



Student Code of Conduct

2020

Disclaimer

The terms and provisions in this publication are subject to change without prior notice, if necessary, to keep MANCOSA policies, regulations and procedures in compliance with statutory requirements and/or with other rules and regulations as may be required by law.

MANCOSA cannot control the behaviour of individuals, but we can take action when their behaviour contravenes our rules. Our rules and sanctions are applied uniformly, regardless of age, race or religion and with the intention of creating a secure and productive environment for our staff and students to obtain their objectives.

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Mancosa Code of Ethics

At MANCOSA, ethical behavior is built upon a commitment to discharging our obligations to others in a fair and honest manner, and a commitment to respecting the rights and dignity of all persons. As faculty, staff, students, and trustees, we each bear responsibility not only for the ethics of our own behavior, but also for building MANCOSA's stature as an ethical Institution.

As members of the MANCOSA community, all faculty; staff; students; members of the Advisory Board; College Officers; consultants, vendors and contractors are expected to act in a professional and ethical manner when they are doing business with the Institution. MANCOSA values integrity, honesty and fairness and strives to integrate these values into its teaching, research and business practices.

This Code of Ethics is a shared statement of our commitment to upholding the ethical, professional and legal standards we use as the basis for our daily and long-term decisions and actions. We are each individually accountable for our own actions and, as members of the MANCOSA community, are collectively accountable for upholding these standards of behavior and for compliance with all applicable laws and policies in line with the following vales:

People and Community:

MANCOSA is an inclusive community committed to equal opportunity. We do not tolerate unlawful discrimination or harassment on the basis of personal characteristics or beliefs. In our actions on behalf of MANCOSA, we treat others with courtesy, civility and dignity and refrain from abuse of the power or authority conferred by our offices or roles.

Honesty and Integrity

We do not tolerate or condone dishonesty by anyone in any form including fraud, theft, cheating, plagiarism, lying, deliberate misrepresentation, scientific fraud, cheating, invidious discrimination or the misuse of MANCOSA funds or property. MANCOSA is committed to achieving the highest standards of teaching and research and to conducting these activities with integrity, objectivity and fairness and in compliance with all applicable laws and regulations.

Protection and Care

We are responsible for managing and protecting MANCOSA property, financial assets and other resources with appropriate care. We ensure that MANCOSA's resources are used carefully and appropriately for the benefit of the institution and in a manner consistent with all legal requirements.

Duty and Responsibility

Although ethical conduct is a natural byproduct of the culture at MANCOSA, individuals have affirmative duties, responsibilities and obligations to others and to MANCOSA that require conscious action. Most notably, we have a duty to be aware of the obligations imposed by laws, regulations and policies, to ask questions when those obligations are unclear, and to report potential problems or noncompliance.

1. Introduction

This Student Code of Conduct outlines MANCOSA's expectations with respect to all students enrolled at MANCOSA. This document must be read in association with the Institutional Rules and all applicable MANCOSA rules, policies and procedures which will provide a comprehensive guide to the regulation of student behaviour. Students are expected to comply with all MANCOSA Institutional Rules, regulations and all other relevant laws and policies at all times, where applicable.

This Student Code of Conduct outlines:

- What constitutes student misconduct;
- The penalties which may be imposed for proven misconduct;
- The disciplinary procedures which may be actioned in the event of proven misconduct; and
- The complaints procedure available to students where applicable.

2. Student Conduct

2.1. Students are expected to:

- Respect all fellow students, MANCOSA staff members and third party contractors, including their right to privacy and confidentiality.
- Conduct themselves in a dignified and ethical manner;
- Use the Student Information System (SIS) which includes the MyMancosa and MancosaConnect platforms as a primary communication tool with MANCOSA staff;
- Disallow unauthorised persons to log onto their SIS or from using their MANCOSA resources;
- Participate in ensuring that there is a respectful and engaging study environment that allows for each student and staff member's national origin, political affiliation, gender, race, sexual preference, marital status, disability and/or religious belief, to be respected;
- Know and comply with all rules, regulations, policies and procedures of MANCOSA;
- Monitor their academic progress throughout their studies and seek assistance from MANCOSA when experiencing challenges;
- Provide formal and informal feedback for the improvement of the learning and teaching environment;
- Act with integrity and honesty, for example, by not colluding with others to cheat, solicit others to cheat, falsifying any academic work;
- Respect the intellectual property rights over the academic work of MANCOSA, its stakeholders and all fellow students;
- Report any unethical behaviour of fellow peers, staff or service providers of MANCOSA;

- Assist in resolving disputes, appeals or grievances honestly, ethically, openly and
- Use the MANCOSA facilities and resources in accordance with their function and the conditions for their use.

2.2. A student will:

- Carry and produce their student card or valid form of identification when requested by a member of staff;
- Comply with lawful and reasonable instructions when requested by a member of staff or third party service provider;
- Comply with any MANCOSA security and parking rules;
- Comply with MANCOSA's assessment and examinations rules, library rules, computer facility rules (Annexure 1) and all other institutional rules, including rules relating to online facilities and portals;
- Report any observed offence or misconduct committed on any MANCOSA premises within a reasonable period of time; and
- Attend classes, assessment activities and official meetings punctually, where applicable.
- Conform to any other lawful rule or policy imposed or implemented by MANCOSA.

