COSTAATT

College of Science, Technology and Applied Arts of Trinidad and Tobago

Student Rights & Responsibilities

Code of Conduct, Violations, and Resolution Procedures



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Policy Number:	SA-SD-2026-01
Division:	Student Affairs
Approved By:	Board Of Trustees
Implementation:	September, 2026

PREAMBLE

The Student Rights and Responsibilities Policy defines the standards of behaviour expected of all students of COSTAATT (referred to as "the College"). It is based on the following principles:

- That COSTAATT is a purposeful community where intellectual life is central and faculty and students work together to strengthen teaching and learning;
- That the College is a just community, where the dignity of all individuals is affirmed, and equality of opportunity is maintained, free from violence, threats and intimidation;
- That the College is an open, honest community where individuals accept obligations to the group an defined governance procedures guide behaviour for the common good;
- That the College is a caring community where the well-being of each member is sensitively supported, and service to others is encouraged.

POLICY STATEMENT

INTENT The aim of this policy is to support COSTAATT's mission by establishing conditions for a safe and secure learning environment. It is designed to foster student development while safeguarding the people, property, and core processes of the College.

The policy outlines the framework for acceptable student behaviour, breaches of the code of conduct, the judicial process, and appeals to the outcomes of the judicial process.

SCOPE All COSTAATT students and student organisations, including, but not limited to, the Student Council, clubs, officially registered student organisations, and informal student groups.

EXCLUSIONS None

DEFINITIONS AND ACRONYMS

Advisor means an individual who has agreed to assist the accused student during a hearing conducted by the Judicial Committee. The advisor may be a faculty member, staff member, or a currently enrolled COSTAATT student. The advisor may not appear in lieu of the accused student nor speak on the student's behalf. The advisor may not address the Judicial Committee but will confer with the accused student in an appropriate manner, as described in section 3.5.5.

Alcoholic beverages refers to any drink or consumable liquid containing ethanol with an alcohol content exceeding 1.5% Alcohol By Volume (ABV).

Administrative Hearing Officer is an official appointed by the College to conduct an investigation and/or administrative hearing (usually for Level I and Level II offences).

Behavioural contract is a written document completed by both the student and the Administrative Hearing Officer, establishing clear, non-negotiable expectations for the student to remain in good standing with the College, and binding the College to the agreed-upon terms.

Code of Conduct an abbreviated reference to the policy document, titled "Student Rights and Responsibilities: Code of Conduct, Violations, and Resolution Procedures"

College official means any administrator, instructor, staff member or other authorised agent of the College.

College premises means buildings or grounds owned, leased, operated, controlled, supervised, occupied, or sponsored by COSTAATT.

College-sponsored activity means any activity, on or off College premises, that is initiated, funded, aided, authorised or supervised by COSTAATT.

Complainant means any individual who initiates a disciplinary complaint or referral in writing.

Disruptive and disorderly conduct is behaviour that changes the atmosphere of the learning environment to an uncomfortable setting for students and staff, precludes an educational environment, or prevents learning from taking place. Refusing to comply with any lawful order or direction of a College official (such as providing identification upon request) is considered disruptive and disorderly conduct.

Expulsion for Code of Conduct violations is the permanent separation of a student from COSTAATT. Students expelled from COSTAATT are not permitted to register for classes or be on College premises or in online classes at any time, for any reason.

Financial restitution is money paid to an individual or the College for direct or indirect charges associated with the damage to or loss of College property.

Informal Student Group or Club is an official campus unit that is recognised by the College and comprises students of specific academic programmes, intercollegiate sporting teams, special interest groups, etc., in accordance with Section 12 of the Student Governance Policy.

Institution and College refer to COSTAATT, its multi-campus facilities, or any activity sponsored by COSTAATT.

Judicial Committee is a panel appointed by the College to conduct the investigations and hearings for offences (usually for Appeals, Level III and Level IV offences).

Judicial Process refers to the rules/proceedings, which inform/guide the role of the Administrative Hearing Officer, the Judicial Committee, and the students in the adjudication process, as well as the jurisdiction of the same over code of conduct violations.

