



Educational Institute	American University of Malta (AUM)
Policy Title:	Student Conduct Policy
Policy Ref:	V3-SCC
Effective Date:	12-07-2024
Responsible Office	Office of the Provost, Director of Student Affairs
Responsible Executive(s)	Office of the Provost & Office of Student Affairs

Introduction:

This non-academic student conduct policy explains the responsibilities and accountabilities of student(s) and their expected conduct from a non-academic context and consequences when non-academic misconduct is alleged and the process for same.

The adjudication of the AUM Student Code of Conduct violations falls under the purview of the Student Conduct Committee (SCC), the principal judicial authority at AUM for student conduct-related matters. For cases involving single or multiple related charges, a single hearing will be conducted. The SCC holds the authority to decide whether sanctions are to be served concurrently.

Student Accountabilities and Conduct:

Students are expected to behave courteously, respectfully and not to engage in behaviour which is, or is likely to be, prejudicial to the good order or to the reputation of the University.

Students are expected to keep a safe and secure environment for themselves and others. This includes complying with all university safety and security polices, regulations and reporting any safety or security concerns to the relevant authorities and taking proper precautions to ensure the safety of themselves and others.

Students must abide by all requirements for professional conduct and behaviour as defined by the University or an associated professional and or statutory/governmental entity.

Students are expected not to try to gain unfair advantage in assessments and examinations and to abide by all.

Breaches of the above will be deemed to constitute a misconduct.

Where non-academic misconduct is alleged, students shall be liable to disciplinary procedures provided for non-academic misconduct. Where alleged misconduct leads to criminal proceedings the University shall not be precluded from also acting under the Disciplinary Procedure - Non-Academic Misconduct.

An allegation of Non-Academic Misconduct may be made by a member(s) of staff/faculty of the University against a student(s), by a student(s) against another student(s), or by a person external to the University against a student(s).

If an allegation involves misconduct by a member(s) of faculty/staff, this will be dealt with separately per the Institutions Disciplinary Procedures. This Regulation shall apply to any activities engaged in, or services and facilities enjoyed, as a student at the University, or in the vicinity of any premises owned, leased or managed by the University. Non-Academic Misconduct may involve conduct relating to (though not limited to) the following:

- Conduct involving breaches of stated instructions or regulations issued by the University, associated professional or statutory bodies, or by authorised members of the University, which prejudice the orderly working of the University and/or contravene the requirements of associated professional, statutory or governmental entities.
- Conduct that bring or could bring, the reputation of the University, or associated professional or statutory bodies into disrepute.

Conduct that constitute unauthorised acts, including (but not limited to are):

- Assault and or threatening behaviour, towards any student(s), faculty, staff of the University.
- Wilful damage to university property by student(s).
- Bullying, Mobbing and or Harassment on the grounds of gender, sexuality, disability, age, race or ethnicity.
- Behaviour which interferes with the legitimate freedom of speech, ideas, actions or enquiry of a student(s), or which disrupts or interferes with university processes or procedures.
- Student/s attempts to manipulate, lie and or to subvert University processes or procedures by means of making false claims and or presenting fraudulent documents as their own.
- Unauthorised appropriation by student/s of offensive materials and publications, in printed or electronic format.
- Student/s conduct that endanger the safety or well-being of others.

Initial Intimation Misconduct:

All cases shall be referred in the first instance to the Student Conduct Committee, to whom the provost has delegated disciplinary authority. Provost shall inform the student concerned and any other relevant parties in writing of the details of the alleged misconduct and shall arrange a meeting with the student at the earliest possible opportunity and not normally later than 10 working days after the alleged complaint has been received by the provost.

The provost shall issue such notification of the date, time and venue of the meeting and the details of the alleged misconduct to the student by recorded delivery. The student shall be informed by the Student Conduct Committee that they may contact the Office of Student Affairs for advice and support.

