



ACADEMIC REGISTRAR'S DEPARTMENT

MAY 2015 EDITION

RULES ON EXAMINATION MALPRACTICES AND IRREGULARITIES (AMENDED BY THE SPECIAL SENATE ON 13TH NOVEMBER, 2014 AND APPROVED BY THE 135TH MEETING OF COUNCIL)

Rule 1: Malpractices in Relation to Coursework

It shall be an offence for a student/candidate to avail to another student/candidate his/her prepared coursework with a view to assisting the latter to do his/her coursework or to negligently expose his/her coursework to another candidate to use.

Penalty

Any student/candidate found guilty of the offence under Rule. 1 above shall be liable to:

- i) Caution and Cancellation of his/her coursework, or
- ii) Caution and Cancellation of his/her coursework and suspension from his/her studies for a period not exceeding one academic year.

Rule 2: Fraud in Relation to Coursework

It shall be an offence for a student/candidate to:

- (a) Submit coursework not prepared by him/her.
- (b) Substantially plagiarise the work of any other person.
- (c) Solicit/purchase any coursework from any other person.
- (d) Falsify/alter marks awarded on a coursework script.

Penalty

Any student/candidate found guilty of involvement in fraudulent conduct related to coursework as set out in Rule. 2 above shall be liable to:

- i) Caution and Cancellation of his/her coursework, or
- ii) Cancellation of his/her coursework and suspension from his/her studies for a period not exceeding one academic year, or
- iii) Cancellation of his/her coursework and dismissal from the University.

Rule 3: Malpractices in the Conduct of Examinations

It shall be an offence for a student/candidate involved in an examination/test to:

- (a) Sit or attempt to sit the examination without valid documentation.
- (b) Enter the examination hall/room later than half an hour after the examination/test has commenced.
- (c) Leave the examination hall/room earlier than half an hour after the examination has commenced except in emergencies with the express permission of the Invigilator.
- (d) Carry out a conversation or any other communication with another student/candidate once the examination has commenced.
- (e) Indulge in any disruptive conduct including, but not limited to, shouting, assault of another student/candidate, using abusive and /or threatening language, destruction of university property or the property of another student/candidate.
- (f) Take out of the examination room/hall answer booklet(s), used or unused.
- (g) Neglect, omit or in any other way fail to follow lawful instructions or orders issued by the Invigilator.
- (h) Physically assault or insult an Invigilator or any University Official involved in the conduct of the examination.

Penalty

Any student/candidate found guilty of contravening Rule 3 above, shall be liable to:

- (i) Caution and Cancellation of the relevant examination, or
- ii) Cancellation of the relevant examination and suspension from the University for a period not exceeding two years, or
- iii) Cancellation of the relevant examination and dismissal from the University.
- iv) A student/candidate who contravenes Rule 3(e) shall be liable to a fine as well as any penalty specified above.
- (v) A Government-sponsored student/candidate found guilty of contravening Rule 3. above, may have the Government sponsorship cancelled besides any other punishment taking into account the gravity of the offence except in cases where the student/candidate is dismissed from the University.
- (vi) Any student/candidate found guilty of contravening Rule 3(h) above by physically assaulting an Invigilator or a University Official shall be dismissed from the University.

Rule 4: Cheating in an Examination

It shall be an offence for any student/candidate involved in an examination to:

- (a) Take into the examination room/hall, in person or by agent, unauthorized materials including, but not limited to, plain papers, condensed/summarized notes, books, and handkerchiefs on which information is written or information written on any part of the body, recording apparatus, mobile phones or any unauthorized electronic equipment.
- (b) Copy from any other candidate/student.

- (c) Involve oneself in plagiarism, that is:
 - (i) Pass off the words or ideas of someone else as his/her own without proper acknowledgement or crediting the original source.
 - (ii) Replicate one's own work which one has presented elsewhere for assessment.
- (d) Aid and/ or abet another candidate/student to copy from a script/ book of another person.
- (e) Exchange answers with another candidate/student in or outside the examination room.
- (f) Collaborate with another candidate/student in the examination room to use telephone discussions and share material including calculators and other electronic equipment.