Material witness is someone who possesses direct knowledge of the case under consideration or someone who has technical or expert information relevant to the case.

Probation for Code of Conduct violation(s) is a trial period during which the student must conduct himself/herself in a manner consistent with the College's rules and regulations, including the Code of Conduct. Probation may be combined with other sanctions. Violation of the terms of probation may be grounds for suspension, pending a hearing before the Judicial Committee or Administrative Hearing Officer.

Probable Cause means that there is sufficient basis to believe that a violation of the Code of Conduct may have occurred.

Registered Student Organisation (RSO) refers to an organisation with membership comprising students of COSTAATT, that was formed to achieve objectives that are beneficial to the development of the students and the College, and registered in accordance with the guidelines outlined in Section 11.1.1 of the Student Governance Policy.

Student means a person currently enrolled at the College, either on a full or part-time basis.

Suspension for Code of Conduct violation(s) is an action that excludes (separates) a student from the College for a specified period of time. Suspended students are not permitted to register for classes or participate in College activities, on or off campus, for the period of the suspension. Conditions for the student's return may be applied as deemed necessary by the Judicial Committee, the Administrative Hearing Officer or the College President.

Transcript notation is an official, permanent or temporary notation that may be placed on a student's official College transcript, indicating suspension for behaviour violations.

Victim Impact Statement refers to written or oral information about the impact of an incident on the victim and the victim's family.

- A brief summary of the harm or trauma suffered by the victim as a result of the incident.
- A summary of the economic loss or damage suffered by the victim as a result of the incident.
- A concise statement of what outcome the victim would like and the reasons to support this opinion.
- Highlights about the victim - their past accomplishments, hopes for the future, and how plans have been curtailed as a result of the incident.
- The overall effect of the critical incident on the victim and family.

Weapons is broadly defined to include, but is not limited to, all firearms, including BB guns, dangerous knives, explosives, explosive fuels, dangerous chemicals, clubs, batons or any such item that can cause bodily harm.

Written reprimand is a formal written warning explaining the violation(s) and expectations regarding future behaviour.

POLICY OBJECTIVES

1. To clearly define an acceptable code of conduct for students and ways in which it can be breached.
2. To provide the guidelines and framework (including but not limited to the judicial and appeals processes) for addressing breaches of the Code of Conduct.
3. To outline the core administrative and legal framework that balances COSTAATT's authority with its students' individual freedoms.

ACHIEVEMENT OF OBJECTIVES

The College will meet these objectives by:

a. communicating the provisions of the Code of Conduct through effective documentation, orientation and reinforcement in the classroom.

b. training faculty, staff and student leaders to detect breaches to the Code of Conduct and to effectively monitor for compliance.

c. empowering faculty, staff and student leaders to act in accordance with the provisions of this policy, where there is non-compliance.

d. establishing precedence (documented) to aid in fair deliberations and consistency.

POLICY PROVISIONS

1. RIGHTS AND RESPONSIBILITIES

In addition to the basic Constitutional rights enjoyed by all citizens, students at the College have specific rights related to academic freedom and their status as students. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn is dependent on the availability of appropriate opportunities and conditions in the classroom, on the campus and in the larger community. Students are expected to exercise their freedom responsibly.

All students, faculty and staff have a responsibility to report Code of Conduct violations.

1.1. Freedom of Expression

1.1.1 Individual students and student organisations shall be free to examine and to ask questions of interest to them, and to express opinions publicly and privately. They shall be free to support causes by means that do not disrupt the regular and essential operation of the Institution.

1.1.2 In the classroom, students shall be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

1.1.3 The College, while recognising freedom of expression for its student body, prohibits the extension of this facility to foul language, any form of blasphemous or abusive utterings, or the use of expletives on College premises.

1.2. Freedom of Association

1.2.1 Students shall be free to organise and join organisations to promote their common and lawful interests, subject to institutional policies or regulations. Registration or recognition may be withheld or withdrawn from organisations that violate institutional regulations.