The student shall be entitled to be accompanied by a person of his/her choosing and shall be given every opportunity to explain the circumstances of the case and to submit any mitigating evidence for consideration using the appeal form a copy of which is in appendix 1.

If the student fails to attend their hearing without good reason a further meeting may be arranged, the arrangements for which shall also be confirmed in writing to all interested parties, and the student informed that the meeting will proceed in his/her absence, if necessary, without these constituting grounds for appeal.

The Student Conduct Committee shall examine the facts and interview the student and may consult with other faculty, staff and students as deemed appropriate.

If, because of the meeting with the student, the provost, or nominee, is satisfied non-academic misconduct has not taken place, no further action against the student will be taken and the student and the original complainant shall be informed of the outcome in writing by the Director of Student Affairs within five working days of the meeting.

A copy of the written outcome shall be kept in the College's file, following current legislation concerned with data protection, and which shall be destroyed when the student graduates or otherwise ceases to be a student at the University.

If the student admits or is found guilty of misconduct, the Student Conduct Committee, shall prepare notes of the meeting, including the student's admission, and request the student to sign the notes as standing for a correct record of the meeting.

The Student Conduct Committee shall at once refer the case to the provost, providing a copy of the signed notes of the meeting. The Student Conduct Committee shall then endorse the commencement of an investigation and decide whether it is right to make a recommendation to the provost to suspend and or dismiss the student in question.

Suspension of a Student Pending a Disciplinary Hearing:

A student who is the subject of an allegation of non-academic misconduct or against whom a criminal charge is pending or who is the subject of police investigation may be suspended by the Provost pending the meeting of the investigating Committee, or the trial, or the outcome of the police investigation, as appropriate.

In the absence of the Provost the SCC, shall exercise the powers of the provost in relation to the suspension of students. Any decision taken by the SCC to suspend a student shall be reported in writing to the provost.

Suspension involves a total prohibition or access to the University and/or its resources and facilities, and any participation in university activities and Student Union membership or examinations.

The student should not be suspended unless he/she has been given an opportunity to make representations in person to the SCC. Where it is not possible for the student to attend in person, he/she shall be entitled to make written representations.

In all correspondence the SCC, Provost and Office of Student Affairs shall ensure the student is advised in writing of the date, time and venue of the meeting, issuing such notification by recorded delivery.

In cases of great urgency, the provost and or SCC shall be empowered to suspend a student with immediate effect.

Investigating Committee Misconduct:

The Student Conduct Committee shall meet normally within 10 working days of the allegation being received. The Committee shall consist of a minimum of three and a maximum of five members of staff nominated and shall also include a university management member.

The student shall receive written notification from the SCC not less than five working days before the meeting of the Student Conduct Committee of the allegation(s) to be considered and of the date, time and venue of the meeting. The Student Conduct Committee shall issue notification by recorded delivery.

The Student Conduct Committee shall examine the facts and shall interview the student. The student may present documentation and/or supporting evidence and may be accompanied by one other person, who may be a legal agent.

The Committee shall interview members of staff and students as appropriate and shall decide on the evidence presented. In case of the Committee being unable to prove that on the balance of probabilities non-academic misconduct was involved, the presumption shall be that the student is innocent of the misconduct.

If the student fails to attend without good reason a further meeting may be arranged, the arrangements for which shall also be confirmed in writing to all interested parties, and the student informed that the meeting would proceed in his/her absence, if necessary, without these constituting grounds for appeal.

Where non-academic misconduct is proved, the Committee shall take account of the extent of the misconduct, together with the student's overall record.

The Committee shall also take any mitigating circumstances into consideration. The Committee shall determine the appropriate penalty, as well as any regulations notices or announcements of the University, including those specifying the conduct and obligations of students in, or in connection with inter alia, information technology usage and security policies, residency status underwritten by the University if relevant, University Library, or the Student Union and any other such agencies within or associated with the University. All cases of non-academic misconduct shall be reported by the Student Affairs to the Academic Council

In a proven case of a level one non-academic misconduct, there shall be an automatic recommendation to the provost for the immediate and permanent exclusion from the University's facilities and properties and withdrawal of enrolment and all corresponding rights of the student to live in Malta legally if relevant.