Penalty

Any student/candidate found guilty of cheating in examinations as defined above shall be liable to:

- i) Caution and Cancellation of the relevant examination, or
- ii) Cancellation of the relevant examination and suspension from the University for a period not exceeding two years, or
- iii) Cancellation of the relevant examinations and dismissal from the University.
- (iv) A Government-sponsored student/candidate found guilty of contravening Rule 4 above, may have the Government sponsorship cancelled besides any other punishment except in cases where the student/candidate is dismissed from the University.
- (v) Any student/candidate found guilty of cheating in examinations on second conviction shall be dismissed from the University.
- (vi) On conclusion of the malpractice case, the confiscated unauthorized material shall be destroyed within sixty (60) days from the date of the letter communicating the decision.
- (vii) Where several paragraphs or ideas have been plagiarized the student shall be warned and awarded a grade "D" for the submitted work.
- (viii) On a second charge of the offence of plagiarism as defined in (a) above, the examination shall be cancelled and the student awarded a grade "F" for the submitted work.
- (ix) On a third and subsequent time of the offence of plagiarism as defined in (a) above, the student shall be suspended for a year.
- (x) Where the entire material has been lifted from another source verbatim or with only slight alterations the student shall be dismissed from the University.

Rule 5: Fraud in Examinations and Examination Results (As amended by Senate on 13th November, 2014)

It shall be an offence for a student/candidate involved in an examination to:

Section (a) Import into the examination hall/room, in person or by an agent, a pre-prepared answer script/booklet;

- Section (b)** Substitute an answer script/booklet prepared outside the examination room/hall for the one already submitted to the Invigilator/Examiner;
- Section (c)** Falsify or altering marks awarded on an examination script/book; after course work; Viva voce/Public defense or final board of examiners' meeting; testimonial, field work report or to procure someone to alter marks awarded on an examination script/book or course work or assessment record;
- Section (d)** Impersonate another student/candidate;
- Section (e)** Procure or induce another person to sit for him/her;
- Section (f)** Utter false documents in relation to eligibility to sit University examinations, including but not limited to; examination permit, financial statement, bank slip and registration card;
- Section (g)** Sit or attempt to sit an examination without authority;
- Section (h)** Deliver to the examiner's office or residence an examination script/booklet outside the scheduled time for delivery without due authority;
- Section (i)** fraudulently receive examination papers/questions which have been illegally procured or made available;
- Section (j)** Fraudulently access or attempt to access examination questions before the examination is due;
- Section (k)** Pay or induce another person to illegally procure or make available examination questions/papers.
- Section (l)** Pay or procure a member of staff or non-member of staff to alter examination results
- Section (m)** Student(s) writing false information on the answer booklet with Intention to hide his/her identity.
- Section (n)** Student(s) smuggling/attempting to smuggle examination booklet out of the examination venue having signed the register and later claiming that his/her marks are missing

Section (o) Student(s) unlawfully retrieving examination materials from University custody for purposes of falsifying results/marks.

Penalty for Rule No. 5

Any student/candidate found guilty of fraudulent conduct as defined above shall be liable to:

- (i) Cancellation of the relevant examination and suspension from the University for a period not exceeding two Academic Years; or
- (ii) Cancellation of the relevant examinations and dismissal from the University;
- (iii) A government sponsored student/any other University related sponsored student found guilty of contravening Rule 5 is liable to cancellation of the sponsorship;
- (iv) If a member of staff is procured to alter examination results, he/she should be handed over to the Disciplinary Committee;
- (v) If the person procured is not a member of staff, he/she should be handed over to police.

Rule 6 Offences Relating to the Conduct of Irregularities Hearing

It shall be an offence for any student/candidate whether or not he /she has been accused of an irregularity to:

- a) Interfere with the conduct of investigations into the matter or the hearing of an irregularity by the Faculty Appeals and Irregularities Committee.
- b) Intimidate members of the Committee or other members of the University Staff or witnesses in the irregularity matter.
- c) Destroy evidence relating to an alleged irregularity.
- d) Forge or utter false documents in relation to an alleged irregularity.
- e) Bribe or attempt to bribe a University Official witness or any other person in relation to an alleged irregularity.
- f) Harass or procure others to harass on his /her behalf a University official, witnesses or any other person in relation to an irregularity by making constant telephone calls, visits, etc.

