and healing of the College Community as a whole and the relationships amongst individual members are at the heart of its purpose.
 - i. relationships amongst its Student Communities and individual members of the Student Community.

3.0 POLICY OBJECTIVES

The objective of this policy guideline is to impose sanctions for misconduct to offenders by taking cognizance of the following efforts;

- 3.1 To ensure that values on which the college was founded are protected.

3.2 To restore relationships among students and with the staff.

3.3 Serve to rehabilitate and educate offenders

3.4 Contribute to the restoration and healing of the College Community as a whole.

4.0 POLICY SCOPE

Regardless of where the conduct complained of takes place, this disciplinary code applies to all Students of the College, as well as any person who has agreed expressly or by implication to be bound by this disciplinary code, including by virtue of the following:

4.1 This policy applies to all students at the College, both commencing and continuing;

4.2 Taking up accommodation at the College;

4.3 Taking part in any academic activities prior to registration;

4.4 Agreeing to represent the College on or away from Campus in academic, sport, cultural or other official activities;

4.5 Any conduct whereby the person holds out to be a registered Student of the College;

4.6 Enrolling to study through a partnership agreement concluded between the College and any partner institution.

5.0 ZAMBIA ICT COLLEGE VALUES

5.1 Respect: The College respects and values people's differences and draws strength from their diversity. We believe that all of us with our diverse backgrounds, cultures, perspectives and expertise contribute to our organizational effectiveness.

5.2 Integrity: The time and effort put in our business is true to our mission of delivering superior results in a professional manner, upholding honesty, truthfulness and sincerity while remaining fair and ethical.

5.3 Discipline: We endeavour to build character, strength and unity through fostering discipline and not punishment.

5.4 Excellence: We will put forth our personal and professional best in providing the highest quality services and adding value beyond expectation.

6.0 GENERAL MISCONDUCT

6.1 Intentionally or negligently contravenes or subverts, or attempts to contravene or subvert, or assists, encourages or persuades any other person to contravene or subvert a code, regulation, rule or instruction of the College;

6.2 Commits any statutory or common law crime whilst on the premises of the College;

6.3 Uses abusive or offensive language when engaging with College employees during official College business ignoring common courtesy and etiquette, or during a meeting, conference or any gathering organised by or whilst representing the College;

6.4 Disseminating/communicating or distribution of confidential information without authorisation;

6.5 Introduces intoxicating liquor onto the premises of the College without the consent of the Executive Director (or a person duly authorised by the Executive Director) or management of the college or consumes or abuses intoxicating liquor and/or is under the influence of such liquor while on the premises of the College;

6.6 Commits an indecent act on the premises of the College as determined by competent disciplinary body;

6.7 Convenes an assembly on the premises of the College without obtaining the prior approval of the Executive Director (or the person duly authorised by him/her) or the management of the College, or attends a gathering prohibited by the Executive Director or the management of the College;

6.8 Inciting disorder, vandalism or Gross misconduct

6.9 Accepts or offers a bribe to students, employees or any other official of the College;

6.10 Illegal wiring of electricity, unauthorised interference with electrical circuits;

6.11 Sub-letting of hostel rooms;

6.12 Collects money or offers goods for sale or advertises goods on the premises of the College without the permission of the Executive Director (or a person duly authorised by him/her) or the management of the College;

6.13 Not vacating hostel rooms 2 days after writing final exam paper

6.14 behavior that in any way leads or may lead to the consequences described below. Such behaviour includes conduct by which:

- i. the good name and reputation of the College is or may be impaired,
- ii. the maintenance of order, discipline and security at the College is or may be prejudiced or imperiled, or
- iii. the process of tuition, research and administration and general College activities are or may be prejudiced or disturbed.