2.3 A student shall not:

- Conduct themselves in a disrespectful, dishonest, unethical or prohibited manner while registered with MANCOSA;
- Without prior permission of MANCOSA, register or be registered at another higher education institution;
- Be in possession of or consume alcoholic liquor, substances prohibited by law or be in the possession of/use marijuana while on MANCOSA premises or venues;
- Under any circumstances be inebriated or under the influence of alcohol, substances prohibited by law or marijuana at MANCOSA premises, or its workshop venues;
- Use, have on one's person, or be under the influence of any dependence producing drug at MANCOSA without a producing a medical prescription in which case the relevant Academic body must be notified and a copy produced prior to such dependence producing drug being brought onto any MANCOSA premises;
- Smoke (including e-cigarettes):
 - In a place where smoking is prohibited;
 - In any lecture, seminar or workshop session; or
 - In the library, any computer laboratory or any building of MANCOSA, or workshop venue; or at
 - Tests or examinations;
- Use a cellular phone or prohibited electronic device during any academic activity, i.e. Lecture, seminar, tutorial, computer laboratory session, test or examination;
- Use Wi-Fi to download non-academic programme-related material (e.g. Videos, music, etc.);

- Bring to MANCOSA, or have in one's possession or control, or supply or dispose of to any other person at MANCOSA, any firearm or weapon of any kind;
- Bring, or have in one's possession or control, or supply or dispose of to any person at MANCOSA, any object which is capable of being used for the infliction of bodily harm; and
- Visit any prohibited website or pornographic site nor view, download, distribute or save pornographic material from any source through the use of MANCOSA equipment.
- Act in a disreputable manner when utilising, accessing or commenting on MANCOSA social media platforms.

2.4 Students must consult the Programme Handbook provided to all students at registration. Not reading, misreading or misunderstanding the Programme Handbook's information will not be accepted as a reason for failing to submit an assignment or missing a class/workshop, test or examination or any other consequence that arises out of ignorance of the applicable MANCOSA Rules.

2.5 The results obtained by a candidate in any examination shall not be released until fees due, owing and payable to MANCOSA are up to date and other monies due to MANCOSA have been settled.

2.6 The Student acknowledges that MANCOSA does not accept any responsibility on the part of MANCOSA, for any loss, injury, death, theft of, or damage to any persons, vehicles or property arising out of a student's attendance at MANCOSA, howsoever caused.

3. Examples of Misconduct

3.1. Student Misconduct include but are not limited to the following:

- Falsifying an academic record or research results, or furnishes false or misleading information or documents to MANCOSA or its staff;
- Produces any work that is inauthentic, plagiarised or fraudulent;
- Uses MANCOSA's name, symbol or seal without prior consent or formal written approval;
- Obstructs or disrupts any teaching, study, research, examination or test or any official meeting, proceeding or ceremony or any other MANCOSA activity;
- Discriminates unfairly against any person at MANCOSA, including all staff, students and alumni on any grounds, including race, colour, ethnicity, national origin, nationality or descent, gender, sex, pregnancy, marital status, age, sexual orientation, family responsibility, family status, political conviction, religion, belief or culture, language, disability or medical condition;
- Interferes with the freedom of speech of persons at MANCOSA, including misuse of social media in this regard, of any staff member, student or official visitor or of any speaker invited to express his/her views;
- Intimidate or interferes with the freedom of movement of any staff member or student, or any guest or visitor;

- Enters or remains at any MANCOSA property or workshop venue where students are forbidden to enter or remain, including during MANCOSA's operating hours;
- Obstructs or attempts to obstruct or deter any staff members or third party contractors in the performance of their duties;
- Damages, destroys, attempts to damage or destroy, sells or wrongly uses, unlawfully possesses or misappropriates any MANCOSA property, or the property of any person within the MANCOSA precincts;
- Physically, verbally or sexually assaults or attempts to assault any person at MANCOSA, or causes any person to hold reasonable fears for her or his safety or physical or emotional well-being;
- Is insubordinate to any staff member (including third party contractors), office bearer or MANCOSA committee;
- Intentionally or negligently contravenes this code or encourages any other person to contravene this code;
- Threatens to injure, or injures, another person or persons within the precincts of MANCOSA;
- Commits any fraudulent act such as presenting false doctor's notes, misrepresenting the facts about a situation or forging any official documentation;
- Advertises, distributes or displays a banner, placard, notice, circular, letter or pamphlet at a MANCOSA office or site of delivery (campus) or on any social media platform without the prior written consent of an executive staff member;
- Advertises goods, offers goods for sale, fundraises or collects money at any MANCOSA premises or workshop venue without the prior written consent of an executive staff member;
- Makes false or incorrect statements or provides incorrect information about MANCOSA to any person in person, in writing or on any social media platform;
- Conducts him/herself in a way which is or could be prejudicial to the good name of MANCOSA, the maintenance of order and discipline at MANCOSA, or the proper performance of the educational activity at MANCOSA;
- Refuses to submit to the authority of any legitimate decision of an authoritative body of MANCOSA or staff member;
- Conducts himself/herself in a disreputable way on campus or elsewhere as a MANCOSA student;
- Engages in inappropriate sexual or other inappropriate behaviour while on campus;
- Takes into an examination venue, or has in his/her possession whilst in the venue, any cell phone, books, memoranda, notes, prohibited electronic devices, or any unauthorised material whatsoever;
- Aids or attempts to assist another student, or receives or attempts to receive unlawful help from another student, or communicates or attempts to communicate in any way with another student during an examination or test;
- Uses MANCOSA's computers, Wi-Fi, educational facilities or communication equipment in an unauthorised or inappropriate manner;

