



## **PROCEDURES CONCERNING ACADEMIC AND GENERAL DISCIPLINE**

### **1. Acceptance of a place**

Everyone who accepts a place on an undergraduate or graduate course at New College is deemed to have bound themselves to observe the College regulations. Persons accepting a place on an undergraduate course at New College are deemed to have accepted the requirements set out in the statement of 'Academic Obligations' in the Dean's Handbook. These regulations set out the disciplinary procedures, which will be instituted in cases of infringement of these obligations and regulations.

### **2. Terminology**

a) There are five categories of student:

<u>Undergraduates:</u>	undertaking first BA degree courses and members of JCR.
<u>Graduates:</u>	undertaking higher degree courses and members of both JCR and MCR.
<u>Mature Students:</u>	undertaking either first BA degree courses or higher degree courses and members of either JCR or MCR depending on what degree is being taken.
<u>Senior Status Students:</u>	undertaking second BA degree courses and members of both JCR and MCR.
<u>Visiting Students:</u>	Visiting Students are students studying at New College for a limited period of time, but who are not enrolled for a degree; depending on the circumstances, they may be members of either the Junior or Middle Common Rooms.

Hereinafter the term 'undergraduate' shall be understood to include all categories of junior members of the College listed in this paragraph.

- b) 'Suspension (voluntary)': where an undergraduate ceases for a period to be provided tuition by New College, to have the use of New College facilities, and may not visit New College premises without the express permission of the Dean. But the undergraduate remains registered for their course of study, and is required to resume it at the end of the period of suspension, subject to meeting any requirements set by the College. To effect this the undergraduate will need to contact the Tuition Office.
- c) 'Suspension (non-voluntary)': where an undergraduate ceases for a period to be provided with tuition by New College, to have the use of New College facilities, and may not visit New College premises without the express permission of the Dean. But the undergraduate remains registered for their course of study, and is required

to resume it at the end of the period of suspension, subject to meeting any requirements set by the College. These may include sitting one or more Penal Collections, which shall where possible be marked or second-marked by an appropriate person outside College. (A Penal Collections differs from a routine Collection in this it is imposed by the Warden and Tutors Committee, not the tutors; it is where possible marked or second-marked externally; and failure to attain a given mark or above may result in further academic penalties as detailed under 6) below.)

- d) 'Withdrawal from Public Examinations': where an undergraduate wishes to withdraw from Public Examinations (and therefore to suspend their course), the express agreement of the College is required. To effect this the undergraduate will need to contact the Tuition Office.
- e) 'Withdrawal from course': where an undergraduate voluntarily withdraws from their course and so ceases to be a member of the College and of the University.
- f) 'Expulsion': where an undergraduate is permanently deprived of membership of the College and of the University.
- g) 'Fitness to study': Junior members must consistently fulfil the requirements of both the University's and College's Fitness to Study Policy. See links at <http://www.new.ox.ac.uk/deans-handbook>, 'University of Oxford Fitness to Study Policy' and 'New College Fitness to Study Policy'. Students who are not doing so will be asked to undergo a Fitness to Study process with the College Senior Welfare Team. If either the team is satisfied that the student is fit to study, or that appropriate measures have been taken to improve fitness, further problems with academic performance will be treated as matters of academic discipline. Likewise is the student declines to take part in such a process, further problems will be treated as matters of academic discipline.

### **3. College authorities**

- a) The Committee of Warden and Tutors consist of Warden, Sub-Warden, Senior Tutor, Dean, Dean of Divinity, all tutorial fellows, the Salvesen and Cox Fellows, and such additional persons as may be decided from time to time by Governing Body. The Committee determines the College's requirements regarding University examinations, academic performance, and general discipline, and shall be informed of breaches of those requirements.
- b) Whenever a proposal is made for the non-voluntary suspension or withdrawal of an undergraduate's course or for the expulsion of an undergraduate, Warden and Tutors shall refer it to a Disciplinary Sub-Committee. If a meeting of Warden and Tutors cannot be convened within a reasonable time the Senior Tutor shall, after consultation with the Warden, the appropriate tutors, and any other relevant persons in the case of an offence against academic discipline, or after consultation with the Warden, Dean and any other relevant persons in the case of an offence against general discipline, issue warnings of breach of regulations, and may impose penal collections or convene the Disciplinary Sub-Committee.