6.15 Causing damages, breakages or losses to college property

7.0 ACADEMIC MISCONDUCT

7.1 Repeated absenteeism & Lateness for classes

7.2 reproduces or transmits in any form or manner, whether electronically or mechanically, any study guide, book, thesis, dissertation, article, examination paper, lecture, printed tutorial matter or any other study aids in respect of which copyright exists, unless such reproduction or transmission is done in a manner authorised in terms of the Copyright Act, of 1994 (As mended), and unless the copyright owner's permission for the reproduction or transmission is obtained;

7.3 Contravenes the provisions of the Copyright Infringement and Plagiarism Policy of the College;

7.4 Neglects or refuses to return library material borrowed from the College library;

7.5 Being in possession of non-training materials and using cellular phones during classes;

7.6 The possession of any unauthorised notes and/or aid(s) in the examination venue after the first answer book or question paper is made available to students;

7.7 the use or attempt to use during an examination writing paper not supplied by the College, any note or aid(s) or electronic devices for the purpose of assisting in the examination;

7.8 the communication or attempted communication of any information relating to an examination with any other candidate whilst the examination is in progress;

7.9 the removal or attempted removal from an examination room of any examination book or writing paper supplied by the College for the purposes of answering an examination;

7.10 The use of a false name, identity number or student number in an examination;

7.11 the submission for examination as own work any matter that has been copied, reproduced, or extracted in whole or in part from the work of another student or some other person, or which is substantially the same in whole or in part as the work of another student;

7.12 the commission of any other fraudulent or dishonest practice whereby a student, whilst being examined by the College, seeks to mislead or deceive the examiner or the examination officer.

8.0 DISCIPLINARY PROCEDURES

The College will usually try to deal with unacceptable behaviour by informal counselling and will normally use the formal disciplinary procedure when this counselling proves unsuccessful or is inappropriate in the circumstances (e.g. an instance of gross misconduct.)

8.1 Informal Measures

The following procedure shall be followed when disciplinary cases;

- 8.1.1 If a student's behaviour does not reach the required standard, a member of College staff will discuss the problem with the student;
- 8.1.2 If a student's behaviour continues to be unacceptable, or where the unacceptable behaviour is of a more serious nature, a member of College staff will meet with the student to discuss the unacceptable behaviours, agree actions within a reasonable timescale that seek to improve the position, and explain possible further disciplinary sanctions should there be no improvement;
- 8.1.3 If a student's behaviour continues to be unacceptable, or where the unacceptable behaviour is of a more serious nature, a meeting with the student shall be convened (where this is possible) issue a written warning explaining the nature of the unacceptable behaviour and actions agreed within a reasonable timescale to improve the position. The student should be informed that should there be no improvement this will lead to the instigation of the formal disciplinary process.
- 8.1.4 Where the seriousness of the incident justifies it, one or two or all stages of informal measures may be omitted and formal disciplinary action instituted.

8.2 Formal Measures

The Executive Director has overall responsibility for student discipline and for the implementation of the formal disciplinary process.

In the event of the issue being concerned with academic dishonesty (e.g. plagiarism), the issue will be considered in the first instance by the Head of Academics. His/her decision will be subject to confirmation by the Head

of Academics as will any decision to instigate the formal disciplinary process where relevant.

9.0 DISCIPLINARY COMMITTEE

The Disciplinary Committee shall be constituted by the Executive Director as follows:

- 9.1 A member of the College Senior Management Team, who will act as Chairperson;
- 9.2 The Dean of Students or a representative;
- 9.3 Three (3) members of the College's staff (unconnected with the alleged breach of discipline);
- 9.4 One representative of Zambia ICT College Students' Union.
- 9.5 Three constitutes a quorum, and the Chairperson has a vote.
- 9.6 Cases will be decided by a simple majority of those present and voting (the chair will have a casting vote if necessary).

