

## **STATUTE 2.4-THE STUDENT DISCIPLINE COMMITTEE**

1. The Vice-Chancellor's nominee shall act as the secretary to the Student Discipline Committee.
2. An ad hoc Student Discipline Committee shall consist of three members of whom-
  - (a) one shall be a Head of School or Head of an organisational unit appointed by the Vice-Chancellor and who shall be the Chair of the Committee;
  - (b) one shall be a member of:
    - the Academic Board appointed by the Chair of the Academic Board if the complaint has arisen from the Higher Education Division, or
    - the Board of Technical Studies appointed by the Chair of the Board of Technical Studies if the complaint has arisen from the TAFE Division; and
  - (c) one shall be a student appointed by
    - the University of Ballarat Student Association Ltd if the complaint has arisen from Higher Education Division; or
    - the student association(s) responsible to TAFE students, if the complaint has arisen from the TAFE Division;
3. The Student Discipline Committee shall-
  - (a) hear and determine any alleged breach of discipline referred to it under the Statutes or Regulations;
  - (b) hear any appeal referred to it under the Statutes and Regulations;
  - (c) have such powers and duties as may be conferred or imposed on it by any Statute or Regulation.
4. The Student Discipline Committee shall in any hearing-
  - (a) act fairly in accordance to the substantial merits of the case without regard to technicalities and legal form;
  - (b) may inform itself in relation to any matter in such manner it thinks fit and is not bound by rules or practice as to evidence; and
  - (c) have the absolute discretion to determine the procedure to be followed and shall have complete authority to keep order.
5. (1) If the Student Discipline Committee is established to hear and determine an alleged breach of discipline in accordance with sub-section 3(a) a student may appeal to the Council against the finding or order made or penalty imposed by the Student Discipline Committee.

- (2) An appeal must be lodged in writing with the Vice-Chancellor within 7 days of the date of the decision appealed against and must be based on one, or both, of the following grounds:
  - (a) new evidence, not known to the student at the date of the decision being appealed, which becomes apparent since the date of that decision;
  - (b) irregularity of procedure in the recommending and/or the making of the decision appealed against;

which must be stated by the student in the notice of appeal. The Council may in exceptional circumstances extend the period for lodgement of an appeal.

6. If the Student Discipline Committee is established to hear an appeal from a student in accordance with sub-section 3(b) the decision of the Student Discipline Committee shall be final.
7. The Council shall, by Regulation, determine who shall hear any appeal lodged under section 5.
8. (1) The Council may at any time make Regulations for or with respect to the Student Discipline Committee and appeals to the Council and any other matter required or permitted to be regulated for the purposes of this Statute and by later Regulation revoke or amend any such Regulations.
  - (2) Regulations made under this Statute shall be promulgated by being exhibited on the official notice boards of the University and after being so promulgated shall remain so exhibited for at least fourteen days during which time the University is operating.

Made 09/08/95 Approved 26/09/95  
Amendment 1 Made 09/12/98 Approved 24/03/99  
Amendment 2 Made 15/06/05 Approved 29/08/05