The Student Conduct Committee shall issue a written notification of the outcome and penalty, if appropriate, to the student normally within five working days of the meeting. In addition, he/she shall notify the student of his/her right to submit an appeal against the decision and/or penalty. Furthermore, the Student Conduct Committee shall prepare notes of the meeting and request the student sign the notes.

Where such misconduct may also make up a criminal offence, and the police or other authority are involved, this shall be reported to the provost (or nominee in his/her absence) who shall decide, whether disciplinary proceedings under the Disciplinary Procedure should be deferred pending possible criminal proceedings. However, the student may still be suspended pending the outcome of any proceedings. Where alleged misconduct leads to criminal proceedings the University shall not be precluded from acting under the Disciplinary

Procedure. Where the SCC conclude that non-academic misconduct has not been established, no record of the alleged misconduct or record of the investigation shall be held by the Office of Student Affairs, though a central record shall be retained by the Academic Registrar, in accordance with current legislation concerned with data protection, and which shall be destroyed when the student graduates or otherwise ceases to be a student of the University.

Student Rights and Appeals:

Students have the right to due process and may appeal any disciplinary action by sending a signed appeal form to the Director of Student Affairs within two days of receiving a warning or dismissal notice from the University.

A decision reached by the SCC may only be appealed based on new evidence, or procedural irregularity. For the purposes of this policy a Respondent who requests an appeal is called the "appellant". An appellant starts the appeal process by completing an "appeal" form together with supporting documentation and sending same to the SCC for review and decision.

The University reserves the right to deny re-admission to any student who has been previously dismissed, based on the sole discretion of the University's administration. This decision is final and non-negotiable, considering the student's past academic performance, conduct, and any other relevant factors. The University keeps the authority to uphold its academic standards and community principles, ensuring the integrity and safety of its educational environment.

Violations and Offenses:

The following actions or behaviours, occurring on university premises unless otherwise stated, constitute violations of the Student Code of Conduct. Individuals or student organizations engaging in such conduct are subject to one or more sanctions.

Level One Offenses:

Behaviours that are extreme in nature, offensive, violate university practices, beliefs and expectations. Students found responsible for any of the following acts will be subject to disciplinary action up to and including a written warning, probation, fines, suspension, or expulsion. Severe violations that endanger or harm human life, property, or the University's reputation will result in expulsion.

Unfair Advantage:

- Unauthorized acquisition, theft, reproduction, or circulation of examination materials; unauthorized collaboration; intentional obstruction or interference with another student's academic work.

Cheating:

- Unauthorized use of information, notes, or study aids on an examination; altering graded assignments; submitting work done by another person.

Falsification of Information:

- Providing false or misleading information; altering documents; forging signatures; impersonating someone in an examination.

Unauthorized Access:

- Viewing, altering, or giving academic, administrative, or computer records; interfering with the use or availability of such records or systems.

Other:

Breaching residency rules while the Holder of a Maltese Temporary Residence Permit which is underwritten by AUM. Working illegally in Malta while a student at AUM. Not adhering to the Student Code of Conduct as set forth in the Student Handbook a copy of which can be found here, [Office of Student Affairs | AUM Malta](#)

2. Aiding and Abetting:

- Knowingly providing information, material, protection, or other help to aid a violation.

Conspiracy:

- Helping or trying to aid another in violating the Student Code of Conduct.

3. Arson:

- Intentional burning or trying to burn property with or without intent to defraud, obstruct security, or endanger human life.

4. Bribery:

- Offering money, services, or items to influence partiality or gain advantages.

5. Coercion:

- Using threats, intimidation, or physical force to cause fear of harm or engage in unwelcome activities.