1.3. Responsibility of Registered Student Organisations and Informal Student Groups or Clubs

1.3.1. Registered Student Organisations (RSOs), informal student groups or clubs may be charged with violations of the Code of Conduct and subjected to the judicial process as set out in section 3 of this policy.

1.3.2. Charges may be preferred, collectively or individually, against the club, group or

organisation, its leadership, and/or the individual member(s) responsible for the violation.

1.3.3. A club, group or organisation may be held responsible for an individual's actions if that person received either direct or implied consent, encouragement or support from the club, group or organisation to violate the code.

1.4. Student Sponsored Fora

1.4.1. Students shall have the right to assemble, to select speakers, and to discuss issues of their choice.

1.4.2. The College shall establish reasonable time, place and manner restrictions to assure that the assembly does not:

a. substantially disrupt the work of the Institution; or

b. substantially interfere with the opportunity of other students to obtain an education; or

c. otherwise infringe upon the rights of others. Such regulations shall not be used as a means of censorship.

1.4.3. The President of the College or designee may prohibit any forum when the holding of the event, in his or her judgment, would result in physical harm or threat of physical harm to persons or property.

1.5. Student Publications

1.5.1 Student publications shall adhere to the College's standards for professional, ethical and responsible communication, and comply with applicable laws and institutional policies, including the College's Communications Policy.

1.6 Right to Information

1.6.1. To the extent possible, students will be provided with relevant and accurate information regarding courses prior to enrolment.

1.6.2. Students shall have access to accurate information about general requirements for establishing and maintaining acceptable academic standing, information to enable them to determine their individual academic standing and graduation requirements.

1.7. Property Rights

1.7.1. Term papers, essays, projects, works of art and similar property shall be returned to a student upon request, within a reasonable time frame, when no longer needed for evaluation purposes, unless the student grants written permission for them to be retained.

1.8. Off-Campus Conduct

1.8.1. Students who violate a local ordinance or national law risk the penalties prescribed by civil authorities.

1.8.2. The College is not under any obligation to concern itself with every violation. However, it reserves the right to take disciplinary action against students for off-campus behaviour (in accordance with the procedures set out in this policy), particularly where the activity adversely affects the College's interests.

1.9. Presumption of Innocence

1.9.1. It is presumed that a student charged with a violation of the Code of Conduct is not responsible for such violations unless the student admits responsibility or a hearing determines otherwise.

1.10. Rights of a Victim and/or Complainant

1.10.1. The victim and/or the complainant shall have the right to:

a. a timely hearing;

b. be present during the entire hearing;

c. have an advocate present during the hearing process; and

d. question material witnesses and/or evidence.

1.10.2. Rights of victims of sexual misconduct.

a. In cases that involve criminal sexual behaviour, the victim has the right to have her/his past sexual history kept private.

b. The victim may prepare a victim impact statement for submission to the Judicial Committee if a Code violation has been found to have occurred, and prior to the Judicial Committee rendering its recommendation.

1.11. Right to Hearing

1.11.1. Students or student organisations in breach of the Code of Conduct shall have the opportunity to receive a fair hearing in accordance with the procedures laid out in this policy.

1.11.2. The hearing shall provide both substantive and procedural fairness for the student or student organisation allegedly in breach of the Code of Conduct and shall provide for the resolution of cases within a reasonable period of time.

1.12. Right to Appeal

1.12.1. Students or student organisations shall have the right to appeal the decision in accordance with the procedures laid out in this policy.

1.12.2. The appeals procedure shall provide both substantive and procedural fairness for the student or student organisation allegedly in breach of the Code of Conduct and shall provide for the resolution of cases within a reasonable period of time.

2. JURISDICTION

COSTAATT has the right to take necessary and appropriate action to support and protect the safety and well-being of the College community: its students, faculty, staff, and guests, as well as its facilities, property, and programmes. Members of the College community and their guests are expected to abide by local and national laws and any other policy set out for the College by the Ministry of Tertiary Education and Skills Training or relevant Ministry, or any named governing authority. Should the violation of civil or criminal law by a community member involve College interest or include actions that affect the College's brand or reputation, the College has the right to proceed with disciplinary action without regard to civil or criminal proceedings.