Penalty

Any student/candidate found guilty of interference with the conduct of an irregularity hearing as defined in Rule 6 above shall be liable to:

- i) Cancellation of the relevant examinations, or
- ii) Cancellation of the relevant examinations and suspension from the University for a period not exceeding one academic year, or
- iii) Cancellation of the relevant examinations and dismissal from the University.

Rule 6 A Possessions of Firearms during the examination period

It shall be an offence for a student/candidate involved in an examination/test to:

- (a) Bring within the precincts of the examination room any firearm or potentially dangerous weapon.
- (b) Use a firearm or any potentially dangerous weapon with the purpose to intimidate, threaten or otherwise deter investigations into any examination irregularity.

Penalty

Any student found guilty of the offence defined in Rule 6A(a) shall be liable to:

- i) Caution and cancellation of the relevant examination, or
- ii) Cancellation of the relevant examination and suspension for a period not exceeding two years, or
- iii) Cancellation of the relevant examination and dismissal from the University.

NOTE: The term “**potentially lethal weapon**” for purposes of Rule 6A includes, but is not limited to, pangas, machetes, daggers, switch blades, spears, swords, bows & arrows, brass knuckles and any incendiary device. This definition also includes imitations of potentially dangerous weapons such as fake guns.

Rule 7 Mitigating and Aggravating Factors When Determining the Appropriate Punishment

Where the Rule provides a range of punishments, the Committee may take into account the following mitigating and aggravating factors in determining the appropriate punishment.

(a) Mitigating Factors.

- Remorse on the part of the student/candidate.
- Truthfulness
- Lack of substantial benefit from the malpractice
- Student/candidate first offender
- Plea of guilty therefore not wasting the Committee’s time.

(b) Aggravating Factors.

- Substantial benefit from the malpractice.
- Lack of credibility.

- General misconduct.
- Frivolous and vexatious denials.
- Allegations of misconduct on the part of University staff which are subsequently proved to be false.
- Second conviction.

Rule 8: Procedure for Hearing of Malpractice Cases.

(i) Guidelines on Apprehension of a Suspect

1. When a student/candidate is suspected to be engaging in examination malpractices, he/she should be apprehended immediately. In the apprehension of a suspect, the following should be taken into account:
 - a. A suspect should be handled in the appropriate manner to ensure that the privacy and bodily integrity of a person is not violated. Body searches should be done in the presence of another person.
 - b. The materials should be taken away as soon as they are found and kept as exhibits.
 - c. Identity of the suspect and possible witnesses should be recorded immediately.
 - d. A suspect should be allowed to proceed with the examination since he/she is presumed to be innocent until proved guilty.

(ii) Rules of Natural Justice

2. In the handling of examination irregularities and malpractices, the Colleges/School/Institute Committee shall take into account the following principles of natural justice:
 - (a) Fair and equal treatment of all students/candidates,
 - (b) The opportunity to enter a plea of guilty or not guilty,
 - (c) Fair hearing accorded to all students/candidates,
 - (d) Right of students/candidates to appear and to defend themselves,
 - e. Staff not to sit in judgment of their own cause, and
 - f. Consistency in punishments.

(iii) Pre- Hearing

3. The Member of Staff who alleges that a student/candidate was involved in a malpractice shall make a formal written report to the Chairperson of the School Committee. Any materials allegedly found on the student/candidate should be given to the Chairperson for safe custody.
4. The Chairperson of the Committee shall inform the student/candidate in writing of the allegation. A copy of the Rules shall be availed to the student/candidate with the letter of the Chairperson.

5. The student/candidate shall be allowed to make a formal defence to the allegations in writing addressed to the Chairperson of the Committee.
6. The student/candidate shall then be invited in writing or by whatever expedient method to appear before the Committee to defend himself/herself.
7. The student/candidate shall be given adequate notice of the date of appearing before the College/School/Institute Committee to enable him/her time to prepare his/her defence.
8. (a) A student/candidate who fails or refuses or omits to appear after being effectively summoned three times shall be suspended indefinitely from the University pending his/her appearance before the Committee.
(b) The suspension shall remain in place until the Chairperson of the Committee formally notifies the Academic Registrar that the student/candidate has appeared and answered the allegations.
(c) A student/candidate alleged to have been involved in examination malpractice shall not be registered until such a time that the case has been disposed of.