- Commits an act of academic dishonesty or plagiarism, including the copying of another student's assignment, or committing copyright infringement;
- Uses the media or social media to bring MANCOSA into disrepute; MANCOSA will not permit or engage with students who post inflammatory, offensive or provocative comments on any of its social media platforms which is in direct or indirect contravention of the relevant laws of their specific country and reserves the right to remove such content from its social media platforms and to take disciplinary action against such students where applicable;
- Compromises the privacy and human dignity of a staff member or fellow student;
- Gives bribes or pays for academic work to be done on their behalf;
- Selling or buying of MANCOSA academic material to/from third parties;
- False representation of an individual, class or group of persons;
- Fails to observe any penalty imposed under any MANCOSA Institutional Rule or any other applicable MANCOSA ruling.

4. Penalties

4.1. Penalties for misconduct include but are not limited to the following:

- Verbal, written or final written warnings;
- Resubmission of an assessment.
- Rewrite of an examination.
- Be given a mark of 0% an assessment component of a module, or a reduced mark for that module;
- Failure of a module;
- Suspension of all or some of a student's rights and privileges, including prohibition from classes, examinations or other forms of assessment, use of facilities, withholding a student's assessment results and/or graduation, and prohibition of re-registration;
- Suspension of a student's enrolment for one or two semesters;
- Expulsion from MANCOSA; or
- Restitution for damages suffered by MANCOSA or restitution of personal property of any MANCOSA staff member; and
- Institute legal action, if warranted.
- Impose any other lawful sanction depending on the specific circumstances of the matter.

4.2. In cases where a student is found guilty of misconduct, one or more of the above penalties may be imposed.

4.3. The penalties for misconduct involving dishonesty in assessment will take account of the relevant academic policies, procedures and guidelines.

4.4. Any penalty imposed under this policy may be suspended by the person or committee imposing it:

- until the time for appealing against it has expired; or
- for a longer period or indefinitely.

4.5. Any such suspension may be subject to such terms and conditions (including undertakings by the student) as the person or committee imposing it deems fit.

4.6. Subject to a right of appeal provided for below, any decision where a student has been found guilty of misconduct and any imposition of a penalty on a student is final and binding.

4.7. A student expelled from MANCOSA will not be re-enrolled except with the prior written approval of the relevant Academic Committee.

4.8. In case of misconduct resulting in any of the penalties above, and where the student concerned is a bursary holder, the bursary granter may be advised accordingly with the bursary suspended or terminated.

5. General Disciplinary Action Procedure (Excl. Exam Irregularities)

5.1 Whenever misconduct is alleged, or if any person has reason to believe that misconduct in terms of this code is being or has been committed, a written report must be made to the Academic Exco, regardless of whether it is an academic matter or not. After receiving the report, the Academic Exco will investigate the matter.

5.2 Should the Academic Exco determine grounds for investigation into the matter, the Academic Exco shall appoint an investigating officer. In designating an investigating officer, the Academic Exco shall have due regard to the capacity, ability and experience of the investigating officer.

5.3 The investigating officer will conduct an objective and impartial investigation and report their findings and recommendations in writing to the Academic Exco.

5.4 MANCOSA reserves the right to record audio or video content solely related to and to utilize same solely for the purpose of the investigation.

5.5 Should an alleged misconduct pose a threat of:

- disruption of educational or other legitimate activity;
- bringing the reputation of MANCOSA into disrepute;
- injury to a person;
- damage to property;
- interference with witnesses, any students or staff; or
- theft of property of MANCOSA or any other person on MANCOSA's premises, then the Academic Exco, on recommendation of the investigating officer, may suspend the student from access to the MANCOSA premises, or to any or all academic or other activities.