These regulations apply to all campus property and at all College-sponsored activities, social media activity, or activities sponsored by College clubs or organisations, on or off campus, except where specifically limited. Students may be subject to disciplinary action for misconduct occuring with any College-approved, sponsored, or related activity, whether on or off campus. This includes, but is not limited to, classes, events, placements, field trips, clinical or practical activities, and other College activities conducted at andy campus locations or at an off-campus site. Disciplinary action may also be taken where a student's conduct outside the College or its activities materially affect the safety, operations, reputation, or orderly functioning of the College community.

The final authority for student code of conduct issues is vested in the College administration (see the procedures outlined in Section 3 of this policy - Judicial Process).

3. JUDICIAL PROCESS

NOTE: APPLICABLE TO NON-ACADEMIC MATTERS ONLY

3.1. Complaint or Referral Procedure

3.1.1. A complaint or referral may be lodged against any individual or group by any member of the College community through the submission of a signed Incident/ Referral report or by providing a written statement to the Office of the Vice President, Student Affairs.

3.1.2. The complaint or referral must state facts, including the specific name(s), date, location, and description of the alleged act(s) of misconduct in sufficient detail to enable the Vice President, Student Affairs to make a determination as to whether further fact-finding is necessary and if sufficient evidence exists for a hearing on the charge(s).

3.2. Determination of Probable Cause

3.2.1. The College will make an initial determination as to where there is sufficient basis to believe that a violation of the Code of Conduct may have occurred. The Vice President, Student Affairs or representative, together with a senior representative of the Academic Affairs Division, may interview the complainant and/or other witnesses or request additional information from the complainant.

3.2.2. If it is determined that there is sufficient basis to believe that a violation of the Code of Conduct may have occurred, the Vice President of Student Affairs shall prepare a case brief, which will be given to the Administrative Hearing Officer for all offences and the Judicial Committee for Levels III and IV offences and refer the case as follows:

a. To the Administrative Hearing Officer, if a Level I or Level II offence or

b. To the Judicial Committee, if a Level III or Level IV offence.

The Office of the Vice President, Student Affairs, will promptly notify the accused student in writing of the alleged violation.

3.2.3. Failure to respond to a written allegation of charges will result in a hold being placed on the student's registration for the subsequent semester. The period of the hold placed on the student's registration will be determined/influenced by the outcome of the hearing.

3.2.4. Accused students who fail to appear at the hearing will forfeit their right to present testimony at a later date. The case will be decided without the benefit of the student's presence.

3.3. Interim Suspension

3.3.1. Imposition of Interim Suspension.

3.3.1.1. The College President or designee, based on the recommendation of the Vice President, Student Affairs, may alter or suspend the rights of a student to be present on campus or to attend classes, online or in person, for an interim period until resolution of the disciplinary proceeding based on:

a. whether the allegation of misconduct is apparently reliable; and

b. whether the continued presence of the student on the campus, in online classes, or at campus activities reasonably poses a threat to the physical or emotional condition and well-being of any

individual, including the student, or for reasons relating to the safety and welfare of any College property or any College function.

3.3.2. Notice of Interim Suspension.

3.3.2.1. The accused student will be given written notice of the intention to impose interim suspension and will be given the opportunity to respond promptly to the allegations of misconduct so that the decision may be rendered and become effective immediately.

3.3.2.2. Notification will either be by certified mail, hand-delivered to the accused using the last address on file with the Registrar, or via email, to the official COSTAATT student email address.

3.3.2.3. Failure or refusal to take receipt of the notification will not negate or postpone said action.

3.3.2.4. Students are responsible for updating directory information (including address) with the Office of the Registrar, and for regularly checking email.

3.3.3. Duration and effect of Interim Suspension.

3.3.3.1. The interim suspension or altered privileges will remain in effect until a final decision has been made on the pending complaint or until the College President or designee determines that the reason for imposing the interim suspension or alterations no longer exists.

3.3.3.2. During the interim suspension, the student may not enter any campus, participate in any College activities, or contact any College personnel without obtaining prior permission from the College President or designee.