iv) Hearing

9. The College Examinations Committee shall appoint the Appeals and Examinations Irregularities Committee. The College Appeals and Examinations Irregularities Committee shall be constituted by the Chairperson and six other members. The membership of the Committee shall be drawn from the Deans/Directors and Chairs of Departments in each School/Institute. Quorum of the Committee shall be five members present.
(**Note:** (a) The membership and quorum should be determined in such a way as to ensure that members do not sit in judgement of their own cases.)
(b) The Board of Studies in each Faculty/School/Institute should determine the membership of the School/Institute Appeals and Irregularities Committee.)
10. The student/candidate shall appear in person before the Committee and identify himself/herself as the subject of the proceedings. The Member of Staff /Invigilator concerned should also be present.
11. The Committee shall formally charge the student/candidate. The student/candidate shall be informed by the prosecutor of the allegations against him/her and the Rule in the Rules on Examination Malpractices and Irregularities he/she is alleged to have breached. In addition, he/she shall be informed of the possible punishments.
12. The student/candidate shall formally respond to such allegations.
13. When the student/candidate responds in the affirmative, a plea of guilty shall be recorded by the prosecutor.
(a) On a plea of guilty, the Member of Staff/Invigilator reporting the malpractice shall present the facts constituting the malpractice to the Committee in the presence of the student/candidate.

- (b) Where the student/candidate is alleged to have been found with unauthorised materials, the materials shall be brought before the Committee and the Member of Staff making the report shall state formally in the presence of the student/candidate whether they are the materials he/she is alleged to have found in the possession of the student/candidate.
 - (c) The student/candidate shall be given an opportunity to respond to allegations of fact. He/she may disagree with them and he/she has a right to cross-examine the person making the report.
 - (d) Where the student/candidate responds to the allegations of facts and the Committee is of the considered opinion that in substance he/she is pleading not guilty, it shall direct that a plea of not guilty be substituted for the plea of guilty.
NB: Where the student/candidate admits the offence with an explanation or makes a plea that is vague the Committee should record a plea of not guilty).
 - (e) The student/candidate shall be allowed to plead mitigating factors, which the Committee should take into account in prescribing punishment.
 - (f) The Committee shall then deliberate in the absence of the student/candidate and the Member of Staff/Invigilator making the report.
 - (g) A decision shall be made with regard to the punishment and reasons should be assigned for such a decision.
 - (h) The report shall be forwarded to the College Examinations Committee for information for any other decisions apart from dismissal. Where, on the face of the record, the College Examinations Committee realises that the School/Institute Committee erred in its decisions, the College Examinations Committee has a right to review the decision.
14. On a plea of not guilty by the student/candidate, the Member of Staff/Invigilator making the report shall present the facts to the Committee with the guidance of the prosecutor in the presence of the student/candidate who has a right of cross-examination.
- (a) The Member of Staff/Invigilator reporting the malpractice shall present the facts constituting the malpractice to the Committee in the presence of the student/candidate.
 - (b) Where the student/candidate is alleged to have been found with unauthorised materials, the materials shall be brought before the Committee and the Member of Staff making the report shall state formally in the presence of the student/candidate whether they are the materials he/she is alleged to have found in the possession of the student/candidate.
 - (c) The student/candidate shall be given an opportunity to respond to allegations of fact. He/she may disagree with them and he/she has a right to cross-examine the person making the report.
15. The prosecutor may call witnesses whose presence he/she considers important for the just and fair disposal of the case.

16. The student/candidate shall present his/her defence to the Committee in the presence of the Member of Staff who made the report who also has a right of cross-examination.
17. The student/candidate may call witnesses to substantiate his/her defence.

v) Nature of Evidence General

18. (a) The Committee may admit oral and material evidence, which may be direct or circumstantial.
(**Note:** direct evidence is the account of the eyewitnesses or the original documents while circumstantial evidence is that which is inferred from the circumstances of the case e.g. the student/candidate running away when approached by an Invigilator.)
- (b) The Committee may not admit hearsay evidence unless there is independent evidence that lends it credence.
(**Note:** hearsay evidence is indirect in the sense that it is given by a person who was not an eye witness e.g. where a witness reports what was told to her/him by another person or photocopies of documents produced where the original is not produced with no adequate explanation as to why. Such evidence should only be accepted where there is other direct evidence which supports the hearsay.)
19. After the close of the evidence and before a decision is made, the student/candidate shall be given an opportunity to present to the Committee mitigating factors.

