

STUDENT CONDUCT & DISCIPLINE REGULATIONS

2022

NANYANG POLYTECHNIC
STUDENT CONDUCT AND DISCIPLINE REGULATIONS 2022

Arrangement of Regulations

1. Citation and Commencement
2. Definitions
3. Administration of Disciplinary Matters
4. Disciplinary Offences
5. Disciplinary Committee
6. Proceedings of the Disciplinary Committee
7. Committee of Inquiry
8. Proceedings of the Committee of Inquiry
9. Appeals
10. Payment of Fines and Compliance with Penalties
11. Cooperation with Investigations, Disciplinary Committee, Committee of Inquiry and Appeals Committee
12. Compensation for Damage to Property

Schedule 1: Disciplinary Offences

Schedule 2: Penalties

NANYANG POLYTECHNIC

STUDENT CONDUCT AND DISCIPLINE REGULATIONS 2022 (THE "REGULATIONS")

Pursuant to Section 10(1) of the Act and in the exercise of the powers conferred by Section 6(3) of the Constitution of Nanyang Polytechnic set out in the Schedule of the Act, the Board of Governors of Nanyang Polytechnic hereby makes the following regulations:

1. Citation and Commencement

- 1.1 These regulations may be cited as the Nanyang Polytechnic Student Conduct and Discipline Regulations 2022 and shall come into operation on 1 April 2022.

2. Definitions

- 2.1 In these Regulations, unless the context otherwise requires,
- (a) "Act" means the Nanyang Polytechnic Act (Cap. 191A)
 - (b) "Authorised Person" means any person appointed by the Principal to receive a report of the commission of a Disciplinary Offence and to deal with it and act in accordance with the Regulations. Such a person appointed may include the Registrar, any Head or any other person the Principal may appoint from time to time;
 - (c) "Board" means the Board of Governors of the Polytechnic;
 - (d) "Centre" means any centre under the Polytechnic providing training and education (including but not limited to the Centre for Foundation and General Studies, the Centre for Industry & Lifelong Learning, the Asian Culinary Institute, the Singapore Institute of Retail Studies and the National Centre of Excellence for Workplace Learning);
 - (e) "Constitution" means the Constitution set out in the Schedule of the Act;
 - (f) "Disciplinary Offence" includes, but is not restricted to, the offences which have been set out in **Schedule 1** annexed hereto;
 - (g) "Head" means any Director leading a School, Centre or Department;
 - (h) "Head (Finance)" means the Head of the Finance Office of the Polytechnic;
 - (i) "Principal" means the Principal of the Polytechnic;
 - (j) "Polytechnic" means Nanyang Polytechnic;
 - (k) "Registrar" means the Registrar of the Polytechnic;
 - (l) "School" means any school under the Polytechnic providing training and education (including but not limited to the School of Applied Science, School of Business Management, School of Design & Media, School of Engineering, School of Health & Social Sciences and School of Information Technology);
 - (m) "Student" means a Student designated as such by the Polytechnic other than a member of the staff of the Polytechnic who is pursuing a course of study at the Polytechnic;
- 2.2 Words denoting the masculine gender shall include the feminine gender and vice-versa.
- 2.3 All such words and expressions as are used in these Regulations which are specifically defined in the Constitution shall have the same meaning as defined in the Constitution.

3. Administration of Disciplinary Matters

3.1 The Principal is empowered by Section 8(3) of the Act to appoint an Authorised Person to receive a report of a Disciplinary Offence and deal with it in accordance with the Regulations.

3.2 Notwithstanding any other provision contained herein, Polytechnic officers who are likely to be prejudiced or biased for any reason in connection with the Disciplinary Offence under consideration shall not be appointed pursuant to paragraph 3.1.

4. Disciplinary Offences

4.1 Upon receipt of a report of a Disciplinary Offence, the Principal or Authorised Person(s) shall determine which category (as outlined in **Schedule 1**) the Disciplinary Offence falls under.