5.6 After a preliminary review of an allegation and supporting evidence, the investigating officer may:

5.6.1 on the basis of insufficient grounds for the allegation, decline to pursue the matter, in which case the person(s) having raised the allegation will be informed accordingly;

- 5.6.2 proceed with a formal investigation and serve the student with a notice to that effect usually within five (5) working days of an allegation having been made (See Annexure 2).
- 5.7 The investigation will include:
- a review of relevant documentation, if any;
 - a discussion with the initiator of the allegation;
 - clarifying and/or verifying any aspect of the allegation by seeking additional information; and
 - the creation and maintenance of a complete file of all evidence.
- 5.8 Upon conclusion of the investigation, the investigating officer shall refer the file of evidence to the Academic Exco with a recommendation that:
- the allegation be discussed with the student and the student be afforded the opportunity to present his/her case either verbally or in writing, or
 - the student be formally charged with misconduct, depending on the circumstances of the matter.
- 5.9 When, during or upon conclusion of the investigation, the student voluntarily admits to the allegation, the investigating officer will refer the file of evidence, including a written admission by the student, to the Academic Exco with a recommendation that an appropriate penalty be imposed.
- 5.10 A disciplinary hearing will usually proceed within five (5) working days of receipt of the investigating officer's recommendation.
- 5.11 The Academic Exco will usually impose a penalty within five (5) working days of receipt of the recommendation.
- 5.12 The Academic Exco will inform the student in writing of the outcome of the investigation and/or disciplinary proceedings.
- 5.13 Disciplinary Hearing: The Academic Exco, shall constitute a disciplinary committee to chair the hearing. Decisions of the disciplinary committee shall be taken by majority vote and in a fair and objective manner.
- 5.14 The Academic Exco will usually, within five (5) days of having received from the investigating officer a recommendation to that effect, serve a notice of the hearing on the student concerned in such a way that he/she is certain that the student understands the notice. A notice of the hearing shall be in the form of Annexure 3. The date for the hearing shall be as soon as is reasonably possible after the notice is served, while allowing for preparations to be made by the student.
- 5.15 Proceedings will continue as set out below.
- The chairperson opens the hearing where after the investigating officer puts the charge(s) to the student who has the opportunity to plead.
 - If the student pleads either guilty or not guilty to the allegations, the chairperson proceeds to hear both parties on mitigating or aggravating factors and thereafter imposes an appropriate penalty.
 - If the student pleads not guilty, the investigating officer proceeds with presenting evidence and the student is allowed to cross-examine witnesses. The investigating officer may re-examine witnesses.

- On completion of the above process by the investigating officer, the student states his/her case with the assistance of a fellow student or staff member if need be, to present the student's evidence. No legal representation or parents of the student are allowed to be present during the hearing. The student and his/her witnesses in turn may be cross-examined by the Investigating Officer. The student can re-examine any witness.
- On completion by the student, both parties are allowed to summarise their cases where after they will leave the venue in order for the Committee to deliberate on a verdict.
- Once the Committee has reached a verdict, the parties return for the verdict to be delivered.
- The committee is not obliged to reach a verdict immediately.
- In the case of a verdict of not guilty being delivered, the case is closed. In the case of a verdict of guilty, both parties may state mitigating or aggravating factors to be considered. They leave the venue for the committee to deliberate on an appropriate penalty. Committee decisions are taken by majority vote in case of failure to reach consensus.
- When a decision on a penalty is reached, both parties return to the venue to hear the penalty. The chairperson will then inform the student that s/he will receive a written verdict with reasons usually within two (2) days. In addition, the chairperson will inform the student of his/her right to appeal the verdict and penalty as per the appeal process at clause 6 below.
- The chairperson shall appoint a person to keep a record of the proceedings.
- A copy of the record of proceedings shall be made available to the student, if requested.
- A copy of the verdict and penalty will be placed in the student's file.
- The Academic Exco shall keep a record of all student disciplinary hearings.

5.16 Investigation Principles:

- Any investigation under this Code shall be in accordance with MANCOSA's rules and policies read in line with the applicable relevant laws of South Africa, to the extent required in terms of these provisions.
- Every case of alleged misconduct is dealt with on the merits of the matter and the outcome of which will depend on the facts of the matter, the evidence found and presented and any other relevant and lawful factor that will influence the outcome thereto.
- In line with MANCOSA's commitment to uphold the auspices of the Constitution of the Republic of South Africa, every case will include:
 - An objective and fair hearing,
 - the opportunity to present one's case in writing or in person if applicable; and
 - a decision made by the Academic EXCO.
 - Decisions are made on the balance of probabilities, that is, on the balance of the evidence that it is more likely than not that the alleged act did occur.
 - All parties involved in an investigation shall be treated with respect, dignity and in an impartial manner.

- Any investigation under this Code will have regard for confidentiality subject to any legal requirements for disclosure and the need for a full investigation.
- Should an investigation reveal apparent or suspected criminal conduct, MANCOSA reserves its right report the matter to the relevant lawful authority.

6. APPEAL PROCEDURE (APPLICABLE TO ALL CASES OF STUDENT APPEAL):

- 6.1 The Academic Exco will chair and deliberate over all cases of Student Appeals unless otherwise stated.
- 6.2 Proceedings: Any appeal on grounds of procedural error, the merits of the case or the penalty, must be lodged in writing with the Academic Exco within five (5) days of the student having received the written verdict.
- 6.3 The appeal will clearly state the grounds of appeal with supporting reasons.
- 6.4 The Academic Exco will forward the notice of appeal and the record of proceedings to the chairperson of the Committee who will convene the Committee to meet within five (5) days of receipt of the appeal document. This timeline may be extended in the event of any member of the Committee being unavailable.
- 6.5 The Committee will consider the documentation and
 - uphold the verdict and penalty;
 - uphold the verdict and change the penalty;
 - uphold the appeal and set aside the verdict and penalty;
 - have the disciplinary hearing or part thereof re-heard.
- 6.6 The Chairperson will convey the decision of the Committee to the student within five (5) days of the Committee having reached a decision.
- 6.7 A copy of the decision will be placed in the student's file.
- 6.8 The Academic Exco will keep a record of all appeals and their outcomes.

