



STUDENT CONDUCT AND DISCIPLINE POLICY

Approving Authority	Council
Date of Approval	23 rd August 2018
Version #	Final
Effective Date	1 st September 2018
Date last reviewed
Revision date(s)
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Document URL

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1. INTRODUCTION

- 1.1. The Botswana Open University (BOU) is committed to ensuring a conducive learning environment that is fair and safe to accommodate the varying needs of its diverse clientele. The Student Conduct & Disciplinary Policy defines the parameters of acceptable conduct and behavior expected of students. The Policy will be accompanied by the Student Conduct & Disciplinary Procedures Manual and must be read in conjunction with the University Academic Integrity Policy.
- 1.2. The Policy relates to all matters of student discipline and general conduct, except academic misconduct, which is dealt with under the University Academic Integrity Policy. Procedures on disciplinary hearings, appeals and associated penalties are as elaborated in the Student Conduct and Discipline Procedures.

2. DEFINITIONS

- 2.1. **Bullying** – repeated use of force, threat, or coercion to abuse, intimidate or aggressively dominate others. Can be emotional, physical or verbal.
- 2.2. **Cyber bullying** - a form of bullying done through the use of technology and/or digital devices. It is also commonly referred to as online bullying and includes, but is not limited to, abuse using email, text messaging and social media and networks to send, post or share negative, harmful or false information or content about someone. It can be a criminal offense.
- 2.3. **Misconduct** – improper interference, in the broadest sense, with the proper functioning or activities of the University.
- 2.4. **University Premises** – includes all University Campuses, its satellites and any other premises where the University business is conducted.
- 2.5. **Sanctions** – penalties for disobeying a law or rule (punishment, deterrent, disciplining someone for, restriction).
- 2.6. **Censure** – a verbal reprimand or written statement which details how a student's conduct violates University regulations.
- 2.7. **Expulsion** – the permanent and unconditional removal of a student from the University.
- 2.8. **Stalking** – to repeatedly follow or pursue a person stealthily and threateningly such that there is cause for fear of injury or death.

3. PURPOSE

It is a requirement of the University that students should regulate their conduct in order to ensure smooth and efficient administration of the University activities. It follows that students should understand what constitutes misconduct, what sanctions the University can apply, in the event of misconduct, and the procedures applicable for such sanctions.

4. SCOPE

- 4.1. The provisions of the Student Conduct and Disciplinary Policy, and associated procedures and sanctions, are authorized by the University Council. These procedures apply to all registered students of the Botswana Open University.
- 4.2. The University is committed to administering this Policy fairly, reasonably and in accordance with the principles of natural justice. Where mental health, illness or disability may have impacted upon student behaviour or conduct, the matter may be referred to Student Services for advice or to seek other methods of dealing with the situation as alternatives to disciplinary action. The University will remain mindful of its obligations to the Universal Declaration on Human Rights principles when implementing this Policy, including its duty to make reasonable adjustments in respect of students with disability and special needs, as specified in the Access and Equity Policy.
- 4.3. As a guide to staff and students, some specific acts of misconduct are defined in this Policy with the associated penalties elaborated in detail in the Student Conduct and Discipline Procedures.

5. POLICY STATEMENT

- 5.1. This Policy provides guidance to expected student conduct and subsequent actions and procedures to be followed where there has been acts of misconduct.
- 5.2. Acts of misconduct in this document refer to and include some of the offenses that could result in the removal, suspension, expulsion or other sanctions meted to a student as part of disciplinary action. No student shall be removed, suspended, expelled, or sanctioned unless the conduct for which the student is disciplined is related to University activities or University attendance. The following is a list of offenses that constitute cause for discipline that could result in the removal, suspension, expulsion or other sanctions, of a student. Acts constituting misconduct detailed below are neither prescriptive nor exhaustive.

- 5.2.1. Continued disruptive behavior, continued disobedience, habitual profanity or vulgarity, or open and persistent defiance of the authority of, or persistent abuse of, University personnel.
- 5.2.2. Assault, battery, or any threat of force or violence upon a student or University employee.
- 5.2.3. Misconduct which results in injury or death to a student or University personnel or which results in damage to any property owned by the University or its partners where the student is hosted for University business at that time.
- 5.2.4. Persistent disruptions or serious misconduct including inordinate demands for time and attention from University employees or at any campus activity, including, but not limited to, abuse of the disciplinary process, where other means of correction have failed to bring about proper conduct.
- 5.2.5. Committing or attempting to commit robbery or extortion.
- 5.2.6. Causing or attempting to cause damage to property on University premises.
- 5.2.7. Dishonesty; forgery, alteration, or misuse of University documents, records, or identification, or knowingly furnishing false information to the University.
- 5.2.8. Obstruction or disruption of tutoring sessions including online activities, exam administration and University administrative procedures including disruption of the orderly operation of the University.
- 5.2.9. Verbal and physical abuse or engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, ethnicity, religion, sexual orientation, or any other status protected by law, on University premises or authorized activity.
- 5.2.10. Stealing or attempting to steal University property or knowingly receiving stolen University property including, but not limited to theft or abuse of University computers.
- 5.2.11. Unauthorized entry or use of University facilities.
- 5.2.12. Unauthorized, abusive or inappropriate use of University computers, computer networks and computer software, including violations of software licensing agreements as stipulated in the IT usage Policy.

