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## 1.0 Purpose

The purpose of this policy is to [set out the standard of conduct required of Taylor's students. The approach to dealing with allegations of student misconduct is aligned with the Private Higher Educational Institutions enactment \(Act 555\) mandated upon Taylor's, and its students.](#)

## 2.0 Scope

This policy applies to all students at Taylor's for all programmes unless otherwise specified. To what extent this policy is applicable to collaborative provision programme is subject to what has been specified for the programme. Discipline with regards to academic misconduct is covered in a separate policy (Academic Integrity Policy).

## 3.0 Definitions

**3.1** A "student" means a registered student, other than a student at an institution allied to the private higher educational institution, who is following an approved programme of study, instruction, training or research of any description at the preparatory, undergraduate, post-graduate or post-doctoral level on a full time or part-time basis from, by or in the private higher educational institution and includes a distance-learning, off-campus, exchange and non-graduating student.

**3.2** The "Chief Executive" refers to the Vice-Chancellor and President of Taylor's University and the Campus Director of Taylor's College.

**3.3** **Taylor's** refers to Taylor's University (TU) and Taylor's College (TC).

## 4.0 Policy Statement

[Taylor's seeks to promote and facilitate good student conduct through education, support and positive encouragement. In order to protect from disruption of Taylor's' essential activities, and to ensure academic standards, there are policies and procedures in place for ensuring that the necessary steps can be taken where behaviour falls short of that expected from students.](#)

### 4.1 Student Standards of Conduct

4.1.1 Taylor's students are expected to always behave according to the following standards:

- a) To act safely, and with regard for the safety of others;
- b) With civility, consideration and respect for others in the University, College and the local community;
- c) Not engage in any activity that is likely to bring the University and College into disrepute; and
- d) Comply with all Taylor's policies, rules and regulations, and all applicable laws.

### 4.2 Misconduct

4.2.1 It is an offence for student who commits, or attempts to commit, or assists or

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encourages another student to commit, an act of misconduct.

- 4.2.2 Misconduct is an act that is contrary to the accepted Standards of Conduct which includes, but is not limited to:
- a) causes, or threatens to cause, harm of any kind (such as physical harm or psychological harm) to Taylor's staff or student or guest; or
  - b) has non-consensual sexual contact with another person; or
  - c) causes, or threatens to cause, damage to, loss of, interference with or obstruction of the use of, property of Taylor's or of another person; or
  - d) misuses or unauthorised use of Taylor's premises or property of Taylor's; or
  - e) breaches a law of a country in which the student is located for the purposes of a University or College activity; or
  - f) breaches Taylor's policy or procedure; or
  - g) disrupts the orderly conduct of the University or College activity; or
  - h) makes a dishonest or false statement or representation or engages in a dishonest or fraudulent activity when dealing with Taylor's staff or student; or
  - i) fails to comply with a reasonable direction of the member of authority of Taylor's; or
  - j) acting in a manner which is or may be detrimental to the reputation, dignity, interest, or welfare of Taylor's.
- 4.2.3 Students are not prevented from making statements or expressing themselves on academic matters related to their study or research, subject to clause 4.2.2 above.
- 4.2.4 Misconduct giving rise to disciplinary proceedings shall be classified as minor misconduct or major misconduct.
- a) Minor misconduct are offences which may disturb, create a nuisance to others, disrupt or improperly interfere with academic, administrative, sporting, social or other activities of the University or College to a minor or limited extent.
  - b) Major misconduct are offences of substantial or significant gravity which may materially or seriously affect and damage the interests and/or proper functioning of the University or College, including but not limited to:
    - i. any offence that involves or results in criminal activity; and
    - ii. any act or behaviour that is or may be materially or seriously detrimental to the reputation, dignity, interest, or welfare of the University or College, including staff and students of Taylor's.
- 4.2.5 With respect to students following a programme at a partner institution, cases of alleged misconduct shall be dealt with in accordance with any agreement in place between Taylor's and the partner institution.