7. EXAMINATION RULES AND GUIDELINES

7.1. Examination Rules

1. Candidates must be seated 30 minutes prior to the commencement of the examination session. The examination officially commences once the answer booklets are distributed. Candidates who arrive after the first hour of the examination session has elapsed will not be allowed to write the examination or remain in the venue.
2. Candidates MUST produce an official identity document (ID, Passport or Driver's License) and Registration Confirmation Letter to the invigilator upon request. If no official identification is provided, the candidate will not be allowed to write the examination and will not be allowed to remain in the venue. Both documents must be presented at the examination.

3. Candidates will ONLY be allowed to bring their stationery in a transparent pencil case or sleeve into the exam room. The MANCOSA pencil case will not be allowed. Candidates may not borrow from or exchange stationery with any other candidate during the examination session.
4. No unauthorised materials are to be brought into the examination room. Unauthorised materials include but are not limited to: all books, notes, bags etc. Any unauthorised material found on a student during an examination session will constitute an immediate exam irregularity.
5. No cell phones and unauthorised electronic devices are to be brought into the examination room. Unauthorised electronic devices include but are not limited to: Cellular phones, Smart Watches, laptop computers, programmable calculators, MP3/Audio players, electronic dictionaries or any electronic recording devices. Non-programmable calculators shall be permitted.
6. MANCOSA shall not be held liable for any loss or damage of/to candidates' person or property whatsoever, which include but are not limited to electronic devices, bags, valuables etc.
7. MANCOSA reserves the right to confiscate, search and collect evidence on any electronic device or unauthorised material brought into the exam venue in contravention of these rules.
8. No candidate is allowed to leave the examination room within the first hour and last fifteen minutes of the examination. Candidates are only permitted to leave the examination room in the event of an emergency. This will be at the discretion of the invigilator, who will escort the candidate in and out of the examination room and thereafter note the time and duration spent outside of the examination room on the candidate's answer booklets.
9. All candidates are to remain seated during the last 15 minutes of the examination session and/or until all scripts are collected and instruction is given by the invigilator to leave the venue. Candidates are to remain seated and refrain from communicating with or disturbing other candidates in the exam room.
10. Candidates may not under any circumstance, communicate with another candidate, if a candidate requires assistance, please raise your hand so that an invigilator may attend to you.
11. All headgear must be removed prior to the commencement of the exam at the discretion of the Chief invigilator, with an exception to religious headgear.
12. All work must be handed in. If you do not wish any part of your work to be marked, a line must be drawn across it. The use of scrap paper is not permitted. Any rough work/calculation must be done in the answer booklets.
13. Under no circumstances should the candidate retain the answer booklet or remove it from the examination room.
14. The onus is on the candidate to ensure that they have the correct question paper. Candidates who write the incorrect paper will be required to re-register for the module. MANCOSA will not be held liable for candidates who write the incorrect paper.
15. If a candidate is suspected of examination misconduct, the candidate's script will be taken away and an Exam Irregularity Form will be immediately filled out. The candidate is required to complete the form as this will constitute the candidate's own version of events, which will be considered by the relevant disciplinary

Committee. The candidate will be issued with a new script and may elect to reattempt the examination or exit the exam venue.

16. Candidates found guilty of any exam irregularity or misconduct will be subject to the exam irregularity disciplinary procedure codified in the Student Code of Conduct and may face sanctions including but not limited to; a written warning, suspension, expulsion and any other sanction deemed appropriate.

7.2. Exam Irregularity Procedure

- 7.2.1. During an examination session, if a candidate/student is suspected of being in transgression of any of the examination rules, an invigilator or MANCOSA representative will immediately confiscate any and all examination material in the candidate's/student's possession.
- 7.2.2. The candidate/student, invigilator or MANCOSA representative and any witnesses to the alleged transgression must immediately complete the Examination Irregularity Form.
- 7.2.3. The Examination Irregularity Form includes, but is not limited to:
- The student's written statement on the day of the examination,
 - The invigilator's statement and/or the Chief Invigilator's statement,
 - Any relevant witness statements,
 - The actual evidence, and
 - Photos/pictures of the evidence if the actual evidence is not collected.
- 7.2.4. Once the Examination Irregularity Form has been completed, the candidate/student will be issued with a new script and may elect to re-attempt the examination if there is sufficient time to do so, failing which the candidate/student is expected to immediately leave the examination venue.
- 7.2.5. The Examination Irregularity Form will be presented to the relevant student disciplinary committee to determine a decision and impose a sanction where applicable.
- 7.2.6. Within a reasonable time thereafter, a letter shall be sent to the student indicating whether a sanction has been imposed by the relevant Committee and the consequences of such sanction.
- 7.2.7. Should the candidate/student be issued with a sanction, an invitation to appeal the sanction in writing within a specified time period shall be submitted by the candidate/student.
- 7.2.8. The student's written appeal will outline why they believe the sanction imposed on them should be revoked or reconsidered, which MUST be supported by evidence of their submissions.
- 7.2.9. The above appeal and any further relevant evidence will then be sent to the Academic Exco for a final decision to be made on the sanction imposed by the relevant Committee.
- 7.2.10. A final letter will be sent to the student indicating the outcome of the Appeal. The decision of the Academic Exco is final and there is no further right of Appeal.
- 7.2.11. Sanctions are determined by the relevant disciplinary Committee and/or the Academic Exco on a case by case basis, solely based on the written and/or documentary evidence brought before them above as well and other relevant circumstances that may apply.