10.0 CONDUCT OF HEARINGS

10.1 Prior to the hearing - the student:

- 10.1.1 Will receive written notification of the date, time and place of a hearing at least 5 working days before the date of the hearing;
- 10.1.2 Will receive a written statement of the issue which the Disciplinary Committee will be considering, and a copy of this Students' Disciplinary Code;
- 10.1.3 Will be allowed access on request, in advance of the hearing, to any material evidence the Disciplinary Committee will be considering at the hearing;
- 10.1.4 May choose not to attend the hearing in which case it will be held in her/his absence

10.1.5 May submit a written statement containing matters which s/he wishes to be discussed, whether or not s/he chooses to attend the hearing.

10.2 At the hearing - the student;

10.2.1 May be accompanied by someone to advise her/him at the hearing, but that person may not speak for the student.

10.2.2 Has the opportunity to call witnesses on his/her behalf and, subject to the agreement of the Disciplinary Committee, to question witnesses called by others.

10.3 After the hearing - the student:

10.3.1 Will receive written notification of the outcome of a hearing within 10 working days following the hearing. In the event that the decision of the committee is that the student has not behaved in an unacceptable way, written notification will be sent to her/him within 5 working days following the hearing.

10.4 Right of appeal - the student:

10.4.1 Has the right to appeal to the Executive Director of the College against the decision of the Disciplinary Committee. The appeal must be sent in writing to the Executive Director within 10 working days of the date of notification of the results of the hearing.

10.4.2 The only permitted grounds of appeal are that the process by which the hearing was conducted was flawed, or that the penalty imposed was disproportionate.

10.4.3 The Executive Director (or in her/his absence, a nominated representative(s)) will consider the appeal.

10.4.4 There is no right to a further hearing, although the Executive Director may request that a person connected with the incident or the decision submit a written report or provide oral evidence.

10.4.5 The Executive Director, or his/her nominated representative(s), will respond within 10 working days.

10.4.6 With the exception of the time allowed for an appeal, timescales given in this Code are for guidance and may be varied where it is not possible to keep to them.

11.0 STUDENT DISCIPLINARY RECORDS

Any records of hearings or of disciplinary action taken against the student will be retained by the College under confidential cover and will not be provided to any third parties except where the College is required to comply with statutory and other legal provisions.

Disciplinary decisions (as opposed to records of hearings) will be communicated to relevant College staff. Where the disciplinary decision has led to the imposition of a disciplinary measure, in the case of the removal of access to specific College facilities, an oral warning, a written warning or a final written warning then the reason for that measure will also be shared. Where the disciplinary measure is dismissal from the College then the reason for this will not be shared.

SUMMARY OF OFFENCES AND PENALTIES

CODE	OFFENCE	1ST BREACH	2ND BREACH	3RD BREACH
6.1	Intentionally or negligently contravenes or subverts, or attempts to contravene or subvert, or assists, encourages or persuades any other person to contravene or subvert a code, regulation, rule or instruction of the College;	Written warning	Expulsion from the college.	
6.2	Fighting, assaulting, occasioning actual bodily harm on a fellow student or member of staff, use of drugs or substances prohibited by law or Offences under Laws of Zambia	Expulsion from college/ Refer to relevant Law Enforcement Agencies		
6.3	Uses abusive or offensive language when engaging with College employees during official College business ignoring common courtesy and etiquette, or during a meeting, conference or any gathering organised by or whilst representing the College;	Final written warning	Expulsion from the college	
6.4	Disseminating/communicating or distribution of confidential information without authorization	Final written warning	Expulsion from the college	
6.5	Introducing intoxicating liquor onto the premises of the College without the consent of the Executive Director (or a person duly authorised by the Executive Director) or management of the college or consumes or abuses intoxicating liquor and/or is under the influence of such liquor while on the premises of the College;	Written warning	Final written warning/expulsion from Halls of residence	Expulsion from the college.