vi) Post-Hearing

20. The School Committee shall deliberate on the matter preferably on the same day as the hearing.
21. The School Committee shall make findings of fact with respect to the evidence and make a decision based on those facts. The School Committee must assign reasons for each decision.
22. The proceedings, School Committee deliberations and the decision/ recommendation should be recorded and a signed record should be forwarded to the College Examinations Committee for information for decisions other than dismissal.
23. The student/candidate shall be officially informed of such decision and availed a copy of the decision as well as the record of the proceedings.
24. The student/candidate shall be informed of his/her right of appeal and the procedure to be followed.

25. Where the School Committee recommends dismissal of a student/candidate, the decision must be confirmed by the College Academic Board and then the student/candidate shall be officially informed of the final decision.
26. A student/candidate who has been recommended for suspension/discontinuation/dismissal **ceases** to be a bona fide student and shall not be accorded any services. He/she shall not be a **provisional student**; however, he/she has recourse to appeal to the College Appeals and Irregularities Committee provided he/she lodges his/her appeal after leaving the School/Institute on receipt of the communication.

vii) Appeal Procedures

27. A student/candidate who is dissatisfied with the decision of a School Committee may appeal to the College Appeals and Examinations Irregularities Committee within 30 days from the date of the letter communicating the decision. An Appeal shall only be accepted when the concerned student is no longer at the School/Institute.
28. The appeal shall be in writing addressed to the College Registrar and copied to the School/Institute Committee stating clearly the grounds of appeal. The College Registrar shall acknowledge in writing to the student/candidate and Chairperson of School/Institute Committee receipt of the appeal.
29. A student/candidate who pleaded guilty to an offence before the School/Institute Committee shall have a right of appeal only with respect to the **penalty**.
30. The College Appeals and Examinations Irregularities Committee shall hear the appeal expeditiously. The student/candidate appealing shall be notified in writing of the date when the appeal will be heard and should be given an opportunity to appear before the College Appeals and Examinations Irregularities Committee and be heard.
31. The College Registrar shall officially notify the School/Institute Committee that made the decision in the first instance of the date of hearing of the appeal. The School/Institute Committee shall have a right of representation.
32. At the hearing of the appeal, the student/candidate shall have an opportunity to be heard and the School/Institute Committee shall have a right to respond to the student/candidate's presentation.

33. The College Appeals and Examinations Irregularities Committee shall have power on cause being shown to allow the student/candidate present additional evidence before it.
34. Where additional witnesses are called, they will be subject to cross-examination by the representative of the School/Institute Committee. The Faculty/School/Institute Committee may also adduce additional evidence, which may be responded to by the student/candidate.
35. The College Appeals and Examinations Irregularities Committee will then deliberate in the absence of the student/candidate and School/Institute Committee representative preferably on the date of hearing.
36. The College Appeals and Examinations Irregularities Committee may confirm, vary or set aside the decision of the School/Institute Committee.
37. The College Appeals and Examinations Irregularities Committee shall take into account the rules of natural justice set out in Rule 8(ii) 2 of these Rules.
38. A student/candidate who is dissatisfied with the decision of the College Appeals and Examination Irregularities Committee may appeal to the higher and final Senate Academic Policies and Appeals Committee within 30 days from the date of the letter communicating the decision. The decision of Academic Policies and Appeals Committee shall be final.

GENERAL RULE FOR POSSESSION OF FIREARMS

It shall be an offence for any student to:

- a) Be in possession of firearms or other potentially lethal weapons on university property and halls of residence.
- b) Use a firearm or any potentially lethal weapon on university property and halls of residence.
- c) Appear on university property or halls of residence wearing a law enforcement security uniform.

Penalty

- iv) Caution, or
- v) Suspension for a period not exceeding two academic years, or
- vi) Dismissal from the University without prejudice to any action that may be pursued in a court of law.