4.2 Where a Student is reported to have committed a Category I offence, the Principal or Authorised Person(s) may, after hearing such explanation as the Student may tender:

- (a) acquit the Student; or
- (b) impose the appropriate penalty/penalties according to Schedule 2; or
- (c) impose other measures as the Principal deems fit; or
- (d) recommend that the case be referred to a Disciplinary Committee in accordance with paragraph 4.7 below.

4.3 Where a Student is reported to have committed a Category II, III or IV Disciplinary Offence, the Principal or Authorised Person(s) may appoint one or more members of the staff of the Polytechnic as investigating officer(s) to investigate into the allegation and to submit a report to the Principal or the Authorised Person.

4.4 Pending the outcome of investigations into the case by the Polytechnic, where it is deemed necessary and appropriate, the Principal or Authorised Person(s) may impose non-punitive interim measures, including but not limited to:

- (a) excluding the Student who is reported to have committed a Disciplinary Offence from the Polytechnic's premises;
- (b) prohibiting the Student from attending or participating in lessons, training and other activities organised by the Polytechnic;
- (c) prohibiting contact between the Student who is reported to have committed a Disciplinary Offence and any Student(s) who is reported to be a victim(s); and
- (d) requiring the Student who is reported to have committed a Disciplinary Offence to undergo mandatory counselling.

4.5 In the event that any Student(s) does not comply with any non-punitive interim measures imposed by the Principal or Authorised Person(s) described in paragraph 4.4 above, this shall amount to a Disciplinary Offence and shall attract the appropriate penalties as described in Schedule 2.

4.6 The Principal or Authorised Person(s) shall be entitled to conduct investigations into the Disciplinary Offence and process the case even while investigations by the police or law enforcement authorities are in progress.

4.7 The Principal or Authorised Person(s) may convene a Disciplinary Committee for:

- (a) a Category I Disciplinary Offence if recommended by the relevant Head; or
- (b) a Category II Disciplinary Offence, a Category III Disciplinary Offence or a Category IV Disciplinary Offence.

- 4.8 Notwithstanding paragraph 4.7 above, the Principal or Authorised Person(s) may, in his absolute discretion, decide to deal with any Disciplinary Offence in accordance with the Regulations without reference to the Disciplinary Committee.
- 4.9 Where a Student has been convicted of a criminal offence or has been proven to have misconducted himself or has committed any act outside the Polytechnic premises that will or is likely to bring disrepute to the Polytechnic, the Principal or Authorised Person may:
- (a) consider the investigation report of the police and/or any law enforcement authority and/or record of Court proceedings and/or any internal investigation report, and impose any of the penalties described in Schedule 2 as he may deem appropriate; or
 - (b) convene a Disciplinary Committee and refer the investigation report of the police and/or any law enforcement authority and/or record of Court proceedings and/or any internal investigation report to the Disciplinary Committee for consideration.
- 4.10 Where a Student is the subject of investigations by the police or law enforcement authorities, whether for an offence allegedly committed while the Student was enrolled in the Polytechnic or for an offence allegedly committed prior to enrolment, where it is deemed necessary and appropriate, the Principal or Authorised Person(s) may, pending the outcome of such investigations, impose non-punitive interim measures, including but not limited to:
- (a) excluding the Student under investigation from the Polytechnic's premises;
 - (b) prohibiting the Student from attending or participating in lessons, training and other activities organised by the Polytechnic;
 - (c) prohibiting contact between the Student under investigation and the alleged victim if the alleged victim is also a Student of the Polytechnic; and
 - (d) requiring the Student under investigation to undergo mandatory counselling.
- 4.11 The Principal or Authorised Persons(s) retain the sole discretion as to whether to notify third parties (including the supposed victim(s)) of the outcome of the investigations into the Disciplinary Offence, the outcome of any appeal made by the Student(s) and the penalty(ies) imposed on the Student(s) (if any).
- 4.12 The Principal or the Authorised Persons shall forward a report of a Disciplinary Offence dealt with pursuant to the Regulations and a report of the Disciplinary Committee (if applicable) to the Registrar for record purposes.