6. Destruction of Property:

- Damaging, destroying, or misusing property belonging to another person or the University.

7. Discrimination:

- Unequal treatment based on protected categories.

8. Disruption/Obstruction

- Major actions obstructing University functions, causing property damage, or personal injury.
- Disorderly Assembly: Disrupting normal University operations.
- Disorderly Conduct: Disturbing peace or public safety.
- Disruptive Behaviour: Impairing or obstructing University mission, purposes, classes, or functions.

9. Falsification of Information, False Testimony, and Fraud:

- Giving false information to a university official; misuse of university documents.
- Misuse of Identification: Alteration, falsification, or forgery of identification cards.

10. Failure to Comply:

Not following directives by university officials that could endanger safety or damage the University's reputation.

- Contempt: Disrespect for a university official or failure to appear for judicial proceedings.
- Disrespect for Authority: Non-compliance with reasonable requests or directives.
- Violation of Probation: Not following probation directives.

11. False Reporting of an Emergency:

- Making a false report about a bomb, fire, or other emergency.

12. Harassment:

- Actions interfering with personal safety, academic efforts, or university-sponsored activities.

Bullying:

- Using a position of power to cause harm, or to enlist the help of others for same.

Cyber-Bullying:

- Tormenting or harassing via digital technologies.

Gender-Based Harassment:

- Acts based on gender or gender-stereotyping.

Stalking:

- Repeated behaviour causing emotional distress or threat of safety.

13. Hazing:

- Any activity which humiliates, degrades, abuses, or endangers a person regardless of a person's willingness to take part.

14. Illegal Use of Alcoholic Beverages:

Violating laws or University policy on alcohol. Illegal Use by a Minor: Possession or consumption by persons under 18.

- Public Drinking: Consuming alcohol in unauthorized areas.
- University Intoxication: Appearing intoxicated on university premises.
- Unauthorized Use: Non-compliance with University regulations on alcohol use.

15. Intimidation:

- Acts making an individual fearful through mobbing force of personality or strength.

16. Moral Turpitude

- Acts of baseness or depravity bringing shame to the University.
- Inappropriate Internet and Social Media Postings and acts of baseness or depravity.

17. Controlled Substances:

- Possessing, using, distributing, or manufacturing soft or hard drugs or controlled substances on campus and or in the AUM student residence.

Possession of Marijuana:

- Minor and major offenses based on severity.

Dangerous Drugs:

- Involvement with illicit drugs or controlled substances.

Counterfeit Paraphernalia:

- Having, distributing, or manufacturing counterfeit drug paraphernalia.

18. Possession or Use of Weapons:

- Unauthorized possession or use of knives, firearms, explosives, or other weapons.

****Note: Items not officially classified as weapons but used with intent to inflict harm are subject to interpretation by the Office of Student Affairs.**

19. Repeated Offenses:

- Repeated violations of the Student Code of Conduct.

20. Sexual Assault:

- Engaging in sexual actions without consent, including penetration, touching, or coercion.

21. Sexual Exploitation:

- Non-consensual sexual acts or exploitation, including pressuring for dates, invasion of privacy, coerced activity, inappropriate remarks, non-consensual recordings, and digital harassment.

22. Sexual Harassment:

- Unwanted conduct of a sexual nature and or creating an intimidating environment.

23. Theft/Identity Theft:

- Unauthorized taking of funds or university property, misuse of university funds, or possession of stolen property.

24. Retaliation:

- Interfering with reports or investigations, or retribution against individuals reporting misconduct and or enlisting others for same.

25. Unauthorized Access:

- Unauthorized use of university records, social media distribution channels, equipment, or communication devices.

26. Unauthorized Entry:

- Unauthorized entry into university buildings or facilities, including forcible entry and trespassing.

27. Violations of Laws:

- Alleged violations of Maltese laws on or off-campus are subject to university investigation.