- c) The Disciplinary Sub-Committee of Warden and Tutors shall be constituted according to the following procedures. The Senior Tutor shall in each Trinity Term draw up for the following academic year a panel of ten from the list of Professorial, Official and Supernumerary Fellows of the College and submit it to Warden and Tutors for approval. In drawing up the panel the Senior Tutor shall take the first name on the list of Fellows drawn up according to seniority, then the fifth, ninth names and so on exclusive of the Dean and the Dean of Divinity, or such other order as shall vary the list from year to year and shall include names from the first five and last five names on the list of Fellows. For any case the Disciplinary Sub-Committee shall consist of the Sub-warden, who shall normally take the chair, and four other Fellows drawn from the panel. The Senior Tutor shall act as non-voting advisor to the Sub-Committee, and shall inform it on matters of procedure, precedent, and fact, but shall take no active part in its recommendation, withdrawing before the Sub-Committee's final deliberations. The Senior Tutor may also recommend that a welfare representative from the College be present too where pertinent to the case, that representative also acting strictly in a non-voting and advisory role. The four other members of the Disciplinary Sub-Committee shall be drawn by the Senior Tutor from the members of the panel available at the time and excluding any member of the panel whose complaint forms part of the proceedings, beginning from the junior end of the list, and shall include both male and female members. Members of the panel may disqualify themselves on grounds of personal interest or involvement. If the Sub-Committee of five cannot be made up from the panel, the Senior Tutor shall co-opt additional persons from the list of Fellows.
- d) Where there is evidence of a medical condition that may have impacted on the student's academic performance and, because of a belated diagnosis, this comes to light only after College has made a decision concerning termination of registration or suspension of registration and does so within twelve months of that decision, College may, at its discretion, review such new evidence by reconvening the original Disciplinary Sub-Committee and, if it decides the evidence would have led it to a different original decision had it been known at the time, then the original decision may be varied accordingly. The College's Disability Officer or another appropriate Welfare Team member will attend such meetings.
- e) An Appeal Sub-Committee of Warden and Tutors will hear and decide any appeal against the decision of the Disciplinary Sub-Committee of Warden and Tutors. Any appeal to the Warden will be referred to this committee, and only in cases of emergency will the Warden exercise the power of expulsion and suspension otherwise. The Appeal Sub-Committee consists of the Warden as chair, and four other members drawn from a panel of ten Professorial, Tutorial and Supernumerary Fellows of the College. In drawing up the panel the Senior Tutor shall proceed in the same way as prescribed for the panel of the Disciplinary Sub-Committee, but shall take the second, sixth name and so on or such other ordering as may be appropriate to vary the list from year to year. The four other members of the Appeal Sub-Committee shall be drawn by the Warden from the panel in the same way as prescribed for the Disciplinary Sub-Committee. The decision of the Appeal Sub-Committee is final within the College. No further appeal to the Warden will be entertained, and the decision will be reported to Warden and Tutors Committee, but may not be reopened by the College.

#### **4. First Public Examination**

- a) The College's requirements are set out in the statement of 'Academic Obligations' in the Dean's Handbook. If an undergraduate fails to pass or to obtain Honours as appropriate at the first attempt, Warden and Tutors Committee shall set conditions regarding a second attempt.
- b) If the undergraduate fails to fulfil these conditions regarding a second attempt, the College shall normally consider the undergraduate's course to have been withdrawn. Warden and Tutors, however, may set conditions for a further attempt, or may refer the matter to the Disciplinary Sub-Committee.
- c) If in exceptional circumstances the Disciplinary Sub-Committee of Warden and Tutors allows a further attempt at the First Public Examination, but the undergraduate fails to meet the Disciplinary Sub-Committee's conditions regarding such a further attempt, the same procedures shall be followed as in the case of failure to meet conditions regarding a second attempt.

#### **5. Second Public Examination**

- a) The College's requirements are set out in the statement of 'Academic Obligations' in the Dean's Handbook. If an undergraduate fails to obtain Honours at the earliest reasonable opportunity he or she will be deemed to have terminated his or her course. This requirement applies also to an undergraduate failing at the earliest reasonable opportunity to achieve the standard required by the University in Part I of the Second Public Examination in Biochemistry, Chemistry, or Engineering for proceeding to Part II of the course.
- b) An undergraduate who is deemed to have withdrawn from his or her course but who wishes to be reinstated shall write to the Senior Tutor giving full details. The Senior Tutor shall advise the undergraduate of the date of the meeting of the Disciplinary Sub-Committee at which the undergraduate's claim for reinstatement will be heard.
- c) The Disciplinary Sub-Committee may impose conditions regarding reinstatement. An undergraduate who fails to meet them shall again be deemed to have terminated his or her course; and the procedures in 5(b) above shall again apply.
- d) If the Disciplinary Sub-Committee rejects an undergraduate's claim for reinstatement, or imposes conditions for reinstatement which are unacceptable to the undergraduate, appeal procedures as in 8(ii) below shall apply.

#### **6. Academic Performance**

- a) The College's requirements are set out in the statement of 'Academic Obligations' in the Dean's Handbook. A breach of these requirements shall be discussed at an early stage between the relevant tutors and the undergraduate. Where a breach [of academic requirements] is serious or where it persists, the matter shall be reported to the Senior Tutor who shall normally refer it to Warden and Tutors Committee but who may alternatively discuss it with the appropriate tutors and other relevant persons.