3.4. Administrative Hearing Procedure

3.4.1. A senior Student Affairs officer or a designee appointed by the College President or Vice President Student Affairs will serve as the Administrative Hearing Officer for cases that are Non-Academic Level I and Level II type violations.

3.4.2. Sanctions may include, but are not limited to:

a. written reprimand;

b. behavioural contract;

c. administrative referrals;

d. financial restitution;

e. required attendance in a drug and/or alcohol education class (at violator's expense);

f. mandatory counselling;

g. community restitution hours;

h. restriction of privileges and College probation;

i. suspension; and

j. expulsion.

3.4.3. During the administrative hearing, the accused student will be provided with the following:

a. an explanation of the charges, which have been made;

b. a summary of the fact-finding investigation, which has taken place (if applicable);

c. a reasonable opportunity to reflect upon and respond to the charges (this can include an adjournment of the hearing to a date to be specified, with sufficient time for the student to prepare the defence); and

d. an explanation of the disciplinary sanction(s) imposed (if applicable).

APPLICABLE TO BOTH ACADEMIC AND NON-ACADEMIC MATTERS

3.5 Judicial Committee

3.5.1. Cases referred to the Judicial Committee for a hearing are usually Level III and Level IV violations (for which a finding of 'responsible' could result in suspension or expulsion)

3.5.2. The composition of the Judicial Committee will normally be nine (9) members including:

a. An Academic Head, appointed by the Vice President, Academic Affairs (Chairperson for academic matters only).

b. The Registrar or Assistant Registrar (Chairperson for non- academic matters only).

c. Senior Student Affairs administrator, appointed by the Vice President, Student Affairs.

d. Academic Chair of the programme in which the student is enrolled;

e. Campus Director, Dean, or Campus Coordinator.

f. A Counsellor.

g. President of the Student Council;

h. Student Council Campus Representative, for the campus of which the student is a constituent. i.e. if not the President of the Student Council.

i. Two Student leaders, appointed by the Vice President Student Affairs, on the recommendation of the Director, Student Life and Athletics or Director, Health, Counselling and Student Support Services.

3.5.3. A quorum shall comprise five (5) members, including at least two (2) staff representatives and two (2) student representatives. All decisions shall be approved by a simple majority.

3.5.4. The Administrative Hearing Officer (for non-academic matters) or the Academic Chair (for academic matters) will be present at the Judicial Committee hearings as a non-voting member and will, if necessary, answer procedural questions.

3.5.5. The accused student may be accompanied by an advisor at the hearing. The advisor's role is strictly limited to supporting and advising the accused student. An advisor may confer with the student through quiet whispering, written notes, or by requesting a brief recess from the Judicial Committee Chair. An advisor may not speak on behalf of the student, object to proceedings, address witnesses or committee members, or disrupt the hearing. The Chair reserves the right to remove any advisor who fails to adhere to these standards.

3.5.6. The College reserves the right to have an attorney present at the hearing.

3.6. Pre-hearing Procedures

3.6.1. The Office of the Vice President of Student Affairs will notify the respective Chairperson (section 3.5.2(a) or (b) of the case to be answered (section 3.2.2).

3.6.2. Judicial Committee members will be assigned to a case by the respective Chairperson.

3.6.3. The Chairperson will convene the Judicial Committee no later than seven (7) business days after receiving the request for a hearing from the Office of the Vice President of Student Affairs.

3.6.4. The Chairperson will prepare and send a written notice to the accused no less than five (5) business days prior to the date set for the hearing. The Notice of Appeal will be hand-delivered, sent by certified mail to the last known address listed on the student's account, or via the student's official COSTAATT email address, and will include:

a. A statement of the date, time, location and nature of the hearing;

b. A written statement of the charges specifying the allegations of misconduct in sufficient detail to enable the accused to prepare a response;

c. Notice of student's right to an advisor (or attorney if criminal or civil charges are pending); and

d. A list of the names of the Judicial Committee members to hear the case.

3.6.5. At least three (3) business days prior to the hearing, the accused will receive:

a. A list of the names of the material witnesses who may be called to speak at the hearing on behalf of the College;

b. Copies of all documents or written statements to be presented at the hearing; and

c. The name and title of the person who will present the evidence on behalf of the College.