28. Violent Behaviour:

- Conduct causing physical harm or endangering health, safety, or welfare of students, staff and faculty.

Level Two Offenses:

Students found responsible for any of the following acts may face disciplinary suspension, work sanction, restitution, referral to proper resource service, remedial classes, community projects, housing expulsion. Sanctions are based on the information and evidence presented in each case.

1. Disruption/Obstruction:

- Minor actions disrupting University functions, including non-compliance with residence maintenance, anti-social behaviour, quarrelling, public intoxication, and loud music.

2. Failure to Comply:

- Non-compliance with directives, sanctions, or probation terms.

3. Gambling:

- Engaging in or helping with gambling.

4. Indecent Behaviour:

- Disorderly, lewd, or indecent conduct, including unauthorized recordings.

5. Misuse of Property:

- Misusing or altering University property.

6. Negligent Bodily Injury:

- Careless behaviour causing or risking injury.

7. Negligent Destruction of Property:

- Careless behaviour causing property damage.

8. Off-campus Incidents:

- Engaging in illegal acts off-campus which could damage the Universities reputation.

9. Theft/Identity Theft:

- Unauthorized taking or use of funds or property or the identity of another student.

10. Unauthorized Posting or Distribution:

- Posting or distributing materials without authorization.

11. Unwelcome Contact:

- Actions causing emotional distress or fear of injury.

12. Violation of Housing Regulations:

- Violating residence hall policies, rules and regulations.

Level Three Offenses:

Students found responsible for any of the following acts may face disciplinary suspension, work sanction, restitution, referral to proper resource service, remedial classes, community projects, housing expulsion. Sanctions are based on the information and evidence presented in each case.

1. Illegal Posting:

- Unauthorized posting of materials.

2. The supply, sale or usage of hard and or soft illicit substances:

3. Possession/Use of Fireworks:

4. Tobacco Use:

- Using tobacco or vaping products in non-designated smoking areas on campus.

5. Traffic/Parking Violations:

- Violations including reckless driving and improper parking on Campus.

6. Unauthorized Occupancy:

- Living in housing without payment or allowing guests to stay over.

7. Unauthorized Use of Loudspeakers:

- Being anti-social and using loudspeakers without approval.

8. Violation of Residence Hall Rules:

- Violating policies governing residence halls. A copy of which can be viewed here; [Student Policies and Procedures | AUM Malta](#)

In closing, adherence to this Student Code of Conduct is essential for fostering a respectful, inclusive, safe and productive academic environment. Each member of our community is expected to uphold these standards, demonstrating integrity, responsibility, and respect for others.

By committing to these principles, we collectively ensure a safe and supportive atmosphere conducive to academic excellence and personal growth. Thank you for your cooperation and dedication to supporting the values and expectations outlined in this policy.

Last reviewed by the Director of Student Affairs July 2024.

Appendix 1. AUM Student Appeal Form:



AUM Student Appeal Form

Name: _____

Student ID: _____

Address: _____

Phone Number: _____

I am appealing the disciplinary action that was taken against me by the university. The details of the disciplinary action are as follows:

Date of Incident: _____

Nature of Incident: _____

Disciplinary Action Taken: _____

Reasons for Appeal:

Please explain the reasons for your appeal in the space supplied below. Be specific and supply any supporting evidence or documentation that you have.

[Insert explanation here]

Requested Outcome:

Please specify the outcome that you are looking for in your appeal. This could include a reduction or reversal of the disciplinary action, or another outcome that you believe is right.

[Insert requested outcome here]

Supporting Documentation:

Please attach any supporting documentation that you have, such as witness statements, medical records, or any other relevant evidence.

[Attach supporting documentation here]

Signature:

By signing below, I confirm that the information provided in this appeal is true and exact to the best of my knowledge. I understand that any false or misleading information may result in added disciplinary action.

Signature: _____ Date: _____

Last reviewed by the Director of Student Affairs July 2024