5. Disciplinary Committee

- 5.1 The Disciplinary Committee shall consist of :
- (a) the Principal or Authorised Person as Chairman; and
 - (b) at least two (2) but not more than four (4) other members of the staff appointed by the Principal.

6. Proceedings of the Disciplinary Committee

- 6.1 In the event that the case is referred to the Disciplinary Committee for consideration, the Student shall be notified in writing of the allegation or complaint made against him and the Student may submit within seven (7) calendar days thereof, an exculpatory statement or mitigating evidence, if he so wishes, to the Disciplinary Committee through any channel(s) specified by the Disciplinary Committee. The Disciplinary Committee may,

if it so wishes, require the Student to appear before it, provided that the Disciplinary Committee must give the Student seven (7) calendar days prior notice of the hearing before the Disciplinary Committee.

- 6.2 The Disciplinary Committee shall meet at such time and place as it shall determine.
- 6.3 The proceedings of the Disciplinary Committee shall be informal and its procedures shall be determined by it. The Disciplinary Committee shall not be bound by the provisions of the Evidence Act and may inform itself in such manner as it thinks fit.
- 6.4 The Disciplinary Committee in the performance of its functions shall not be deemed to be a judicial or quasi-judicial body.
- 6.5 After examining the case report and such exculpatory statement as the Student may have submitted and such facts of the case, if any, as may be presented to the Disciplinary Committee, the Disciplinary Committee may decide to:-
- (a) acquit the Student; or
 - (b) impose the appropriate penalty(ies) according to Schedule 2; or
 - (c) order an inquiry to be conducted by a Committee of Inquiry if deemed necessary; or
 - (d) impose other measures as the Disciplinary Committee deems fit and subject to the Principal's approval.
- 6.6 If the Student fails to attend the hearing of the Disciplinary Committee, the Disciplinary Committee may nonetheless proceed with the hearing and make a decision, in accordance with paragraph 6.5 above, in the absence of the Student as it deems fit and may inform itself using such evidence as may be available. If the Student fails to attend the hearing of the Disciplinary Committee, the Disciplinary Committee is under no obligation to reconvene, adjourn or reschedule the said hearing.
- 6.7 The Disciplinary Committee shall submit a report of the case to the Registrar for record purposes.

7. Committee of Inquiry

- 7.1 The Committee of Inquiry shall comprise the following members appointed by the Principal:
- (a) a Chairman; and
 - (b) two (2) other members of the staff.
- 7.2 The Committee of Inquiry shall be an ad-hoc committee and shall be dissolved after the case is closed.

8. Proceedings of the Committee of Inquiry

- 8.1 The Committee of Inquiry shall meet at such time and place as it shall determine.
- 8.2 The proceedings of the Committee of Inquiry shall be informal and its procedures shall be determined by it. The Committee of Inquiry shall not be bound by the provisions of the Evidence Act and may inform itself in such manner as it thinks fit.
- 8.3 The Committee of Inquiry in the performance of its functions shall not be deemed to be a judicial or quasi-judicial body.

- 8.4 Before the Committee of Inquiry begins an inquiry into the alleged offence or offences, the Principal or an Authorised Person shall give the Student a notice in writing requiring him to appear at a hearing of the Committee of Inquiry.
- 8.5 If the Student fails to attend the hearing of the Committee of Inquiry, the Committee of Inquiry may nonetheless proceed with the inquiry in the absence of the Student as it deems fit and may inform itself using such evidence as may be available. If the Student fails to attend the hearing of the Committee of Inquiry, the Committee of Inquiry is under no obligation to reconvene, adjourn or reschedule the said hearing.
- 8.6 The Committee of Inquiry shall keep a record of its proceedings and findings.
- 8.7 The Committee of Inquiry shall submit to the Disciplinary Committee a report consisting of the notes of evidence taken at the inquiry, any relevant information obtained, a record of its proceedings and findings, and its recommendations.
- 8.8 After examining the report of the Committee of Inquiry, the Disciplinary Committee may decide to:-
- (a) acquit the Student; or
 - (b) impose the appropriate penalty(ies) according to Schedule 2; or
 - (c) order further inquiry to be conducted by the Committee of Inquiry, if deemed necessary; or
 - (d) impose other measures as the Disciplinary Committee deems fit and subject to the Principal's approval.