- 7.2.12. Evidence of transgression of the examination rules are weighed on a balance of probabilities and in compliance with the relevant laws applicable hereto.
- 7.2.13. No outside legal representation shall be allowed where the internal processes of evaluation and review are ongoing regarding an examination irregularity.
- 7.2.14. The candidate's/student's opportunity to present his/her version of the events and his/her Appeal shall be done in writing only. No *viva voce* evidence will be considered.
- 7.2.15. This procedure is only applicable to transgressions of or misconduct relating to examination irregularities and is separate from the general misconduct procedure contained in the Institutional Rules and the Student Code of Conduct.

7.3. Exam Irregularities (Include but are not limited to):

- Any conduct during an exam session which is considered to be a misconduct or examination irregularity in terms of the Candidate/student Code of Conduct.
- Copying by providing an examination question paper, answer script or related documents to another candidate/student.
- Copying from textbook or module guide.
- Being in possession of and/or utilized crib notes on paper, tissue, items, body etc. for personal use or distribution.
- A Candidate/student assisting or being assisted or communicating with, in any manner, by fellow candidate/candidates/students.
- A Candidate/student fails to comply with invigilator's instructions or is insubordinate.
- A third party writing or attempting to write an examination on behalf of a candidate/student.
- A Candidate/student requests or inferences directly or indirectly to be assisted by any party with the intent to gain an advantage.
- A Candidate/student having possession of electronic devices during the exam session, examples: cell-phone, tablets, iPad. language translator, laptop, programmable calculator, smart watch etc.
- A Candidate/student using electronic device/s during the exam session, examples: cell-phone, tablets, iPad. language translator, laptop, programmable calculator, smart watch etc.
- A Candidate/student usage of identification other than their own.
- A Candidate/student offering a bribe to any party with the intention of gaining an unfair advantage.
- Producing improper identification for more than one examination sitting within an examination session.
- A Candidate/student removed an examination script from examination venue.
- A Candidate/student damaging exam script.
- A Candidate/student number and identification number not on examination script.
- Intimidation of any person present at the examination venue.

- A candidate/student possibly being assisted by invigilator.
- Different handwriting in script
- Script/s handed in late.
- Technical problem with script/s.
- Drunk and disorderly conduct.
- Misconduct not mentioned above but that is found to constitute an examination irregularity by the Invigilator.

7.3. Applicable Sanctions (Include but are not limited to):

- A written reprimand and/or warning;
- Suspension from the Institution for one or two semesters;
- Expulsion - Denial of the opportunity to enrol as a student at the Institution indefinitely;
- Denial of the opportunity to register for a particular study module or course offered by the Institution;
- Annulment of examination results and/or withdrawal of a credit(s) obtained in a study modules and/or courses;
- Any other appropriate sanction(s) which the relevant disciplinary Committee deems suitable in the particular circumstances.

8. Student Complaint Procedure

- Complaints by students are addressed in a supportive environment that is free of victimisation or intimidation of anyone connected to the complaint, either during or subsequent to a complaint resolution procedure. Informal and early resolution of complaints is encouraged and desirable.
- In line with MANCOSA's commitment to uphold the auspices of the Constitution of the Republic of South Africa, every case will include:
 - An objective and fair hearing,
 - the opportunity to present one's case in writing; and
 - a decision made by an unbiased person or persons.
- Subject to the below exceptions, confidentiality will be respected and maintained at all times. Occasionally, however, serious allegations arising during investigation of a complaint may require MANCOSA, by law, to report such allegations to external authorities.
- Any student who lodges a complaint and any staff member who may be directly affected by the complaint will be regularly informed of the progress of the matter.
- Anonymous complaints will not be entertained or processed without substantial lawfully obtained evidence to validate allegations made.

- Except in special circumstances, as determined by the Principal, a non-academic complaint must be lodged within three months from the date on which the complaint was alleged to have arisen. All academic complaints must be lodged within fifteen working days of having occurred.
- The procedure applies to all student complaints relating to institutional decisions or processes.
- Grounds for complaint include:
 - improper, irregular or negligent conduct against a student of MANCOSA;
 - discrimination, prejudice or bias;
 - failure to adhere to appropriate or relevant published MANCOSA policies and procedures; and
 - a decision made without sufficient consideration of facts, evidence or circumstances of specific relevance to the student.