- b) The normal course of action shall be to send to the undergraduate a First Official Warning of breach of requirements, which shall take the form either of a summons to the Warden or of a Senior Tutor's letter, and shall state that continued breaches may result in the undergraduate's expulsion. This First Official Warning may be accompanied by the imposition of a Penal Collection at which the undergraduate is required to achieve a specific standard (normally 60% or the lowest 2.1 mark).
- c) If either a failure of a Penal Collection or a further breach of requirements is reported the normal course of action shall be to send to the undergraduate a Second Official Warning of breach of requirements, which shall take the same form as in 6(b) above. This Second Official Warning also may be accompanied by the imposition of a Penal Collection at which the undergraduate is required to achieve a specific standard. The undergraduate shall also be warned that a third breach will trigger the setting-up of a Disciplinary Sub-Committee.
- d) In the event of a subsequent failure in a Penal Collection or a further persistent breach of requirements, a Disciplinary Sub-Committee shall be convened to consider the suspension or expulsion, or retention under specified conditions, of the student in breach. The Senior Tutor shall inform the undergraduate in writing of the date of the meeting of the Disciplinary Sub-Committee of Warden and Tutors at which his or her expulsion will be considered. The undergraduate shall have the rights of representation as in 8(i) below. If the Disciplinary Committee of Warden and Tutors decides to suspend or terminate the undergraduate's course or to expel an undergraduate, appeal procedures and in 8(ii) below shall apply.

## **7. College Regulations**

Regulations concerning general discipline shall be proposed by the Dean from time to time and approved by Warden and Tutors Committee.

## **8. Procedures**

### **(i) The Disciplinary Sub-Committee**

- a) If Warden and Tutors refer a matter to the Disciplinary Sub-Committee, the Senior Tutor shall at once inform the undergraduate in writing of the decision of Warden and Tutors, specifying the complaint, and shall as soon as possible thereafter inform the undergraduate of the time and place of the meeting of the Disciplinary Sub-Committee and of his or her rights of representation and appeal. At least a week will elapse between the student being informed of the Disciplinary Sub-Committee and the date of its hearing.
- b) The undergraduate may submit a written statement to the Disciplinary Sub-Committee but is required to be present at the hearing. The undergraduate may be accompanied by a friend or relative, but is required to inform the Senior Tutor in advance of the identity of this friend or relative and of their relationship to the undergraduate. Such a companion is there to offer pastoral support. If the undergraduate fails to attend the meeting, the Committee may proceed in his or her absence.

- c) Having presented the undergraduate's case and answered any questions which may be put to them by the Sub-Committee, the undergraduate and the undergraduate's representative shall at the Sub-Committee's request withdraw to allow it to deliberate and vote.
- d) No persons other than the members of the Disciplinary Sub-Committee, the Senior Tutor, and a welfare representative if appropriate, the undergraduate and his or her friend or relative shall attend the hearing, except with the consent of the undergraduate and the Fellow chairing the Committee.
- e) At the conclusion of the proceedings the Senior Tutor shall inform the undergraduate of the Sub-Committee's decision and the right and procedure of an appeal, and confirm it in writing. Unless appealing the decision, the undergraduate will then be required to sign a copy of the recommendation to signal acknowledgement of its findings and terms.

(ii) The Appeal Sub-Committee

- a) An undergraduate may appeal against a decision of the Disciplinary Sub-Committee by notifying the Warden in writing of his or her intention to do so within ten days of the Disciplinary Sub-Committee's decision. The undergraduate shall at the same time state the grounds on which the appeal is made. Such an appeal may be rejected if the grounds claimed are deemed insufficient for an appeal. The Warden shall then inform in writing the undergraduate making an appeal of the time and place of the meeting of the Appeal Sub-Committee and of his or her rights of representation.
- b) In other respects the procedure of the Appeal Sub-Committee, *mutatis mutandis*, shall be the same as that of the Disciplinary Sub-Committee.

(iii) Minutes

The Fellows chairing the Disciplinary and Appeal Sub-Committees shall cause a minute of the proceedings to be made which shall form the basis of a report to Warden and Tutors. The Chair, or whoever the Chair has designated to take minutes, shall preserve the minute and prepare the report based on it, which must then be approved by the Sub-Committee and submitted to the Senior Tutor for procedural scrutiny. The report to Warden and Tutors shall summarise the evidence before the Sub-Committees and their examination of the undergraduate, and shall state the reasoning behind their recommendation.

**9. External Appeals**

Should a Junior Member remain dissatisfied, having exhausted the college's internal appeals process, they may refer the matter to the Conference of Colleges Appeal Tribunal. The Conference of Colleges Appeal Tribunal's role is to consider appeals on disciplinary decisions imposing a substantial penalty, made by the body with final jurisdiction within any participating College. 'Disciplinary decisions' means the imposition of penalties for breach of College statutes, by-laws, regulations or rules relating to academic or any non-academic matters. The Regulations, Schedule, and FAQs of the Tribunal are available to consult here:

<http://www.confcoll.ox.ac.uk/html/main/ccat.html>

Students may also refer decisions to the Office of the Independent Adjudicator for Higher Education, which is independent from the University of Oxford:

<https://www.oiahe.org.uk/students/>

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