3.6.6. Accused students will be afforded an opportunity to meet with the Chairperson to discuss the Judicial Committee hearing process prior to the hearing.

3.6.7. At least three (3) days prior to the hearing, the accused will provide the Chairperson with any written documentation to be presented at the hearing by the accused and the names of any material witnesses who will be called by the accused at the hearing. It is the responsibility of the accused student to notify these witnesses of the time, date and location of the hearing.

3.6.8. The accused student may request the removal of a member of the Judicial Committee on the grounds of personal bias by submitting a written statement to the Chairperson, specifying the basis for the challenge, no later than two (2) days prior to the hearing.

a. The Chairperson will determine whether to sustain or deny the challenge.

b. If the request is sustained, the Chairperson will appoint a replacement to serve on the Judicial Committee.

3.6.9. Members of the College community will be expected to comply with any request or directive issued by the Administrative Hearing Officer or Committee in connection with a disciplinary proceeding.

3.6.10. A member of the Judicial Committee may request an excusal for a conflict of interest or a time commitment.

3.6.11. If the accused student chooses to have an attorney present at the hearing (in an advisory capacity only), the name, address and phone number of the attorney must be provided to the Chairperson at least five (5) days prior to the hearing.

3.6.12. A hearing will be held within fourteen (14) days from the day of notice of the alleged violation (see Section 3.2.2 of this policy).

3.7. Judicial Committee Hearing

3.7.1. The purpose of the Judicial Committee Hearing is to:

a. Conduct proceedings to determine whether it is more likely than not that a violation of the Code of Conduct occurred, and if one has occurred, to recommend a sanction.

b. Preserve the confidential nature of the disciplinary process, and to protect the privacy of all parties through a closed hearing.

c. Ensure that procedures are followed through the Chairperson's direction. The Chairperson will preside at the hearing and will rule upon procedural matters. Formal rules of evidence will not apply, although objections to the introduction of specific statements or documents may be considered by the Chair, who will have the power to decide or to consult with the committee members prior to making a decision. Irrelevant, immaterial, or unduly repetitious information may be excluded by the Chair. Evidence of prior misconduct by the accused will be admissible only after a finding that a Code of Conduct violation has been committed and may be used in the determination of recommended sanction(s).

3.7.2. A representative of the College (the Department Chair for Academic matters and a Senior Student Affairs officer for Non-Academic matters) will present the evidence that supports the charge(s) and will have the burden of showing that it is more likely than not that a violation of the Code of Conduct has occurred.

3.7.3. The hearing may be audio-recorded by the Judicial Committee. The accused student may obtain a copy of the recording by making a written request to the Chairperson. The College is not responsible for malfunctions of the recording or recording devices.

3.7.4. Material witnesses will be asked to leave the hearing following their testimony before the Judicial Committee. The complainant and the accused may remain throughout the entire hearing.

3.7.5. The order of the presentation at the hearing will be as follows:

a. The College representative will present an opening statement.

b. The accused will present an opening statement.

c. The Chairperson will call witnesses for the accused to provide statements under oath.

d. At the conclusion of each witness' statement, the witness may be questioned by the accused, the complainant, the Chairperson and the members of the Committee. Any witness may be recalled.

3.7.6. Following the testimony of all witnesses, case summations may be presented by the College representative and then the accused. Judicial Committee hearings, deliberations and recommendations will include the following:

a. Only members of the Judicial Committee may be present during the deliberations.

b. A simple majority of votes is necessary to make a recommendation that a Code of Conduct violation more than likely occurred.

c. A majority plus one (1) vote is necessary to recommend suspension or expulsion from the College.

d. Students suspended from COSTAATT may be required to provide evidence of professional counselling contact, drug or alcohol rehabilitative care or any such remedial intervention as conditions of re-admittance to COSTAATT.

e. The Judicial Committee will render its recommendation following the hearing and will communicate the recommendation, in writing, to the College President or designee who will, in turn, instruct that the Vice President, Student Affairs notify the student of the decision. The written notification will include findings of fact, sanction(s) imposed and the rationale for the decision.