Complaint Resolution Stage 1: Early Conciliation and Informal Complaint Resolution

1. The student is encouraged to attempt to resolve the matter directly with the respondent, that is, the person or representative against whom the complaint is being raised. Normally, this stage of complaint is resolved by discussion of the matter between the parties.
2. If the student is uncomfortable with raising the matter with the respondent, then he or she must discuss it with an academic manager or line manager of the relevant administrative area.
3. If the student believes s/he has not received adequate resolution of the complaint through an informal complaint resolution discussion, then the student may seek further advice and information from the academic manager. Having considered this advice, the student may then decide to:
 - a. take no further action, or
 - b. make a formal complaint (see Stage 2).
4. MANCOSA's psychological counsellor may act as a mediator in the informal complaint resolution processes.
5. The process at this stage should normally take no more than five working days, from initial complaint to the appropriate person to resolution. This timeline may be extended depending on the availability of relevant staff members or students.
6. Resolution of the complaint shall be recorded in writing by the staff member investigating the complaint and signed by both the student and the respondent.
7. If the complaint cannot be resolved at Stage 1, the student may elect to move to Stage 2 of the process.

Complaint Resolution Stage 2: Further Conciliation and/or Investigation

1. The student may only move to Stage 2 after informal complaint resolution has been attempted.
2. Students wishing to take their complaint to Stage 2 must do so within 10 days of the date of completion of Stage 1.
3. Stage 2 involves lodging a formal complaint. This must be in the form of a written submission made to the academic or administrative manager within the relevant department, as appropriate to the particular complaint.

However, if that person is the subject of the complaint or has a conflict of interest in the case, then the next most senior staff member higher than that person must be approached.

4. The academic or administrative manager, as appropriate, may undertake any of the following actions to resolve the complaint
 - a. discuss with the parties' possible options for resolution;
 - b. consider all relevant matters and where appropriate make further enquiries and documents;
 - c. discuss the situation with the student and other party to the complaint in an attempt to conciliate the complaint; and
 - d. conduct an investigation or appoint a trained person to do so on their behalf.
5. The student and/or the respondent may elect to be represented or supported by a fellow student or staff member of choice provided that such fellow student or staff member accepts such appointment. Legal representation or a parent is not permitted.
6. The process at this stage should normally take no more than 10 working days from receipt of the written complaint by the appropriate person to resolution. This timeline may be extended in light of matters such as the availability of relevant staff members or students.
7. Resolution of the complaint shall be recorded in writing by the staff member who investigates the complaint and signed by the student and the respondent.
8. If the complaint cannot be resolved at Stage 2, the student may elect to move to Stage 3 of the process.

Complaint Resolution Stage 3: Investigation and Determination by a Director:

1. The student may not proceed to this stage without having attempted to resolve the matter at Stages 1 and 2. The student must indicate how prior resolution of the complaint was attempted and not resolved.
2. Students wishing to take their complaint to Stage 3 must normally do so within 10 days of finalisation of the Stage 2 process.
3. Where the complaint is not resolved at Stage 2 of these procedures the student may lodge a written application to the relevant director. If that person is the subject of the complaint or has a conflict of interest in the case, the Academic Exco may appoint an alternative investigator.
4. The director will take the following steps to investigate and reach a resolution:
 - a. interview and/or take a written statement from the student;
 - b. interview and/or take a written statement from the respondent;
 - c. interview and/or take written statements from all relevant people involved in the complaint;
 - d. interview and/or take written statements from the personnel who handled the complaint at stages 1 and 2;
 - e. review all relevant documents;
 - f. consider the complaint in the context of any other relevant institutional rules, policy or procedure;
 - g. seek advice from any other person deemed appropriate to assist in the complaint resolution;
 - h. grant the student and the respondent the opportunity to respond to all relevant information gathered;

- i. determine if the complaint can be substantiated;
 - j. determine an outcome, noting mitigating circumstances; and
 - k. advise the student and respondent in writing of the outcome of the investigation.
5. The student and/or the respondent may elect to be represented or supported by a fellow student or staff member of provided that such fellow student or staff member accepts such appointment. Legal representation or a parent is not permitted.
6. Resolution of the complaint will be recorded in writing by the staff member investigating the complaint and signed by the student and the respondent.
7. The process at this stage should normally take no more than 10 working days from receipt of the written complaint by the appropriate person to resolution.

Appeal Process

1. A student or a member of staff affected by the determination of a Stage 3 complaints process may appeal against a decision directly to the relevant Director. The appeal must be in writing and usually be received by the relevant Director within 14 days of notification of the outcome of the Stage 3 process, but only on one or more of the following grounds:
 - a. the penalty imposed on the respondent, having regard to the evidence available, was too severe,
 - b. the penalty imposed on the respondent, having regard to the evidence available, was insubstantial in the opinion of the complainant,
 - c. there was a misapplication of procedures resulting in some disadvantage to the student or staff member.
2. Should the relevant Director be in any way involved in the determination of a Stage 3 complaint, the appeal in terms of section rests with the Disciplinary Appeals Committee as constituted in terms of section 17.1. a and its processes.