- 5.2.13. Failure to comply with directives of University officials acting in the performance of their duties, or failure to identify oneself for just cause when requested to do so by University officials acting in the performance of their duties.
- 5.2.14. Lewd, indecent, or obscene conduct or expression on University property or at University functions.
- 5.2.15. Unauthorized use of listening or recording devices in tutorial sessions and sessional exams.
- 5.2.16. Unauthorized possession of any firearm, knife, explosive, dangerous chemical, or other dangerous objects within the University premises and/or other BOU activities or events.
- 5.2.17. Engaging in expressions intended to insult or use of abusive words or non-verbal symbols directed at a student or University personnel, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status which is obscene, or which by their very utterance or expression are likely to incite a violent reaction as to create or present danger on University premises.
- 5.2.18. Discrimination or harassment of any student, University Personnel or any visitor to the University and/or acting in a discriminatory manner in breach of the University's Access and Equity Policy.
- 5.2.19. Attempting, soliciting, or assisting another to commit an act which would subject a student to expulsion, suspension, or other discipline pursuant to this procedure and related policy.
- 5.2.20. Committing sexual harassment which may include unwelcome sexual advances, requests for favors, and other verbal, nonverbal, or physical conduct of a sexual nature, that is persistent or pervasive to limit the ability of a member of the University personnel (student, staff, part-time staff) to participate in or benefit from an education program or activity to create a hostile or abusive educational environment.
- 5.2.21. Stalking or repeatedly harassing another person through a series of acts that seriously alarm, annoy, torment, or terrorize in a manner that threatens to place that person in reasonable fear for his/her safety.
- 5.2.22. Engaging in intimidating conduct or bullying another student or University personnel through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation and, cyber bullying.

- 5.2.23. Unauthorized attendance at any session or any class by a student or any person who is not registered for that class or with the University.
- 5.2.24. Violation of University policies, administrative procedures, regulations, including, but not limited to, University regulations concerning student conduct, use of University facilities and time
- 5.3. Students should be aware that any complaint or allegation or evidence of serious misconduct that brings the University into disrepute or is considered to constitute a serious offense, could be referred to the police. The University is not, however, prohibited from progressing its own disciplinary action where police involvement is still taking place.
- 5.4. In cases where an alleged offense poses a risk to staff and/or students, the University reserves the right to temporarily suspend or exclude the student from all or parts of the University grounds or facilities. In such instances, the decision to suspend or exclude will rest with the Vice Chancellor as outlined in Student Conduct and Discipline Procedures.
- 5.5. Where criminal proceedings result in the student being taken into custody, or absent from study for a period of more than 12 months, the student may be deemed withdrawn from the University. In such circumstances, the decision to withdraw the student will rest with the Vice Chancellor. The decision of the Vice Chancellor is final.

6. IMPLEMENTATION

The following roles and responsibilities shall apply in the implementation of this Policy:

- 6.1. **Vice Chancellor** – has oversight responsibility for University student discipline. The Vice Chancellor's decision on cases of suspension, expulsion, exclusion and removal is final.
- 6.2. **Student Services Management** – responsible for policy formulation and review as well as general oversight on implementation of the Policy by both staff and students. These include the Regional Directors.
- 6.3. **Specialist (Policy Planning & Student Governance)** – responsible for formulation and sharing of procedures, guidelines for implementation and, associated penalties to misconduct.

- 6.4. **University Disciplinary Advisory Committee** – Responsible for handling referral cases with recommendations on suspension, expulsion, exclusion and removal cases. Makes recommendations to the VC on cases that have been escalated beyond management.
- 6.5. **Regional Campus Disciplinary Committee** – responsible for handling all disciplinary cases at the Regional Campus and make recommendations as necessary.
- 6.6. **Counsellors** – responsible for case by case assessment and advice on handling of special cases including learners with disability as referred.

7. POLICY REVIEW

This Policy shall be reviewed every three years or earlier as necessary