Policy on Academic Appeals

1. Precepts and General Principles

- a) Students will have full opportunity to raise individually or collectively matters of proper concern to them without fear of disadvantage and in the knowledge that privacy and confidentiality will be respected.
- b) The rights of staff members and students should be taken into account and protected when handling appeals. That there should be policy on protection of information/data regarding appeals.
- c) The Academic Appeals procedure form a part of the institutions overall framework for quality assurance. There structures to handle students appeals at every School/Institute. There should be staff student's liaison system/official at every faculty/school/institute. The Dean of students, the health services, academic units should be part of the academic support system for appeals.
- d) The University will ensure that its procedures are fair and that the decisions made are reasonable and have regard to any applicable law.
- e) The University will address student complaints and appeals in a timely manner, using simple and transparent procedures. Informal resolution should be an option at all stages of the complaints procedure which should operate, in the first instance at the level at which the matter arose.
- f) Information on complaints and appeals procedures will be published, accurate, complete, clearly presented, readily accessible and issued to students and staff.
- g) Sources of impartial help, advice, guidance, and support will be advertised widely within the university.
- h) The complaints and appeals procedures should identify the persons or bodies from whom authoritative guidance may be sought on the applicability and operation of the procedures.
- i) Those responding to investigating or adjudicating upon complaints or appeals must do so impartially and must not act in any matter in which they have a material interest or in which any potential conflict of interest might arise.
- j) A complaint or appellant should be entitled to be accompanied at all stages of the complaints or appeals process by a person of his her choosing.
- k) The documentation should indicate what further internal procedures, if any, are open to a student dissatisfied with the response to a complaint or outcome of an appeal.
- l) The University will ensure that where a complaint or appeal is upheld appropriate remedial action is implemented.
- m) The University will have in place effective arrangements for the regular monitoring evaluation, and review of complaints and appeals.

- n) That academic appeals system should be viewed as mediating arbitration, monitoring process which should go beyond handling the current examination malpractice.
- o) The University will keep their monitoring, evaluation and review arrangements under scrutiny, taking into account good practice. That there should be tools or instruments for collecting complaints from students.

2. Scope of the Academic Appeals and Complaints System

That the mechanism to handle appeals be categorised as follows;

- a) Staff - Student relations
- b) Teaching supervision and delivery
- c) Assessment
- d) Procedures of appeals/complaints
- e) Protection of due process
- f) Sanctions
- g) Rewards
- h) Monitoring

If a student has reason to believe that an academic decision reached by the University is incorrect one has in some way been based on incorrect or partial information, a student has a right to appeal against that decision without fear of reprisal or victimization. The university to deal with an academic appeal seriously, impartially, within in a reasonable timescale and as appropriate, in confidence.

3. Academic Appeals

The University's general Regulations prescribe two sorts of circumstances in which, or good reason, you may appeal against an academic decision of the University.

- (a) Those in which the University suspends or terminates your registration on the recommendation of your Board of Studies. This may results from examination failure or because a students academic progress is considered unsatisfactory (e.g. failure to attend classes or to submit work for assessment).
- (b) Those in which the university awards what a student believes is incorrect class or category of degree or other qualification or decides that a student may have not fully satisfied the academic and/or professional requirements for an award.

4 Grounds for Appeal

These are the grounds on which the University will consider an appeal against an academic decision;

- (a) That in reaching its decision the university was unaware of factors which had affected your performance (e.g. family or personal circumstances or ill health), which for valid reasons you had been unable to know earlier.
- (b) That there had been mathematical or procedural error in recording or calculating the marks on which a decision was based.
- (c) That there had been irregularities or administrative errors in the conduct of an examination or other form(s) of assessment of such a nature as to cause reasonable doubt about the examiners' decision.
- (d) That you have reason to believe that one or more of the examiners was prejudiced or biased.

The University will not consider appeals on grounds other than the above, particularly;

- (a) Those made against the academic judgment, properly exercised, of duly appointed examiners, including external examiners.
- (b) Those made mischievously or frivolously without justifiable ground.
- (c) Those made on the basis of alleged insufficiencies in teaching or supervision or the provision of materials or equipment.
- (d) Those based on ill-health or other circumstances which could and should have been reported to the school at the time of their occurrence.
- (e) Where the general regulations preclude appeals in circumstances in which a student has been allowed to be addressed or to re-present a dissertation or thesis.