Participation and Support Available During the Complaint Resolution Process

1. It is expected that students and/or staff involved will participate in the process in good faith.
2. It is recognised that in applying these procedures the student or respondent may require pastoral support. In the case of the student or respondent being a student or group of students, this support may be sought from a friend or colleague of choice or from academics within MANCOSA.
3. In the case of the student or respondent being an organisational unit, support and advice may be sought from MANCOSA senior staff who have specialist knowledge of the situation, provided that such contact does not create a conflict of interest.

Conclusion of the Process

1. Within five working days of the complaint having been concluded, relevant Director will ensure that the relevant documentation is forwarded to the Academic Exco:

- a. a copy of the written complaint;
- b. concise details of the process and the outcome of resolution of the complaint; and
- c. intended action by either party should the resolution of the complaint not be satisfactory.

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Annexure 1 Computer Laboratory Protocol

1. The equipment is available for the benefit of all students, and as such must be respected and looked after.
2. Students are allowed access to computer laboratories only under the supervision of IT support staff and/or lecturing staff/independent contractor.
3. All students are required to display their student cards at their workstations when using the computer facilities.
4. Students are only allowed on websites that are applicable to their programme or module requirements.
5. The following sites, searches and downloading are prohibited: music, video's, films, games, mobile fun, pornographic sites and other software.
6. Wi-Fi downloading of non-education-related material (videos, music, etc.) is not permitted.
7. Students must comply with the set-up document for all computer facilities as required the IT Department.
8. No changing of any hardware and/or software settings is permitted. This category also extends to: set-ups, screen savers, autoexec, configurations, initial prompts and names backgrounds.
9. Unauthorised disks, including USB's, are not allowed from an outside source to ensure that viruses are not transferred to the computers.
10. Loading of software without authorisation from the relevant staff member is not permitted.
11. Removal of hardware and software (or any part thereof) without proper authorisation will be considered theft.
12. Use of cell phones in the computer laboratory is not permitted.
13. Students are to ensure that all Internet applications are closed upon leaving this facility.
14. No food or drink of any kind is permitted in the Computer Laboratory. Smoking is also prohibited.
15. Not access other student's records.
16. Students shall not:
 - (i) share user IDs with others or use IDs obtained by others;
 - (ii) utilize the SIS (Student Information System) for any illegal purpose;
 - (iii) Download any apps or other unauthorised technology;
 - (iv) introduce any virus, malware or otherwise compromise the information security of any system;
 - (v) use the SIS for sending malicious, defamatory, obscene, chain or spam mails; and
 - (vi) violate any applicable laws, including without limitation the Information Technology Act, 2000, as amended from time to time.

Annexure 2 Notice of investigation

DATE

STUDENT'S NAME

STUDENT'S ADDRESS

Dear Student, (Include student number here)

A complaint has been referred for investigation in terms of the Student Code of Conduct. It is alleged that you are in breach of section XXX of the Student Code of Conduct and/or Institutional Rules (QUOTE).

The allegation of misconduct/complaint is that you ...

You are requested to be present at (PLACE) on (DATE) at (TIME) provide information about the allegation made against you. You may:

- present your case in person;
- submit a written statement in response to the allegation;
- submit any supporting information.

Please confirm your attendance or otherwise with me by email or by telephone at ...

Kindly note that legal representation or representation by parents of the student will not be allowed.

Should you choose not to attend; the investigation will proceed in your absence. The findings of the investigation will be provided to the relevant internal authority for consideration.

Yours sincerely

NAME

INVESTIGATING OFFICER

Annexure 3 Notice to Attend a Hearing

Date:
Students' Name:
Address

Dear ...

Disciplinary hearing

Please note that a hearing will be held to with respect to an allegation of misconduct against yourself.

Nature of misconduct:
Charge:
Complainant:

The hearing details are:

Date:
Time:
Place:

Please note your rights:

- You are entitled to be assisted at the disciplinary hearing by a representative who is a fellow student or staff member. No legal representative or parent is allowed.
- You may have an interpreter, should you formally request one.
- You may have the opportunity to confer with your representative at reasonable times before, during and after the enquiry.
- You may personally, or through your representative, question the complainant and witnesses during the enquiry.
- You can provide evidence and to argue on the question of whether the misconduct occurred (the verdict).
- You can provide evidence and to argue in mitigation of sentence (penalty).
- Should you refuse or fail to attend, the enquiry will be held in your absence.
- You are entitled to lodge an appeal against the outcome of the disciplinary hearing within five working days of the receipt of the outcome. The appeal must be lodged with the Academic Exco or relevant Director and must motivate fully the grounds your appeal and whether the appeal is to do with the procedure, decision (verdict) and/or sentence (penalty) resulting from the hearing. An appeal will be decided as soon as possible after having been lodged.

Signature & Date

I, _____, hereby acknowledge receipt of this notification and confirm that I understand this notification. This notification, including my rights cited above, has been explained to me.

Signed _____ Date _____

Student Name _____ Contact number _____