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### 4.3 Responsibility and Authority

#### 4.3.1 Chief Executive

- a) The Chief Executive is responsible for the discipline and conduct of all students of Taylor's.
- b) The Chief Executive shall comply with the directives issued by the Registrar General of the Ministry of Higher Education (RG), [comply with the requirement as prescribed by the Act, and failing which will be subjected to relevant penalty prescribed by the Act.](#)
- c) The Chief Executive shall delegate authority and day-to-day responsibility for disciplinary action in connection with academic and non-academic matters to [the relevant institution authorities and the Student Disciplinary Committee.](#)

*Refer to University Governance Policy (TU-ACA-POLY-UGOV) and College Governance Policy (TC-ACA-POLY-CGOV) with regards to the committee membership.*

#### 4.3.2 Executive Dean, Head of School and Head of Department

- a) The Executive Dean, Head of School and Head of Department are the institution authorities empowered to adjudicate any minor misconduct by an existing student and are authorised to exercise one or more of the disciplinary actions set out below:
  - i. giving a verbal warning;
  - ii. impose a disciplinary probation;
  - iii. issuance of a reprimand;
  - iv. impose any fine not exceeding Ringgit Malaysia two hundred (RM200);
  - v. restriction or revocation of any non-academic privileges, benefits, rights or facilities for a period not exceeding one semester;
  - vi. request to make restitution to the institution or a person who has suffered loss for the sole purpose of making good any damage caused by the misconduct;
  - vii. temporary suspension until the misconduct case is decided;
  - viii. request for counselling intervention.
- b) The Executive Dean, Head of School and Head of Department may refer the case to the Student Disciplinary Committee when student fails to comply with the imposed disciplinary action, or when the minor misconduct became a major misconduct.

#### 4.3.3 Student Disciplinary Committee

- a) The Student Disciplinary Committee is empowered to adjudicate all major misconduct by an existing student or graduate and is authorised to exercise one or more of the disciplinary actions set out below:
  - i. impose a disciplinary probation;
  - ii. issuance of a reprimand;
  - iii. impose any fine not exceeding Ringgit Malaysia one thousand (RM1000);
  - iv. restriction or revocation of any privileges, benefits, rights or facilities for a period not exceeding two (2) semesters;

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- v. request to make restitution to the institution or a person who has suffered loss for the purpose of making good any damage caused by the misconduct;
- vi. temporary suspension until the misconduct case is decided;
- vii. request for counselling intervention;
- viii. impose a suspension;
- ix. termination or exclusion from Taylor's;
- x. recommend depriving or revoking any degree, diploma, certificate or other academic distinction or grade to be conferred or previously conferred.

b) A Joint Disciplinary Committee may convene to adjudicate a major case involving students from multiple schools.

- i. The Chairperson of the Joint Disciplinary Committee shall be selected from among the Chairs of Student Disciplinary Committee involved.
- ii. The Joint Disciplinary Committee secretary shall be from the school selected as Chairperson.
- iii. Selection of the Joint Disciplinary Committee Chairperson may be guided by the following:
  - the school with the greatest number of students involved;
  - the person with greatest experience;
  - person directly involved or has conflict of interest with the case shall be abstained.

#### 4.4 Disciplinary Proceeding

4.4.1 Taylor's shall inform the student in writing of the misconduct which it is proposed to take action against the student and shall afford the student a reasonable opportunity of being heard.

4.4.2 A student shall have the right to be represented by an employee or another student of Taylor's in any disciplinary proceedings taken against him. In accordance with existing Taylor's practice, students do not have the right to legal representation under the Proceeding.

4.4.3 A student shall be allowed to make a written or an oral representation in any disciplinary proceedings taken against him.

4.4.4 Any allegation of misconduct against a student shall be investigated and addressed as quickly and as close to source as possible by the relevant institution authority.

4.4.5 The institution authority shall conduct an inquiry into the facts, which may include but is not limited to interviews and obtaining written statements from pertinent people. Based on the inquiry the institution authority has the discretion and authority to:

- a) dismiss the complaint; or

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- b) resolve the complaint informally with the parties; or
- c) resolve the complaint administratively (without a hearing) guided by clause 4.3.2.a); or
- d) refer the complaint to the Student Disciplinary Committee.