3.7.7. Suspensions lasting more than ten (10) days or expulsion from COSTAATT may be noted on the student's official college transcript. The student may request in writing to the College Registrar that the transcript notations of disciplinary action be removed. The decisions will be based on the circumstances surrounding the request and the original offence.

4. APPEALS PROCESS

4.1. Appeal Procedure.

4.1.1. The Appeals Committee for Non-Academic matters will be the Student Governance Committee, which will comprise the Director, Student Life and Athletics, one other senior Administrator appointed by the Vice President, Student Affairs, the President of the Student Council, and one other member of the Student Council.

4.1.2. The Appeals Committee for Academic matters shall be appointed by the Vice President of Academic Affairs.

4.1.3. Following the outcome of an Administrative Hearing for a Level I and a Level II

violation, a student may appeal the decision of the Administrative Hearing Officer and have his or her appeal heard by the Judicial Committee. The appeal decision of the Judicial Committee will be final.

4.1.4. Following the outcome of a Judicial Committee Hearing for a Level III and a Level IV violation, a student may appeal the decision of the Judicial Committee and have his or her appeal heard by an Appeals Committee. The appeal decision of the Appeal Committee will be final.

4.1.5. The request for an appeal must be submitted in writing within five (5) business days of the date of receipt of the written notification in accordance with section 3.7.6.(e).

4.1.6. Failure to file an appeal or request an extension constitutes a waiver of any right to an appeal.

4.1.7. Requests for an appeal or the extension of time (to prepare and submit the request for appeal) are to be submitted in writing by the student to the Chairperson of the Appeals Committee.

4.1.8. The basis for the written appeal will be limited to these grounds in general:

a. The sanction is excessively severe;

b. New or newly discovered evidence is of a character which may substantially affect the outcome of the hearing; or

c. There was a procedural error, which substantially affected the outcome of the hearing.

4.1.9. An appeal is not a re-hearing. It represents a procedural safeguard for the student and should not be used for anything other than that right and privilege.

4.1.10. In the appeal process, the burden of proof is shifted from the College to the student charged with the offence. The student must show that it is more likely than not that one or more of the above grounds for appeal has merit.

4.1.11. If there is adequate reason to believe that one or more of the grounds for appeal has merit, an appeal hearing will be scheduled by the Chairperson of the Appeals Committee.

5. DISCIPLINARY OFFENSES

5.1. Academic Violations.

This activity is defined as cheating of any kind or any misrepresentation of the work of another as one's own. This is a serious offence and will always be subject to disciplinary sanctions, which will negatively affect the perpetrator's academic standing. (Academic Integrity Policy No. AA-CA-2010-210).

5.2. Non-Academic Violations.

Level I

5.2.1. **Insubordination or Disrespect for Authority**

Any person designated by the College to implement a policy is considered an authority figure. Insubordination or disrespect for authority will therefore include failure to obey a College employee – academic or non-academic - who is performing his or her duties.

5.2.2. **Obstruction of College Operations**

Impeding the operations of the College by failing to comply with proper and lawful directions of a clearly identifiable College official or designee when acting in the performance of their duties, failure to present identification upon request of a College official or designee or failure to appear for a College disciplinary proceeding to respond to allegations or to testify as a witness when reasonably notified to do so.

5.2.3. **Unauthorised Advertising, Sales and Fundraising**

Students may not use the College's grounds or premises to transact personal business with other students, faculty, or other College personnel. Registered student clubs and organisations that wish to conduct fundraising activities must go through the process of seeking approval from the Student Life and Athletics Department. Additionally, students may not post advertising materials on the College's bulletin boards unless the material has been approved by the Director of Student Life and Athletics or designee.

5.2.4. **Inappropriate Dressing**

It is intended that the following should serve as a guide to students with respect to the College's expectations in terms of standards of dress:

COSTAATT is committed to producing workplace ready graduates and in this regard encourages students to acquire the habit of dressing appropriately in preparation for employment or professional placements.