6.6	Commits an indecent act on the premises of the College as determined by competent disciplinary body	Expulsion from the college		
6.7	Convenes an assembly on the premises of the College without obtaining the prior approval of the Executive Director (or the person duly authorised by him/her) or the management of the College, or attends a gathering prohibited by the Executive Director or the management of the College.	Final written warning/ expulsion from the Halls of residence.	Expulsion from the college	
6.8	Inciting disorder, vandalism or Gross misconduct	Expulsion		
6.9	Accepts or offers a bribe to students, employees or any other official of the College;	Suspension from the college for One (1) academic year.		
6.10	Illegal wiring of electricity, unauthorised interference with electrical circuits;	Final written warning and/or surcharged on damages	Surcharged and expulsion from hostels	
6.11	Sub-letting of hostel rooms	Expulsion from Hostels and surcharge of the boarding fees		
6.12	Collects money or offers goods for sale or advertises goods on the premises of the College without the permission of the Executive Director (or a person duly authorised by him/her) or the management of the College;	Written warning	Final written warning/expulsion from Halls of residence	Expulsion from the college.
6.13	Not vacating hostel rooms 2 days after writing final exam paper	Surcharge at prevailing rate per each extra day	Expulsion from hostels	

6.14	<p>behavior that in any way leads or may lead to the consequences described below. Such behaviour includes conduct by which:</p> <ul style="list-style-type: none"> i. the good name and reputation of the College is or may be impaired, ii. the maintenance of order, discipline and security at the College is or may be prejudiced or imperiled, or iii. the process of tuition, research and administration and general College activities are or may be prejudiced or disturbed. 	Final written warning	Expulsion from the college	
6.15	Causing damages, breakages or losses to college property	Replacement of damaged property or surcharge at replacement value		
7.1	Repeated absenteeism & Lateness for classes	Written warning	Final written warning	Suspension from the college for one (1) academic year
7.2	Reproduces or transmits in any form or manner, whether electronically or mechanically, any study guide, book, thesis, dissertation, article, examination paper, lecture, printed tutorial matter or any other study aids in respect of which copyright exists, unless such reproduction or transmission is done in a manner authorised in terms of the Copyright Act, of 1994 (As mended), and unless the copyright owner's permission for the reproduction or transmission is obtained;	Final written warning	Expulsion from the college.	

7.3	Contravenes the provisions of the Copyright Infringement and Plagiarism Policy of the College	Disqualification from the course exam/assessment		
7.4	Neglects or refuses to return library material borrowed from the College library;	Suspension from the library and/or surcharge for the library materials		
7.5	Being in possession of non-training materials and using cellular phones during classes;	Written warning	Final written warning	Expulsion from the college.
7.6	The possession of any unauthorised notes and/or aid(s) in the examination venue after the first answer book or question paper is made available to students;	Disqualification from examinations and Suspension from the college for one (1) academic year		
7.7	The use or attempt to use during an examination writing paper not supplied by the College, any note or aid(s) or electronic devices for the purpose of assisting in the examination;	Disqualification from sessional examinations and Suspension from the college for one (1) academic year		
7.8	Communication or attempted communication of any information relating to an examination with any other candidate whilst the examination is in progress.	Nullification of results for the assignment, continuous assessment test or examination sitting.		
7.9	Removal or attempted removal from an examination room of any examination book or writing paper supplied by the College for the purposes of answering an examination	Disqualification from sessional examination and Suspension from the college for one (1) academic year		

7.10	The use of a false name, identity number or student number in and examination.	Disqualification from sessional examination and Suspension from the college for one (1) academic year		
7.11	Submission for examination as own work any matter that has been copied, reproduced, or extracted in whole or in part from the work of another student or some other person, or which is substantially the same in whole or in part as the work of another student;	Nullification of results for the assignment, continuous assessment test or examination sitting.		
7.12	The commission of any other fraudulent or dishonest practice whereby a student, whilst being examined by the College, seeks to mislead or deceive the examiner or the examination officer.	Disqualification from sessional examination and Suspension from the college for one (1) academic year.		