- 4.4.6 The Student Disciplinary Committee shall convene a disciplinary proceeding against a student within 14 days on receiving an official complaint from the relevant institution authorities of a major misconduct. The decision of the Student Disciplinary Committee to convene shall be communicated to the student.
- 4.4.7 The Student Disciplinary Committee shall make an official decision in any disciplinary proceedings taken against a student within fourteen days (14) from the date of the last proceeding.
- 4.4.8 The decision of the Student Disciplinary Committee in any disciplinary proceedings taken against a student shall be communicated in writing to the student concerned within seven days (7) from the date of the decision.
- 4.4.9 Where proceedings have been brought against a student and it appears that the student's concerning behaviours may be because of a mental health related condition, the Chair of the Student Disciplinary Committee may decide to put on hold further proceedings and refer the student to Centre for Counselling Services (CCS).
- 4.4.10 If a fitness to study assessment indicates that the concerning behaviours are due to a mental health related condition, the Chair of the Student Disciplinary Committee may permanently hold off the misconduct proceedings or defer the proceeding for a reasonable period.
- 4.4.11 If the concerning behaviours are not the result of a mental health condition, the misconduct proceedings will be reinstated.

#### **4.5 Appeals to Board of Appeals and Registrar General**

- 4.5.1 Any student who is dissatisfied with the written disciplinary decision of the Chief Executive, through the actions of his representatives and the Student Disciplinary Committee, may appeal to the Taylor's Board of Appeals.
- 4.5.2 A student who is dissatisfied with the decision of the Board of Appeals may submit an appeal in writing to the RG.

Refer to Student Appeals Policy (THE-ACA-POLY-STUA) and Procedures (THE-ACA-PROC-STUA) for more detail.

#### **4.6 Suspension of Student Charged with Registrable Offence Committed under Written Law**

- 4.6.1 A registered student who is detained on government authority is subjected to

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disciplinary action. A student who is charged with a registrable offence may be suspended from being a student.

- 4.6.2 A suspended student shall not remain or enter the premises of Taylor's during their suspension period.
- 4.6.3 A student detained by the authorities and under suspension may be permitted to sit for exams with the written consent of the RG.
- 4.6.4 A suspended student may be admitted into any other private higher education institution only with written approval from the RG.
- 4.6.5 A suspended student shall be subjected to disciplinary action on the breach of discipline upon conviction. A student convicted of a registrable offence shall face disciplinary action as prescribed by the rules and regulations of Taylor's.
- 4.6.6 A student organization convicted of a registrable offence shall be suspended for a prescribed term or dissolved as directed by the RG.
- 4.6.7 A student who is discharged or acquitted from a registrable offence or who is released from detention without being charged for an offence is allowed to resume their studies. The student will be discharged from suspension.

## 5.0 Supporting Documents

<u>Document Reference</u>	<u>Document Title</u>
THE-ACA-PROC-STUD	Students Disciplinary Procedures
<a href="#">THE-ACA-REF-DISPEN</a>	<a href="#">Disciplinary Penalty Guideline</a>
THE-ACA-REF-DPDAF	Guideline to Deal with Public Displays of Affection
-	Student Handbook

## 6.0 Related Documents

- Private Higher Educational Institutions Act 1996 (Act 555).
- Student Appeals Policy (THE-ACA-POLY-STUA)
- Student Mental Health Policy (THE-STU-POLY-STUMH)
- [Centre for Counselling Services Policy \(THE-STU-POLY-CCSP\)](#)
- [Student Organisation Policy \(THE-SD-POLY-STUORG\)](#)
- [Student Alcohol and Drug Abuse Policy \(THE-FEHSSA-POLY-ALCDRUG\)](#)
- [Student Social Media Policy \(THE-STU-POLY-SSMP\)](#)
- [Academic Integrity Policy \(THE-ACA-POLY-AINT\)](#)
- [Event Management Policy \(THE-EVENT-POLY-EMP\)](#)
- [Emergency Response Management Process \(THE-FEHSA-BPD-ERMGT\)](#)

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- [Student Welfare Incident Management \(THE-SWD-BPD-SWIM\)](#)

## 7.0 Document Responsibilities

	Taylor's University	Taylor's College
Policy Owner	: Chief Operating Officer	Campus Director
Policy Delegate	: Pro Vice-Chancellor, Student Administration	Pro Vice-Chancellor, Student Administration

## 8.0 Approval Details

Approving Authority	: Senate	Academic Board
Approval Date	: 30 November 2022	21 November 2022