9. Appeals

- 9.1 All decisions of the Principal, the Authorised Person and the Disciplinary Committee shall be final save in the case of a Student who has been dismissed by the Disciplinary Committee or suspended for more than 21 days.
- 9.2 If a Student is dismissed from the Polytechnic or suspended for more than 21 days by the Disciplinary Committee, he may appeal to the Chairman of the Board of Governors for review within seven (7) days from the date of notification of the Disciplinary Committee's decision.
- 9.3 Upon receipt of the appeal, the Chairman of the Board or the person authorised by the Chairman of the Board may determine the appeal in such manner as he may deem fit or appoint an Appeals Committee, chaired by a member of the Board, and comprising such persons as may be deemed appropriate to determine the appeal.
- 9.4 The decision of the Chairman of the Board or the person authorised by the Chairman of the Board or the Appeals Committee shall be final.

10. Payment of Fines and Compliance with Penalties

- 10.1 Unless the Principal otherwise directs, any fine imposed shall be paid to the Finance Office of the Polytechnic within seven (7) calendar days after the fine is imposed.
- 10.2 Any failure to pay a fine within seven (7) calendar days shall be reported to the Registrar who may take such action as he thinks fit.
- 10.3 The Finance Office of the Polytechnic shall keep a record of all fines collected under paragraph 10.1.
- 10.4 If a Student fails to comply with any penalties imposed by the Principal, Authorised Person(s) or the Disciplinary Committee, such non-compliance shall amount to a Disciplinary Offence and shall attract the appropriate penalties as described in Schedule 2.

11. Cooperation with Investigations, Disciplinary Committee, Committee of Inquiry and Appeals Committee

- 11.1 Any Student(s) whose evidence may assist in the Principal's or Authorised Person(s)' investigations into the Disciplinary Offence, or any proceedings of the Disciplinary Committee, the Committee of Inquiry or Appeals Committee, shall cooperate with such investigations and proceedings, including but not limited to responding to e-mails, answering telephone calls and attending meetings and hearings, as and when requested by the Principal, Authorised Person(s) or the Appeals Committee, failing which the Principal, Authorised Person(s) or the Appeals Committee shall have the authority to impose appropriate penalties as described in Schedule 2.

12. Compensation for Damage to Property

- 12.1 Without prejudice to any other penalties which may be imposed, where there is damage caused by any Student(s) to any property situated in the Polytechnic's premises, any property operated by the Polytechnic or any property utilised by the Polytechnic to deliver training and development courses and programmes, the Principal or Authorised Person(s), or the Disciplinary Committee, as may be the case, may require the Student(s) to compensate the Polytechnic for the costs of repair or replacement of such property, or otherwise make good the damage caused by the Student(s).

SCHEDULE 1: DISCIPLINARY OFFENCES

1. Category I Offences, include the following:
 - Smoking/Vaping
 - Littering
 - Improper and indecent dressing
 - Gambling
 - Trespassing
 - Committing acts of disturbance leading to disruption of activities
 - Any other act which the Principal or Authorised Person determines is minor misconduct