5. Procedures for Appeals

- a) If a student decides to submit an appeal against an academic decision of the university, he/she should do so within 30 days of formal publication or otherwise receiving notification of the results.
- b) The appeal should be addressed to the Dean of students, setting out in writing the specific grounds on which the appeal is being made. The Dean of students' office will treat any personal information which is received in the course of dealing with students' appeals as confidential. Such information will be kept, used and shared where necessary and appropriate with other members of university staff, only for the purposes of investigating and determining the outcome of your appeal.
- c) If you require advice on whether you have proper grounds for an appeal or if you need help to present the grounds of the appeal, you can seek assistance from the students' guild or from the Dean of Students.
- d) In the first instance, the Dean of students will normally refer your appeal to the head of the academic unit for comment and for any further information required to enable it to be considered. On receiving the School/Institute response, the Dean of students will consult where appropriate with the Academic Registrar and the Deputy-Vice Chancellor to establish whether there are grounds for appeal.

- e) If it is decided that the ground for appeal do not accord with those prescribed in the general regulations, the Dean of students will inform the student that decision and the reasons in writing usually within 15 working days of receiving the initial appeal. The appeal will be dismissed and no further action will be taken.
- f) If it is decided that the grounds for appeal do accord with those prescribed in the general regulations, the Dean of students will take one of the following courses of action, depending on the grounds of the appeal;
- g) In the case of an appeal involving a mathematical or procedural error in calculating your eligibility for an award, he/she will ordinarily consult with the chair of the Board of Examiners. If an error is found then the examiners decision will be amended if appropriate, including the pre-classification of an award.
- h) In the case of an appeal involving irregularities in the assessment process, circumstances which had not been known at the time a decision was made or allegations of bias, the matter is referred to Appeals Committee.
- i) A student who is dissatisfied with the decision of College Appeals and Examinations Irregularities Committee may appeal to the Senate Academic Policies and Appeals Committee within 30 days from the date of the letter communicating the decision.
- j) The appeal shall be in writing addressed to the Academic Registrar and copied to the College Appeals and Examinations Irregularities Committee stating clearly the grounds of appeal. The Academic Registrar shall acknowledge in writing to the student and Chairperson of College Committee receipt of the appeal.
- k) A student who pleaded **guilty to an offence** before the College/School/Institute Committee shall have a right of appeal only with respect to the **penalty**.
- l) The Senate Appeals Committee shall hear the appeal expeditiously. The student appealing shall be notified in writing of the date when the appeal will be heard and should be given an opportunity to appear before the Senate Appeals Committee and be heard.
- m) The Academic Registrar shall officially notify the School Committee that made the decision in the first instance of the date of hearing of the appeal. The School/Institute Committee shall have a right of representation.
- n) At the hearing of the appeal, the student shall have an opportunity to be heard and the School/Institute Committee shall have a right to respond to the student's presentation.
- o) The Senate Appeals Committee shall have power on cause being shown to allow the student present additional evidence before it.
- p) Where additional witnesses are called they will be subject to cross-examination by the representative of the School/Institute Committee. The School/Institute Committee may also adduce additional evidence, which may be responded to by the student.
- q) The Senate Academic Policies and Appeals Committee will then deliberate in the absence of the student and School/Institute Committee representative preferably on the date of hearing.

- r) The Senate Appeals Committee may confirm, vary or set aside the decision of the College Appeals and Examinations Irregularities Committee.
- s) The Senate Academic Policies and Appeals Committee shall take into account the rules of natural justice.

6. The College Appeals Committee

- a) The Appeals Committee is composed of members who will not have been directly involved in the universities original decision.
- b) It will include student members.
- c) The Appeals Committee has authority to determine the way in which it will consider the appeal before it.

7. Code of Practice

- a) A student appealing and other parties involved in the appeal, have access, prior to the meeting of the committee, relevant papers, including written commentaries on the appeal and responses to the appeal.
- b) A student applying will be given adequate notice of the date, time and venue for the meeting and also be invited to attend.
- c) The appellant is entitled to be accompanied by “a friend” of his/her choosing during the hearing.
- d) The appellant shall be informed in writing of the result of the appeal within 10 working days of the meeting. In case of delay due to need for further investigation notification should be given.
- e) Staff not to sit in judgment of their own cause