While students who do not adhere to these guidelines are not considered in breach of the Student Code of Conduct, disregard for these practices is actively discouraged.

Discipline-Specific Attire. Some disciplines such as nursing and allied health, have mandatory dress requirements which must be observed.

Level II

5.2.5. **Complicity**

Aiding, abetting, attempting, conspiring, hiring, wilfully encouraging or being an accessory to any violation of the Code of Conduct.

5.2.6. **Disorderly Conduct**

Acting in a manner that is disorderly, lewd, indecent or a breach of peace; or using profanity or vulgarity, or open and persistently challenging or circumventing College authority.

5.2.7. Disruptive Activity

Participating in or promoting disruptive activity (including but not limited to the use of cell phones) that interferes with teaching; College events and activities or disciplinary proceedings; interfering with teaching; changing the atmosphere of the classroom (online or in-person) or library; preventing learning from taking place; loitering in corridors; persistent late arrivals to classes; or obstructing the College's processes, systems or services.

Level III

5.2.8. **Computer Misuse**

Abusing computer time; unauthorised entry into or transfer of a file, using another individual's identification and password; interfering with the work of a student or staff member; messages or using the computer for stalking a victim; or interfering with the operations of the College and its computer systems.

5.2.9. **False Information**

Furnishing false information or forging, unauthorised altering or misuse of any document, record or instrument of identification, or withholding information from the College or falsely claiming to represent the College or a student organisation or club.

5.2.10 **Gambling**

Playing any game of chance or placing a wager (money, goods, or services) on an uncertain outcome or event, whether in person or online, using campus facilities or network resources.

5.2.11 **Alcoholic Beverages and Illegal Substances**

Use, sale, or unauthorised possession of alcoholic beverages (as defined in Definitions and Acronyms) or controlled substances, being under the influence of alcohol or illegal substances on College-controlled property or at College events, on or off-campus.

5.2.12. **Stalking**

The wilful, malicious and repeated following of another person, including the use of technology such as emails, social network notifications, text messaging and cell phone calls for the carrying out of such acts.

5.2.13. **Hazing**

Endangering the mental or physical health or safety of a person; subjecting a person to public/ private humiliation or ridicule, removing public or private property for the purpose of initiation, admission into, affiliation with or as a condition of continued membership in a student group or organisation.

5.2.14. **Off-Campus Behaviour**

Committing violations of local and national laws involving COSTAATT students as perpetrators or victims, [victims may include students or staff] or when the behaviour has the potential to bring the College into disrepute.

5.2.15. **Threatening Behaviour**

Threatening physical abuse or verbally abusing or endangering the health or safety of another person.

5.2.16. **Narcotic and Tobacco Products**

Violating the College regulations regarding the use of narcotic and tobacco products which states that the use of tobacco or narcotic products, including cannabis, i.e. marijuana, hemp, ganja, is not permitted anywhere on the College compound or at College-related events.

Level IV

5.2.17. **Harassment**

This activity includes any unwelcome verbal or physical contact of a sexual or non-sexual nature, which causes the recipient discomfort or humiliation or interferes with the recipient's academic performance. Touching a person against his/her will or threatening overtly or covertly to do violence to a person are both considered acts of harassment.

5.2.18. **Breach of Campus Safety and Security**

Accessing, entering, intentionally damaging door locks, possessing unauthorised college keys or access cards or duplications of, tampering with fire safety equipment or parking vehicles so as to obstruct access to College buildings.

5.2.19. **Physical Battery (including but not limited to sexual battery)**

Assaulting, battering, abusing or threatening another person with force on College premises and environs, at any College-related event or at all.

5.2.20. **Possession of Weapons**

Possessing or using unauthorised firearms or other weapons on College-controlled property, 'weapon' being broadly defined to include, but not be limited to, all firearms, including BB guns, dangerous knives, explosives, explosive fuels, dangerous chemicals and fireworks.

5.2.21. **Violating Terms of Sanctions**

Knowingly violating the terms of the sanctions imposed for a prior code offence.

5.2.22. **Theft of or Damage to Property**

Stealing, embezzling or possessing stolen property, destroying, damaging or defacing college property.