2. Category II Offences include the following:
 - Fighting and physical assault
 - Bullying (including cyber bullying)
 - Act which threatens to disrupt racial and religious harmony
 - Rioting or being a member of an unlawful assembly
 - Theft/Misappropriation
 - Disrespectful behaviour and insubordination to lecturers and other officers of the Polytechnic
 - Possession of dangerous weapons
 - Possession and/or consumption of controlled drugs, alcohol and/or intoxicating substances
 - Trafficking, offering to traffic, taking any preparatory acts for the purpose of trafficking, in controlled drugs
 - Immoral or indecent behaviour
 - Making false declarations, forging of documents or possession of forged documents
 - Vandalism, destruction of or damage to the Polytechnic's property or other property within the Polytechnic's premises
 - Unauthorised use of the Polytechnic's property, equipment or assets
 - Misuse of the Polytechnic's computers and computer service (including but not limited to unauthorised access to, or modification of, computer material, data and information belonging to the Polytechnic; unauthorised use or interception of any computer belonging to the Polytechnic or the Polytechnic's computer service and unauthorised obstruction of the use of any computer belonging to the Polytechnic or the Polytechnic's computer service)
 - Threatening, abusive or insulting words or behaviour with the intent to cause harassment, alarm or distress to another person
 - Threatening, abusive or insulting communication with the intent to cause harassment, alarm or distress to another person
 - Publishing information which may reveal the name, address or personal details of another person with the intent to cause harassment, alarm or distress to that person
 - Publishing any photograph or video recording of another person with the intent to cause harassment, alarm or distress to that person
 - Conduct associated with stalking another person which causes harassment, alarm or distress to that other person where the wrongdoer intends to cause, harassment, alarm or distress, or knows or ought reasonably to know is likely to cause harassment, alarm or distress to that other person
 - Publishing defamatory statements, whether in verbal or written form
 - Unauthorised soliciting of funds/selling of products using the name of the Polytechnic
 - Non-compliance with, or disobedience of, orders made by the Principal or such officer as may be authorised by or acting on behalf of the Principal
 - Breach of, non-compliance with, or non-observance of, such rules and regulations as may be made from time to time by the Polytechnic
 - Any other act, conduct or neglect, which is illegal, prejudicial to good order or discipline in the Polytechnic or is likely to bring the Polytechnic into disrepute

3. Category III Offences, under the Polytechnic's Academic Integrity Policy, include the following acts during any assessments in any module/subject/competency unit offered in the Polytechnic:
- Cheating or dishonesty in assessments
 - Plagiarism
 - Falsifying data, information or citations
 - Forging of documents in relation to assessments
 - Asking another person to complete the work that the candidate is supposed to do
 - Breach of, or non-compliance with, assessment policies and guidelines as may be made from time to time by the Polytechnic
4. Category IV Offences include the following sexual misconduct offences:
- Severe or aggravated sexual misconduct (e.g. non-consensual physical contact involving the victim's private parts, possession of child pornography, rape)
 - Sexual exploitation (e.g. voyeurism, indecent exposure)
 - Sexual harassment (e.g. unwelcome or unwanted sexual advances, sexually explicit remarks, offensive body language or gestures, sending of unwelcome messages/images of sexual nature, stalking)
 - Other forms of sexual misconduct (e.g. unwanted physical contact such as an unwelcome kiss, holding a person's waist or shoulder without consent, stealing undergarments)
 - Any other act which the Principal or Authorised Person determines is sexual misconduct

SCHEDULE 2: PENALTIES

1. Without limiting the discretion of the relevant Authorised Person(s) to impose appropriate penalty(ies), the relevant Authorised Person(s) may impose one or more of the following penalties on a Student for a Category I offence:
 - (a) Any corrective work which the Authorised Person(s) deems to be appropriate;
 - (b) Any course-related work;
 - (c) Verbal and/or written warning or reprimand;
 - (d) Fine not exceeding \$200.00;
 - (e) Mandatory enrolment in a smoking cessation programme (for the offence of smoking/vaping);
and
 - (f) Mandatory counselling or medical treatment.

2. Without limiting the discretion of the Principal, Authorised Person(s) and/or Disciplinary Committee to impose an appropriate penalty(ies), the Principal, Authorised Person(s) and/or Disciplinary Committee may impose one or more of the following penalties on a Student for all offences other than Category I offences:
 - (a) Any or all of the penalties under Paragraph 1 of this schedule;
 - (b) Deemed failure of the whole, or part, of a course module/subject/competency unit;
 - (c) Deemed failure of the whole, or part, of a semestral examination and/or supplementary examination;
 - (d) Exclusion from any examination;
 - (e) Suspension from the Polytechnic for a period of not more than 2 years; and
 - (f) Dismissal from the Polytechnic.